

**MINUTES
EAGAR TOWN COUNCIL
REGULAR MEETING
July 10, 2007
7:00 P.M.**

Mayor Gloria Eagar called the meeting to order and welcomed those present. Mayor Gloria Eagar said to let the record show that Councilor Vicente Ordonez is absent and excused, and all other council members are present. Mayor Eagar led the Pledge of Allegiance and Rick Pinckard offered the invocation.

COUNCIL PRESENT: Gloria Eagar, Vice Mayor
 James Nelson, Jr.
 Sue Chacon
 Byron Smith
 Kim Holaway
 Gary Finch

COUNCIL ABSENT: Vicente Ordonez

STAFF PRESENT: Rick Pinckard, Finance Administrator
 Elwin Browning, Public Works Administrator
 Bruce Ray, Community Development Director
 Eva Wilson, Town Clerk
 Doug Brown, Counsel

ITEM # 5: REPORTS

A. MAYOR

Mayor Gloria Eagar commented that the 4th of July Parade was well attended even with the holiday falling on a Wednesday. She asked if Sheriff's Posse Captain Gary Finch could report on the rodeo during open call to the public.

B. COUNCIL

Councilor Byron Smith had a list of activities he had attended in the last month to include: Arizona Transportation Board Meeting, Arizona Log and Timberworks operation presentation, Navajo and Apache Counties Mayors and Councilors Association Meeting, rode in a float for the 4th of July Parade, Springerville-Eagar Chamber of Commerce Board Meeting.

Councilor Smith reported that the Chamber of Commerce has a new board director member, Vicki Anderson, replacing Janet Turrietta and has acquired two new members the past month. The Chrome in the Dome was well attended and made a profit. The plans for the Golf Tournament are going well.

Councilor Kim Holaway reported that she attended the Eagar Utilities Board meeting on July 2nd. Tennis lessons will start this week with adult lessons on Wednesdays from 5:30-7:00 p.m., and children lessons on Thursdays from 1:00-4:00 p.m.

C. STAFF

Community Development Director Bruce Ray reported that FEMA cannot find the Water Canyon Flood Plain Study that was due two years ago. He is working with the engineers to get information to FEMA.

Town Clerk Eva Wilson reported that she has yet to find a mission statement for the Town. She will continue to search for one; however, this may be a future agenda item.

Ms. Wilson advised the Council that she and Assistant Clerk Marion Wiltbank will be in Phoenix July 19th and 20th to attend Elections Training. At this time Ms. Wiltbank will be taking her Elections Certification Test.

Doyel Shamley has offered his services to install a media center in the council chambers. This new system will be offered at his wholesale price and labor will be in kind. Ms. Wilson asked Mr. Shamley to elaborate on the media center during open call to the public.

The records retention and disposition project is moving along and the clerk's office has eliminated enough old records to close the account on one of the rented storage units.

ITEM # 6: OPEN CALL TO THE PUBLIC

Citizen Glen Finch volunteered to present the Horse Show at Eagar Daze. This information will be forwarded to Ladonna Tafoya, Events, Recreation and Tourism Director.

Sheriff's Posse Captain Gary Finch reported that he is proud to lead the 4th of July Parade and to carry the American Flag. Mr. Finch conveyed his appreciation to the Town of Eagar for their help at the Eagar Arena and Event Center. Town staff helped clean up the area, painted, welded, and advertised in preparation of the rodeo. The Town supplied fencing material to better direct the traffic and spectators. The Rodeo went well for a middle of the week event. The food and beverage sales brought in more money because of the new rules at the arena/event center that forbids outside food and alcoholic beverages.

Citizen Doyel Shamley followed up on Ms. Wilson's staff report on the media center he will be installing. He stated that the media center will comprise of a ceiling mounted projector with a retractable screen on the south wall of the council chambers, a speaker system with four speakers in the chambers and two speakers in the room south of the chambers. The microphone system will be a wireless system eliminating the trip hazards the Council has now. He will ask the Town to build a secure cabinet to place the components in to prevent unwanted adjustments to the system.

