

**TOWN OF PRESCOTT VALLEY  
REGULAR COUNCIL MEETING  
MINUTES  
September 9, 2010**

Library Auditorium  
7401 E. Civic Circle  
Prescott Valley, Arizona 86314

1. CALL TO ORDER

Mayor Skoog called the meeting to order at 5:30 p.m.

2. INVOCATION

Pastor Troy Powers gave the Invocation. Mayor Skoog presented Pastor Powers with a Certificate and token of Appreciation for his service to the Town.

3. PLEDGE OF ALLEGIANCE

The Boy Scouts of America led the Pledge of Allegiance which was said in unison.

4. ROLL CALL

Present: Council Member Lasker, Council Member Nye, Mayor Skoog, Council Member Flannery, Council Member Schumacher, Council Member Wise, and Vice Mayor Anderson.

5. SCHEDULED ANNOUNCEMENTS & PRESENTATIONS

b. YCCF Certificate and Law Enforcement Canine Fund presentation

Canine Program Leader Sgt. Art Askew introduced Paul Hinze and Dave McNally and their canine partners Joey and Ike. Sgt Askew presented a Yavapai County Community Foundation \$8,000 check that will go toward the purchase of a new canine for Officer Hinze as his dog is retiring. Over the last 6 years the YCCF has given the Town of Prescott Valley over \$73,000. YCCF representatives Tracey Corey and Tracey McConnell came forward to give a little information about the YCCF and the Power of Endowment YCCF Canine's In Law Enforcement Fund. Mayor Skoog presented the YCCF with a Certificate of Appreciation.

a. Chamber of Commerce

Karen, representing the Chamber of Commerce, introduced Dr. Brad Hayman and Dr. Randall Brower of "Hayman Multi Care" who told a little about their podiatrist practice opened locally a month ago. Their services are available at both the east and west hospital campuses as well as by appointment at their offices.

Tim Barnett, YRMC Hospital Board President, John Amos YRMC East Campus Director and Jill Howard expressed their delight at having additional doctors to work in both the east and west campuses of YRMC.

6. *PROCLAMATION*

a. *March of Dimes, Marty Grossman*

Town Clerk Diane Russell read the March of Dimes, March for Babies Proclamation after which it was presented to Marty Grossman. Mr. Grossman announced a fund raiser will be held Saturday at the Court House Plaza. Registration begins at 7:30 for the March for Babies start time of 8:00 a.m.

b. *Military Monument Day, Carm Staker*

Town Clerk Diane Russell read the proclamation after which it was presented to Carm Staker by Mayor Skoog. Carm Staker introduced Committee members Bob Davis, Richard and Lisa Imburgia, Doug Keller, Bill Brown and Ben Phillips including Council Members Nye, Wise, Lasker, Schumacher and Flannery, who have worked very hard on this monument project begun 4 years ago. Phase 1 is completed. The next step is the selling of sidewalk bricks which will be sold for \$50 apiece as a fund raiser. Bricks are being purchased from all over the country to honor our servicemen and women. They continue working on fund raising to include an upcoming spaghetti dinner to be held on Saturday, October 16th at Prescott Valley United Methodist Church between 4:00 and 7:00 p.m. Tickets cost \$7.00. To date they have raised about \$60,000. Donations are welcome.

Council member Wise said Carm Staker is the driving force behind this endeavor and thanked her for her leadership and everything she has done for this community.

c. *Constitution Week, Dorothy Castanos*

Town Clerk Diane Russell read the Constitution Week Proclamation after which it was presented to Dorothy Castanos. Ms. Castanos said the Constitution was the founding of this country and we should remember all the liberties it gives us.

d. *Boys Scouts of America 100th Anniversary, Bruce Harris*

Town Clerk Diane Russell read the Boy Scouts of America 100th Anniversary Proclamation after which it was presented to Bruce Harris.

e. National Patriotism Week, Glenda Hargrove

Glenda Hargrove and Sarah McQuality of the Benevolent and Protective Order of Elks came forward. The ladies announced that this weekend they are holding a Bar-B-Q fund raiser for \$10.00 a ticket. They support Boy Scout Troup 330. Their Elks Lodge is celebrating their 115th year as Elks. The #330 Lodge founded in 1896 was the first lodge in Arizona. Town Clerk Diane Russell read the National Patriotism Week Proclamation after which it was presented by Mayor Skoog to Ms. Hargrove and McQuality.

