

**MINUTES
EAGAR TOWN COUNCIL
REGULAR MEETING
December 11, 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 all council members are present. Mayor Eagar led the Pledge of Allegiance and Gary Finch offered the invocation.

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

STAFF PRESENT: Bill Greenwood, Town Manager
 Elwin Browning, Public Works Administrator
 Bruce Ray, Community Development Director
 Mike Hogan, Chief of Police
 Rick Pinckard, Finance Administrator
 Howard Carlson, Fire Chief
 Doug Brown, Town Counsel
 Eva Wilson, Town Clerk

ITEM # 5: REPORTS

A. MAYOR

Mayor Gloria Eagar reported on her attendance at the annual Governor and Mayor’s Summit Meeting. The Governor reported that the State will experience an \$800,000,000 shortfall for the 2008 fiscal year and is expecting at least an \$800,000 shortfall for fiscal year 2009. The Governor reported that the State keeps a “Rainy Day Fund” and that \$700,000,000 will be used to help with the deficit.

The Governor plans to protect the State Shared Revenues with no cuts, continue K-12 education, no cut to programs that care for the vulnerable, and no tax increases.

Mayor Eagar brought back a *Smart Growth Scorecard* Draft that the Governor wants towns and cities to review and give feedback on. The scorecard will determine grant funding for municipalities. A copy of the scorecard will be distributed to council and staff members.

The Governor is also pushing legislation on an “enhanced driver license” that can also be used as a passport, and proof of eligibility to be employed; and she would like to see the age eligible to dropout of school raised to eighteen years from sixteen years.

B. COUNCIL

Councilor Gary Finch reported that NACOG meetings have been postponed until January.

Councilor Byron Smith reported that he attended the Chamber of Commerce meeting this morning.

C. STAFF

Community Development Director Bruce Ray reported that he will begin working on street address maps for the Census 2010.

Chief Mike Hogan reported that the funding the police department received from Homeland Security is being used to install a security system in the police department and one door in the Town Hall; this will be a card access system. Homeland Security Grant is also allowing the purchase of two GIS units and computers. Monies awarded from the Governor's Office of Highway Safety will be used to pay for overtime, and a trailer on DUI details that can second as a command center.

Cadet Aaron Finch's swear-in ceremony will be held on December 17th at 10:00 a.m. at the Town Hall.

Fire Chief Howard Carlson announced that the fire department has raffle tickets for sale benefiting the Clothe-A-Child Foundation.

ITEM # 6: OPEN CALL TO THE PUBLIC

None

ITEM # 7: CONSENT AGENDA

APPROVAL OF MINUTES OF EAGAR TOWN COUNCIL MEETINGS HELD NOVEMBER 2007

APPROVAL OF CHECKS WRITTEN FROM 22156-22392 OCTOBER 2007, BANK TRANSMITTALS 1-22 OCTOBER 2007, COMMUNITY FIRST CREDIT CARD PURCHASES OCTOBER 2007

Councilor Kim Holaway moved to approve the minutes as presented, and approving the checks, and credit card purchases as presented. Vice-Mayor Vicente Ordonez seconded; all were in favor, motion carried. 7-0

ITEM # 8: UNFINISHED BUSINESS

A. DEMONSTRATION OF THE COUNCIL CHAMBER AND MEETING ROOM MEDIA CENTER

Doyel Shamley described the media system and said that other than the projector that still needs to be wired; all of the equipment is operable. He said that the system is also satellite ready.

B. SPRINGERVILLE-EAGAR REGIONAL CHAMBER OF COMMERCE REPORT FROM EXECUTIVE DIRECTOR JENNIFER PROCHNOW

Executive Director Jennifer Prochnow announced the Chamber had received several donations for the Adopt-A-Family program. They also gave \$1500 from the Golf Tournament to the program; in total they have given \$5740 to the program.

There were a total of nine floats in the Christmas Light Parade; the weather was rather wet. Ms. Prochnow is looking for ideas on how the Chamber can get more participation in coming years. Remaining events for December are the lighting of luminaries. A Mixer is scheduled for January 17th at the Assembly of God.

At this morning's Chamber meeting, the board found out that the rent is going up on their building and that Casa Malapias will be leaving. Casa Malapias will get office space in the Springerville Town Hall and Ms. Prochnow believes that the Chamber will have to follow suit as they cannot afford to remain in their building solely paying for rent. They will pay a minimal amount to the Town of Springerville for rent.

ITEM # 9: NEW BUSINESS

A. PRESENTATION BY CITIZENS FOR MULTIPLE LAND USE AND ACCESS (CMLUA), PRESIDENT DOYEL SHAMLEY

The CMLUA formed in response to the Forest Service Travel Management Rule and the concern for loss of cultural and economic sustainability. Mr. Shamley stressed what kind of economic impact this agenda will have on this community. That ecotourism is the up and coming trend and the Travel Management Rule counters this revenue source.

Vice-Mayor Vicente Ordonez agrees that this will impact the community, however, it depends on what side of the fence a person sits on whether it will be a positive or negative impact. He added that this Rule does need community development and the community needs to find middle ground on the issue.

Mayor Gloria Eagar asked if the Council could either form a committee or assign a member to act as a liaison to research the issue and make recommendations to the Council. Councilor James Nelson volunteered to be this liaison and Councilor Gary Finch volunteered to assist him.

Mr. John Bennett added that the Travel Management Rule can be revisited and revised every year and stressed that the citizens and government cannot let this issue go by the way side after the first year.