Arizona Department of Corrections Winslow Complex-Apache Unit Deputy Warden David Rempel reported that he Winslow Complex has a new Warden, Berry Larsen. Warden Larsen has 19 years experience with the Arizona Department of Corrections. Deputy Warden Rempel will be showing Warden Larsen the area and introducing her to the local culture.

Citizen Mike Etherton asked the Council to highly consider placing sidewalks on Butler Street from 4th Avenue to Central Avenue. With the high school, park, fire department, genealogy center and the increased traffic on Butler Street, a sidewalk is much needed. He is willing to start a petition to get the placement of sidewalks in this area.

ITEM # 7: CONSENT AGENDA

A. APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD JUNE 2007

Councilor Kim Holaway moved to approve the minutes of the Eagar Town Council meetings held in June 2007. Councilor Byron Smith seconded; all were in favor, motion carried. 5-0

B. APPROVAL OF CHECKS WRITTEN FROM 20426-20798 MAY 2007, BANK TRANSMITTALS 1-21 MAY 2007, COMMUNITY FIRST CREDIT CARD PURCHASES MAY 2007

Councilor Kim Holaway moved to approve the checks written, bank transmittals, and Community First credit card purchases of May 2007 as presented. Councilor Byron Smith seconded; all were in favor, motion carried. 5-0

ITEM # 8: UNFINISHED BUSINESS

A. APPOINTMENT OF CITIZEN TO THE EAGAR TOWN COUNCIL FOR THE UNEXPIRED TERM OR FOR APPOINTMENT UNTIL THE NEXT REGULARLY SCHEDULED COUNCIL ELECTION

Councilor Kim Holaway moved to appoint Gary Finch to the unexpired term of the vacant council seat. Councilor James Nelson seconded; all were in favor, motion carried. 5-0

Town Clerk Eva Wilson administered and Gary Finch acknowledged the Loyalty Oath for the Town of Eagar. Councilor Finch took his seat on the Council.

B. APPOINTMENT OF COUNCIL MEMBER TO THE POSITION OF VICE MAYOR

Councilor Sue Chacon nominated Councilor Vicente Ordonez to be the Vice Mayor. Councilor Kim Holaway seconded; all were in favor, motion carried. 6-0

C. DISCUSSION AND CONSIDERATION REGARDING THE WATER SUPPLY AND WATER CONSERVATION THROUGHOUT THE TOWN

Former Mayor Sandra Burk had asked that the Town move to Stage 2 of the Drought Plan which is voluntary watering on alternate days with no watering on Monday. Councilor Kim Holaway and Town Manager Bill Greenwood had discussed executing these decisions through the Eagar Utilities Board and to notify the Mayor of any such meetings that may need to be conducted to make the decision to move in the stages. This will require a change in ordinance and it was asked that a new ordinance be prepared to allow for the change.

The Water System Plan was approved by ADEQ with no changes to be done. There were some recommendations attached.

ITEM # 9: NEW BUSINESS

A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2007-21 APPROVING THE AMENDMENTS TO THE RURAL ARIZONA GROUP HEALTH TRUST (RAGHT) AGREEMENT AND DECLARATION OF TRUST DATED JULY 1, 2007

Town Clerk Eva Wilson advised the Council that the only change to the agreement was the inclusion of the Health Information Privacy Protection Act (HIPPA) language.

Councilor Kim Holaway moved to approve the amendments to the Rural Arizona Group Health Trust Agreement and Declaration of Trust dated July 1, 2007. Councilor James Nelson seconded.

Discussion: Councilor Sue Chacon questioned Section 5.05 of the agreement that pertains to employee contributions paid in lieu of benefits. Councilor Kim Holaway recollected her memory of the council meeting when the decision to change insurance plans to RAGHT were made and she does not recall the Council approving employees to receive a monetary amount in lieu of benefits.