7. *CERTIFICATES*

a. Certificate of appreciation to Woody Lewis for 25 years of service

Town Clerk Diane Russell read the comments submitted by the Community Development Department. Mayor Skoog presented Woody with a Plaque of Appreciation and pin for his 25 years of service to the Town. A gift certificate is forthcoming. Woody commented that he agreed with the prior speaker that Prescott Valley is a much better place to live than St. Johns. He explained that when he first came to Prescott Valley there was no gas service, no sewer, muddy roads and practically no houses. We have a real good town now.

Community Development Director Richard Parker commented that Woody is at work before and stays after Richard comes and goes. Woody is a man of impeccable character and has a better institutional memory than Ivan. He does have some quirks - he is a hoarder of documents from years ago although he is getting better.

b. Certificate of appreciation to Joe Scott for 15 years of service

Town Clerk Diane Russell read the accolades submitted by the Community Development Department after which Mayor Skoog presented Joe with a Certificate of Appreciation, pin and gift certificate. Joe thanked everyone for the opportunity to work for the town and said it has been a great opportunity and rewarding to him. "We have created a vibrant town", said Joe and he hopes to continue with that process.

Council members Flannery and Nye commented that Joe gives back to the town other than just through his occupation. He volunteers to serve in community service endeavors also.

Community Development Director Richard Parker stated that Joe has been a *nuts and bolts* person grinding out the day in and day out stuff and has been at every turn in the development of Prescott Valley. He is glad he is on our team and commented that Joe is one heck of a guy.

c. Certificate of appreciation to Mark Libman for 5 years of service

Town Clerk Diane Russell read the accolades submitted by the Community Development Department. Mayor Skoog presented Mark with a Certificate of Appreciation and pin for his 5 years of service to the Town. Mark said it has been an honor and a pleasure working for PV. Mark commented that the Town of Prescott Valley has become his family especially with his health issues over the past year. Mark commented that he can't begin to thank everyone enough.

Council member Nye said she is glad he understands we are a family. This family is looking forward to seeing him again at the ten and fifteen year anniversaries. Council member Wise said he appreciates all Mark does in spite of his health situation. "Yes we are family and are concerned about him". Council member Flannery stated this community benefits from the quality Mark brings to this community and Mark has made us better for it. Council member Lasker and Anderson added similar accolades.

Com Dev Director Richard Parker stated that Mark's demeanor is extraordinary. He calls people in advance to try to work out a problem and remedy it before it becomes a statistical number.

8. COMMENTS/COMMUNICATIONS

Nye announced a Neighborhood Services meeting September 21st at 6:00 p.m. for all areas of Town in the Library Crystal Room. The second announcement was for the *Dump the Drugs Day* September 25th from 9:00 a.m. - 12:00 p.m. at the PVPD to safely dispose of unused and out dated prescriptions or over the counter medication.

Chief Maxson announced a *September 11 Memorial Event* will be held Saturday to remember those involved in the September 11 event.

9. CONSENT AGENDA

- a. *Approval of Minutes - August 12, 2010 (Regular & Executive Session)*
- b. *Approval of Fiscal Year Ending June 30, 2010 TPT Report*
- c. *Approving Accounts Payable for June 16 thru June 29, 2010*

Council Member Nye made the MOTION, seconded by Council Member Wise, to approve the items listed on the consent agenda, by electronic vote. MOTION carried with 7 ayes and 0 nays

10. *OLD BUSINESS (FOR ACTION)*

- a. Consideration of approving the final passage of Ordinance No. 746 adopting by reference that certain document entitled "Re-Enacted Chapter 6 ?ANIMALS?"

Town Clerk Diane Russell read Ordinance No. 746 by title only for the second reading after which Mayor Skoog asked "Shall the ordinance pass?"

Council UNANIMOUSLY approved the passage of Ordinance No. 746, by electronic vote.

11. *NEW BUSINESS (FOR REVIEW, COMMENT, AND/OR POSSIBLE ACTION)*

- a. Consideration of accepting the grant award of the Yavapai County Community Foundation Law Enforcement Canine Fund Grant, Contract # 20111919.

Council Member Flannery made the MOTION, seconded by Council Member Schumacher, to approve the Law Enforcement Canine Fund Grant Contract # 20111919 and accepting the grant award, by electronic vote. MOTION carried with 7 ayes and 0 nays

- b. Consideration of accepting the Edward Byrne Memorial Justice Assistance Grant (JAG), FY2010 Local Solicitation Contract # 2010-DJ-BX-1269.

