

**MINUTES  
EAGAR TOWN COUNCIL  
REGULAR MEETING  
December 4, 2007  
7:00 P.M.**

Vice-Mayor Vicente Ordonez called the meeting to order and welcomed those present. Vice-Mayor Ordonez said to let the record show that Mayor Gloria Eagar is excused as she is attending the Governor and Mayor's Summit Meeting; all other council members are present. Vice-Mayor Ordonez led the Pledge of Allegiance and Elwin Browning offered the invocation.

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

COUNCIL ABSENT:        Gloria Eagar, Mayor

STAFF PRESENT:        Bill Greenwood, Town Manager  
                                 Elwin Browning, Public Works Administrator  
                                 Mike Hogan, Chief of Police  
                                 Rick Pinckard, Finance Administrator  
                                 Doug Brown, Town Counsel  
                                 Eva Wilson, Town Clerk

**ITEM # 5: REPORTS**

A. MAYOR

None.

B. COUNCIL

Vice-Mayor Vicente Ordonez reported that the Eagar South Project is in the implementation stage.

C. STAFF

Chief Mike Hogan reported that Cadet Aaron Finch will graduate from the CARLOTA Police Academy on December 14<sup>th</sup>. The department will hold a swearing in ceremony on December 17<sup>th</sup> at 10:00 a.m. at the Eagar Town Hall.

Town Clerk Eva Wilson thanked Assistance Town Clerk, Marion Wiltbank for all of her dedicated work and for the beautiful decorating of the Town Hall.

Town Clerk Eva Wilson reported, in addition to the report in the council packets, Doyel Shamley would be at the December 11<sup>th</sup> council meeting to demonstrate the new media center and to answer any questions. Ms. Wilson will be attending a Rural Arizona Group Health Trust (RAGHT) meeting on Thursday, December 6<sup>th</sup>.

Town Manager Bill Greenwood reported that he recently attended the last meeting of the wood group regarding another Stewardship Contract. He attended an OSB Plant presentation in Winslow. He attended an Arizona Town Hall meeting at which upcoming projects were discussed. An economic study is being performed regarding the Stewardship Program.

Events, Recreation and Tourism Director Ladonna Tafoya has submitted her resignation for December 15<sup>th</sup>.

#### **ITEM # 6: OPEN CALL TO THE PUBLIC**

A citizen asked that the dog issues and Town Code be reviewed again; that all dogs should be required to be vaccinated and tagged whether a kennel permit is issued or not. She commented that fines for dogs at large should be greater than tag and vaccination costs, encouraging people to do the latter.

This same citizen asked why the police department does not submit a press release to the local newspaper on a regular basis.

Council directed staff to revisit the issues regarding the Animal Code; and Councilor Gary Finch asked that this issue be brought back to a council meeting next year.

#### **ITEM # 7: UNFINISHED BUSINESS**

##### **A. DISCUSSION AND CONSIDERATION OF A RESOLUTION, (DECISION), IN THE CASE OF THE EVERETT SLADE FLOODING**

The situation was summarized by Town Manager Bill Greenwood. Mr. Everett Slade stated that the Town may be responsible for his flooded garage due to their moving a culvert and not having adequate drainage. The Town's risk pool stand is that there was an incredible amount of rainfall during this period and that the flooding was due to an "act of God".

Public Works Administrator Elwin Browning reported that there was some silt in the culvert and drainage area, and that it was cleaned up to help prevent further flooding. Councilor Gary Finch reported that there was an immense amount of rainfall during this period. Councilor James Nelson, an engineer, had looked at the area in question and agreed with the Risk Pool that there was nothing the Town had done to cause Mr. Slade's flooding.

Councilor Sue Chacon moved to accept the Risk Pool's decision denying the Slade's property claim. Councilor Byron Smith seconded.

Discussion: Councilor Kim Holaway agreed that the Town carries risk management to make these types of expert opinions and decisions.

Five were in favor of the motion, one opposed; motion carried. 5-1

**B. DISCUSSION AND CONSIDERATION OF TOWN MISSION STATEMENT**

Councilor James Nelson moved to accept a Town Mission Statement to be: *The Mission of the Town of Eagar is to provide excellent services for its citizens, in a courteous, open and professional manner.* Councilor Byron Smith seconded; all were in favor, motion carried. 6-0

**ITEM #8: NEW BUSINESS**

**A. DISCUSSION AND CONSIDERATION OF RESOLUTION 2007-29 ADOPTING A NEW FEE SCHEDULE AND APPLICATION FOR USE OF THE EAGAR MEETING ROOMS**

Councilor Sue Chacon moved to accept Resolution 2007-29 adopting a new fee schedule with a \$1,000,000 liability insurance requirement, and the Application for Use of the Eagar meeting rooms. Councilor Gary Finch seconded; all were in favor, motion carried. 6-0

**ITEM # 9: EXECUTIVE SESSION ITEMS**

**A. DISCUSSION AND CONSIDERATION OF PURCHASE OR LEASE OF THE KENNEDY WELL**

**B. DISCUSSION AND CONSIDERATION OF PURCHASE OF PULSIPHER PROPERTY, PARCEL NUMBER 104-11-027A**

Councilor Sue Chacon moved to enter into Executive Session. Seconded by Councilor Kim Holaway; all were in favor, motion carried. 6-0

Councilor Gary Finch moved to reconvene into Regular Session. Seconded by Councilor Sue Chacon; all were in favor, motion carried. 6-0

**C. ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION-KENNEDY WELL**

Councilor Kim Holaway moved to approve the Ground Lease Agreement and Lease Agreement with the exception of 20E of the Ground Lease Agreement titled *Attorney Fees*, deleting the second sentence. Councilor Sue Chacon seconded; all were in favor, motion carried. 6-0

**ITEM # 10: SIGNING OF DOCUMENTS**

Signed Resolution 2007-29.

**ITEM # 11: ADJOURNMENT**

Councilor Sue Chacon moved to adjourn at 9:45 p.m. Councilor Gary Finch seconded; all were in favor, meeting adjourned.

Attest: \_\_\_\_\_

Council Regular Session  
December 4, 2007

Mayor: \_\_\_\_\_

Vice—Mayor \_\_\_\_\_

Council: \_\_\_\_\_

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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 4<sup>th</sup> of December, 2007. I further certify that the meeting was duly called and held and that a quorum was present.

\_\_\_\_\_  
Eva M. Wilson