Rick Pinckard recalled that the original intent of the insurance in lieu program was to have a medical reimbursement program whereas employees that chose not to participate in the Town's insurance programs could submit health care receipts and be reimbursed up to a specified amount each year. He does not recall when and why employees began receiving the benefit as a wage.

Councilor Kim Holaway was concerned that by offering more money in the paychecks, employees were opting to go without health insurance.

Town Clerk Eva Wilson reported that she had spoke with RAGHT representatives about Section 5.05 and they were checking with their attorney for an interpretation, any laws associated with the section, and to provide a recommendation on how to remedy the situation if it is prohibited.

Councilor Sue Chacon asked Ms. Wilson to conduct the research and to present the Council with the minutes of September 2005 when Council approved the initial agreement with RAGHT. This item will be brought back in August.

All Council members were in favor of the motion to approve the amendments to the Rural Arizona Group Health Trust Agreement and Declaration of Trust with the inclusion of the HIPPA language, motion carried. 6-0

B. DISCUSSION AND CONSIDERATION OF A COUNCIL RETREAT

After much discussion it was decided that the next retreat will be facilitated again by Arizona State University Advanced Public Executive Program. That the next retreat may not need to be as in-depth as the April 2005 retreat. That the retreat be conducted after the next election so that new councilors may participate in the retreat, and to determine if the council's training budget will allow for this expense this fiscal year.

Councilor Kim Holaway suggested that the April 2005 Retreat Summary Report be brought back in a work session and the Council can mark the accomplishments, determine what areas need attention, and to reset priorities if needed.

C. DISCUSSION AND FIRST READING OF ORDINANCE 2007-04 AMENDING THE TOWN CODE BY REVISING TITLE 16, FLOOD DAMAGE PREVENTION, (STATUTORY AUTHORIZATION, FINDINGS OF FACT, PURPOSE AND METHODS)

Community Development Director Bruce Ray reported that over the last year the Town of Eagar along with the County and other communities have met with FEMA for the purpose of updating the Flood Insurance Rate Maps (FIRM) into a digital format. These maps will take effect on September 28, 2007. With the update of the FIRM, FEMA and the Arizona Department of Water Resources (ADWR) is requiring that the Town adopt the new model ordinance for flood damage prevention. The adoption of the ordinance will ensure that if a flood were to happen in the community, the community would receive help from FEMA to recover from the disaster.

It was requested by ADWR to adopt the ordinance by August 1, 2007. The Council will not meet again before than to approve the ordinance and ordinances have 30 days before they become effective, therefore the second reading of the ordinance will include an emergency clause.

D. DISCUSSION AND FIRST READING OF ORDINANCE 2007-05 AMENDING THE ZONING MAP BY CHANGING THE ZONING ON PARCEL 104-20-002B FROM AG TO AR-43

Mr. Jeff Udall has applied for a zoning district change for parcel 104-20-002B. The parcel is currently zoned AG. Mr. Udall is requesting that the entire parcel be rezoned to AR-43. Mr. Udall received a three-acre parcel as an inheritance and is requesting the zoning change on the parcel so he can develop it. This proposed change does meet the General Plan Land Use Map. The zoning around the parcel would remain AG.

Notification was made for a public hearing and there was neither opposition against or for the zoning change.

ITEM # 10: SIGNING OF DOCUMENTS

Signed the minutes of June 2007, and Resolution 2007-21.

Council Regular Meeting
July 10, 2007

ITEM # 11: ADJOURNMENT

Councilor Sue Chacon moved to adjourn at 8:10 p.m. Councilor Byron Smith seconded; all were in favor, meeting adjourned.

Attest: _____

Mayor: _____

Vice—Mayor _____

Council: _____

CERTIFICATION OF COUNCIL MINUTES

I hereby certify that the foregoing minutes are true and correct copy of the minutes of the regular session of the Town of Eagar, Arizona held on the 10th day of July 2007. I further certify that the meeting was duly called and held and that a quorum was present.

Eva M. Wilson