B. DISCUSSION AND CONSIDERATION OF FILLING RESIGNED COUNCIL SEATS AFTER PRIMARY ELECTION

Councilor Sue Chacon was inquiring whether a Councilmember that has resigned their seat to run for Mayor, if they were to lose the election, could resume their seat on the Council after the Primary Election if someone had not yet been appointed to fill the vacant seat. She added that the citizens

initially elected the councilmember and it would be in the best interest of the Town and citizens as this councilmember would be knowledgeable of the Town's affairs.

Town Clerk Eva Wilson had spoken to Tom Belshe, Deputy Director of The League of Arizona Cities and Towns and the municipal contact person in the State regarding municipal elections. Upon Ms. Wilson reading Mr. Belshe the Eagar Code on this subject, Mr. Belshe advised Ms. Wilson that this type of practice was not recommended as the councilmember has resigned and vacated their seat, and it is not a "good faith" practice.

Town Counsel Doug Brown agreed with this analysis of the Code and brought up several other complications if a resigned councilmember were allowed to recommence their term.

Staff was directed to research Arizona Revised Statutes to find out the history behind the Eagar Town Code as it relates to Elections and filling of council vacancies.

C. DISCUSSION AND CONSIDERATION OF A LEASE AGREEMENT BETWEEN THE TOWN OF EAGAR AND THE UNITED STATES CUSTOMS, AND BORDER PROTECTION AGENCY FOR SPACE ON TOWN OF EAGAR RADIO TOWER

Chief Mike Hogan explained that the United States Customs Agency and the Border Protection Agency are implementing a nationwide radio communication system. They picked the Eagar radio tower as a prime site to install their antenna to complete their network. The Customs and Border Protection Agencies have submitted a lease contract for the use of the radio tower. They would like to start using the tower beginning January 1, 2008.

There was discussion on the expense of electricity and any expenses that the Town will need to recoup.

Councilor Gary Finch moved to accept the contract with a change that the Town of Eagar is able to cancel the agreement with a 60 day notice, and that there is a charge of \$75.00 per month. Vice-Mayor Vicente Ordonez seconded; all were in favor, motion carried. 7-0

D. DISCUSSION AND CONSIDERATION OF BUDGET ITEMS AND LOST REVENUES

As discussed last week at the Council Work Session, Finance Administrator Rick Pinckard reported to the Council that Accounts Payable is approximately \$400,000 behind. Mr. Pinckard reported that all departments have been asked, since early in the fiscal year, to refrain from undue spending, even for budgeted items. Mr. Pinckard reported to the Council that some of the services the Town provides may have to be cut starting with Park and Recreation activities in the amount of \$119,828, Chamber of Commerce in the amount of \$12,500, and Economic Development Apache County (EDAC) expenses in the amount of \$12,500; that these expenses are not vital to the citizens or to the operations of the Town. The Parks and Recreation department can cost from \$3500 in winter months to \$30,000 monthly in the summer for labor and operating expenses. Mr. Pinckard added that any road projects that are not funded by grants will not be started for the remainder of the fiscal year.

Councilor Sue Chacon was not in favor to cut Chamber of Commerce funding as the Chamber distributes valuable information about the community and businesses. Councilor Gary Finch cautioned the Town to not expect grant monies to run the Town as these monies are only a trend for now and will not be available as the national economy worsens.

Councilor Sue Chacon wants the Town staff to present in a future council meeting the cost of the Main Street Project completed in-house versus what the cost would have been if this project was put up for a bid. Town Manager Bill Greenwood advised that staff is presently working on this and will have a report prepared and presented to the Eagar Utilities Board at their January meeting.

Mr. Pinckard added that next fiscal year will also see budget cuts from \$200,000 - \$300,000.

Councilor Kim Holaway noted that the only department that is targeted for budget cuts seems to be the Parks and Recreation Department. There was further discussion regarding departmental budget cuts and the Council asked that every department cut their budget by 1%, thus making up the 4% that the budget is deficit so far this year. Other suggestions to cut back included closing the swimming pool or limiting days of operation, downsize Eagar Daze, ask other communities to help Eagar with the events that provide enjoyment for all of the surrounding communities. Councilor Sue Chacon also suggested limiting training and travel especially for the Council as not all members have to attend the annual conferences. Mandatory fire and police training would not be affected.

ITEM # 10: EXECUTIVE SESSION ITEMS

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

Vice-Mayor Vicente Ordonez moved to meet in executive session. Councilor Sue Chacon seconded; all were in favor, motion carried. 7-0

Vice-Mayor Vicente Ordonez moved to reconvene into regular session. Councilor Sue Chacon seconded; all were in favor, motion carried. 7-0

B. ANY ACTION DEEMED NECESSARY FROM THE EXECUTIVE SESSION

Councilor Kim Holaway moved that the Town Council authorize the Eagar Municipal Property Corporation to purchase real property and KENNEDY Well. Councilor Byron Smith seconded; all were in favor, motion carried. 7-0

ITEM # 11: SIGNING OF DOCUMENTS

Signed the minutes of November 2007.

ITEM # 12: ADJOURNMENT

Councilor James Nelson moved to adjourn at 9:33 p.m. Councilor Gary Finch seconded; all were in favor, meeting adjourned.

Council Regular Session
December 11, 2007

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 11th of December 2007. I further certify that the meeting was duly called and held and that a quorum was present.

Eva M. Wilson