Chief Maxson stated this is a non competitive grant in the amount of \$23,360 which will be used to buy more e citation units. These have been used for the last 8 weeks, automatically uploading and downloading into the court system. Next week they should go live to download the data into the PVPD system. At that point every citation will go to the court system and the PD filing system electronically.

Council Member Wise made the MOTION, seconded by Council Member Schumacher, to approve the Edward Byrne Memorial Justice Assistance Grant (JAG) Program FY2010 Local Solicitation Contract # 2010-DJ-BX-1269 accepting the grant award, by electronic vote. MOTION carried with 7 ayes and 0 nays

- c. Consideration of approving purchase of additional eCitation units by the Police Department in the amount of \$23,363.07.

Council Member Schumacher made the MOTION, seconded by Council Member Lasker, to approve the purchases in the amounts noted, by electronic vote. MOTION carried with 7 ayes and 0 nays

- d. Consideration of authorizing the Mayor to sign Resolution No. 1713 approving Final Development Plan FDP10-005 setting forth building footprints for future expansion of the Yavapai Regional Medical Center.

Town Planner Ruth Mayday stated that this is the final footprint for the YRMC building for the foreseeable future expansions. Approval of this Final Development Plan will allow YRMC to move forward with the planned expansions without having to come back before council each time. The proposed Breast Care Center will be built near the Maternity Center with additional parking pads to accommodate the expansions.

Tim Barnett CEO of YRMC stated an anonymous donor pledged \$1 million to develop a Breast Care Center. About 1 in 8 women and up to 10 percent of men are affected by breast cancer. Approximately 43 percent of these people are getting their care elsewhere. They hope to change that with the new facility. Due to early detection efforts, 98 percent of cancer patients are alive after 5 years. John Amos stated he is excited. Prescott Valley will have the first comprehensive breast care facility in Northern Arizona with all the state-of-the-art technologies, and a consortium of physicians necessary to provide service. The facility adds another 6,500 square feet to the hospital. It will be fully staffed offering comprehensive patient education with a support center in place. Tim Barnett stated that a "Man Cave" will be available for men who come in for screening or to be part of the process.

Jill stated they will start October 1 with a ground breaking event, with a ten month construction schedule finishing in July, opening in October 2011.

Council Member Nye made the MOTION, seconded by Council Member Schumacher, to approve the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1713 approving FDP 10-005, AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays

- e. Consideration of authorizing the Mayor to sign Resolution No. 1714 approving Final Development Plan FDP10-006 for the Bennett-Fenderson Office Park for medical offices located at 7870 and 7860 East Florentine Road.

Ruth Mayday noted that the Bennett-Fenderson Office Park will house two medical offices. It is in close proximity to the hospital. Council members commented that it is a beautiful building. Mayday responded to Council member Schumacher that the length of time to complete the Final Development Plan was due to some issues that had to be worked out. Com Dev Director Richard Parker expressed appreciation to Town Attorney Ivan Legler for his efforts in resolving some of the legal issues pertaining to this plan.

Council Member Flannery made the MOTION, seconded by Council Member Nye, to approve the Mayor (or, in his absence, the Vice Mayor) to sign Resolution No. 1714, adopting Final Development Plan FDP10-006 AND to sign any agreement under Proposition 207, by electronic vote. MOTION carried with 7 ayes and 0 nays

- f. Consideration of approving the bid award for disposal of refuse collected on Clean Up Day Fall 2010, to the low bidder Waste Management at \$45.00 per ton for a total bid of \$42,175.00.

Public Works Director Norm Davis stated he comes before council twice a year prior to the spring and fall cleanup days. Fall Cleanup is scheduled for October 2 (Saturday only) due to the decrease in volume collected last spring. Dewey Humboldt and Yavapai County will participate again this year.

Council Member Wise made the MOTION, seconded by Vice Mayor Anderson, to approve a contract with Waste Management, the low bidder, for disposal services for Clean Up Day - Fall 2010 in an amount of \$42,175, by electronic vote.

MOTION carried with 7 ayes and 0 nays

- g. Consideration of approving an Intergovernmental Agreement with ADOT to design and construct Phase 2 of the SR 69 Multi-use Path using federal pass-through funds.

Public Works Director Norm Davis noted that the Phase 2 grant is in the amount of \$1 million. ADOT must design and build the project with PV input on the aesthetic value enhancements. ADOT has been a good partner and allows us to give guidance and input on the project.

Council Member Nye made the MOTION, seconded by Vice Mayor Anderson, to approve the Intergovernmental Agreement with ADOT for design, construction and maintenance of the SR 69 Multi-use Path Phase II (Glassford to Starlight) , by electronic vote. MOTION carried with 7 ayes and 0 nays

- h. Consideration of approving an Intergovernmental Agreement with ADOT to design and construct Phase 3 of the SR 69 Multi-use Path using federal pass-through funds (Starlight to Great Western).

Public Works Director Norm Davis noted that this IGA is for Phase 3 funding of the IGA with ADOT.

Council Member Flannery made the MOTION, seconded by Council Member Wise, to approve the Intergovernmental Agreement with ADOT for design, construction and maintenance of the SR 69 Multi-use Path Phase III (Starlight to Great Western) , by electronic vote. MOTION carried with 7 ayes and 0 nays

## 12. COMMENTS FROM THE PUBLIC

Mr. Don Buehler stated he has talked to his sources on his prior comments made at Council meetings regarding the past conduct of the Mayor. He asked that Council refrain from responding until he has finished his comments. Buehler commented that the controversy was about the land around the Yavapai County Hospital and there was a grand jury indictment related to that. Roxy Webb Jr., Andy Tomlinson

and Ron Carson were named as his sources. He asked that Council to investigate this. However, he noted that the Mayor was exonerated. Mr. Buehler continued with his second issue stating that he talked with Mr. Tribbey regarding the Parkway CFD development who wondered why the bond was one amount (\$3.4 million) and the actual cost was another (\$1.7 million). Mr. Tribbey was reportedly put off by Community Development Director Mr. Richard Parker when he asked about it and the taxation related to the improvements. Mr. Buehler's third issue entailed asking if the town's proposed bond proceeds were going to be used to pay off the Allstate litigation involving Tim's Toyota Center?

Nye commented that Mr. Buehler is clearly a disgruntled citizen. This is a quality town with quality, dedicated employees. PV is innovative and energized. Mr. Buehler has the rights of America to address Council in the manner in which he does and added that she hopes he respects those rights instead of abusing it the way he constantly does.

Council member Schumacher commented that the three of them (Mr. Buehler and two people) sat in back of the room talking audibly and answering a telephone call which drew the attention of others in the audience. She asked that Mr. Buehler and company would be more respectful of the Council proceedings in the future.

13. MOTION TO CONVENE INTO EXECUTIVE SESSION (PER A.R.S. §38-431.03(A)(1), (A)(3) & (A)(4) in order to discuss or consult with the attorneys or other designated representatives of the public body regarding, or to otherwise discuss or consider, the following: Big Chino Water Project Negotiations; Town Attorney Annual Evaluation

Council Member Wise made the MOTION, seconded by Council Member Nye, Motion to convene into Executive Session, by electronic vote. MOTION carried with 7 ayes and 0 nays

Council members recessed from the regular session to go into executive session at 8:40 p.m.

14. *[Recess into Executive Session]*
15. *[Reconvene into Regular Session]*

Council reconvened into regular session at 9:29 p.m.

16. *ACTION (IF ANY) RELATED TO EXECUTIVE SESSION ITEMS*

Council member Schumacher made the MOTION, seconded by Vice Mayor Anderson, to commend Ivan Legler for his good work and stated they look forward to the days when the Town can give greater compensation for a job well done. MOTION carried UNANIMOUSLY.

17. *ADJOURNMENT*

Council Member Wise made the MOTION, seconded by Council Member Nye, to adjourn. MOTION carried with 7 ayes and 0 nays. Mayor Skoog adjourned the meeting at 9:35 p.m.

ATTEST:

APPROVED:

\_\_\_\_\_  
Diane Russell, Town Clerk

\_\_\_\_\_  
Harvey Skoog, Mayor

STATE OF ARIZONA)  
COUNTY OF YAVAPAI) ss:  
TOWN OF PRESCOTT VALLEY)

CERTIFICATE OF COUNCIL MINUTES

I, Diane Russell, Town Clerk of the Town of Prescott Valley, Arizona, hereby certify that the foregoing minutes are a true and correct copy of the Minutes of the Regular Meeting of the Town Council of the Town of Prescott Valley, held on Thursday, September 9, 2010.

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

Dated this September 15, 2010.

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Diane Russell, Town Clerk