

## MINUTES

### TUSAYAN TOWN COUNCIL REGULAR MEETING

PURSUANT TO A.R.S. § 38-431.02 & §38-431 .03

Wednesday, January 13, 2021, at 3:00 p.m.

TUSAYAN TOWN HALL BUILDING

845 Mustang Drive, Tusayan Arizona

Pursuant to A.R.S. § 38-431 .02, notice is hereby given to the members of the Tusayan Town Council and to the public that the Tusayan Town council will hold a meeting open to the public on Wednesday, January 13, 2021, at the Tusayan Town Hall Building. If authorized by a majority vote of the Tusayan Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Council may vote to go into executive session pursuant to A.R.S. § 38-431.03. A.3 for legal advice concerning any matter on the agenda, including those items set forth in the consent and regular agenda sections. The Town Council may change, in its discussion, the order in which any agenda items are discussed during the meeting.

Persons with a disability may request a reasonable accommodation by contacting the Town Manager at (928) 638- 9909 as soon as possible.

*As a reminder, if you are carrying a cell phone, electronic pager, computer, two-way radio, or other sound device, we ask that you silence it to minimize disruption of today's meeting.*

### TOWN COUNCIL REGULAR MEETING SUMMARIZED MINUTES

#### 1. CALL TO ORDER AND PLEDGE OF ALLEGIANCE

Clarinda Vail called the meeting into order at 3:00 PM and led the group in the Pledge of Allegiance.

#### 2. MOMENT OF SILENCE

A moment of silence was observed.

#### 3. ROLL CALL *One or two Council Members may attend by telephone*

**MAYOR CLARINDA VAIL**

**COUNCIL MEMBER ROBB BALDOSKY**

**VICE MAYOR BRADY HARRIS**

**COUNCIL MEMBER BECKY WIRTH**

**COUNCIL MEMBER GREG BRUSH**

**Present:** Mayor Clarinda Vail; Council Member Becky Wirth - by phone/Zoom; Council Member Greg Brush; Council Member Robb Baldosky; Vice Mayor Brady Harris

**Staff Present:** Town Manager Charlie Hendrix; Interim Town Clerk Marla Wortmann; Executive Assistant Jill Goodman

**Attendees:** Jason Lurkins - by Zoom, Monthly Law Enforcement Report, Richard A Humpherys - by Zoom, Hydro Resources, Inc. Valuation Study - Final Report

#### 4. CALL TO THE PUBLIC FOR ITEMS NOT ON THE AGENDA

***Members of the public may address the Council on items not on the printed agenda. The Council may not discuss, consider or act upon any matter raised during public comment. Members of the audience who wish to speak to the Council on an item listed as Public Hearing should complete a Request to Speak Card and turn it into the Town Clerk. Comments will be limited to three minutes***

*per person.*

**5. CEREMONIAL AND/OR INFORMATIONAL MATTERS**

**A. Ceremonial Award(s)**

1. Window Decorating Contest, Council Members Becky Wirth and Greg Brush. (3 min)

Council Member Greg Brush announced the winner of the Window Decorating Contest was Jennifer Clavel (\$100 gift card).

2. Coloring Contest, Vice Mayor Brady Harris and Council Member Robb Baldosky. (3 min)

Vice Mayor Brady Harris and Council Member Robb Baldosky announced the winners of the Coloring Contest:

- 1st Prize Joseph Harvey-Miranda - \$50 Gift Card
- 2nd Prize Ava Harvey-Miranda - \$25 Gift Card
- 3rd Prize Isaiah Harvey-Miranda - \$25 Gift Card

Council Member Becky Wirth joined the meeting by phone at 3:10 PM

**B. Presentation - Monthly Law Enforcement Report, Presentation by Jason Lurkins, Coconino Sheriff's Department. (10 min)**

Jason Lurkins won't be available until after 3:30 PM - moved item to later in the meeting.

Jason Lurkins reported he started in the area years ago and has now come back. Lurkins thanked everyone for their patience during his time of learning. Lt. Coffey retired in September. Lurkins took over on November 14th and bring 20 years of credentials. He reviewed his report for the month and thanked the council. No comments from the public.

**C. Presentation on the water - Hydro Resources, Inc. Valuation Study - Final Report by Richard A Humpherys, Carollo Engineers, Inc. (10 min)**

Richard Humpherys, Carollo Engineers, Inc, gave a presentation on the Hydro Resources, Inc. Valuation Study - Final Report. (copy of report is attached to the agenda). Humphreys discussed the water system being connected to two other systems, the Squire and the Fire Pump. Hydro Resources, Inc. relies on the other systems for water service. Humphreys discussed the additional costs involved if the system needed to be a stand-alone system. This item is also an Action Item. Humphreys remained on the line to answer questions.

**6. CONSENT AGENDA**

*Items on the consent agenda are routine in nature and will be acted on with one motion and one vote. Members of the council or staff may ask the mayor to remove any item from the consent agenda to be discussed and acted upon separately.*

Moved by Council Member Greg Brush, seconded by Council Member Robb Baldosky. Motion to approve the Consent Agenda. Vote: 5-0  
Passed Unanimously

- A. Billings of payable accounts (December 1-31, 2021).
- B. Billings of Electronic and Automatic Payable Accounts (December 01-December 31, 2020). Pre-authorization (January 01-January 31, 2021 and February 01-February 15, 2021).
- C. Minutes of Special Council Meeting held of October 28, 2020.
- D. Minutes of Regular Council Meeting held on November 4, 2020.
- E. Minutes of Special Council Meeting held on November 18, 2020.
- F. Minutes of Regular Council Meeting held on December 9, 2020.
- G. Notes from December 16, 2020, CMAR Pre-Submittal Meeting.

**7. ACTION ITEMS**

- A. Consideration, discussion, and possible action water - Hydro Resources, Inc. Valuation Study - Final Report by Richard A Humpherys, PE, Carollo Engineers, Inc. (5 min)

Richard Humpherys was available to answer questions from the council. No action was taken.

- B. Consideration, discussion, and possible action to update Resolution No 2013-05 and consideration of invoices submitted for payment by former Council Member Al Montoya. (10 min)

Town Manager reported a Council Member has up to \$100 per month for Electronic Communication. This is the only policy the town has. Under the town plan \$80 has already been allocated, leaving a balance of \$20.00 available for the reimbursement.

Former Council Member Al Montoya reported he thought there was a new policy due to the use of iPhones and iPads. Montoya reported he has been using Triad Wireless for his internet service for the last few months because this was the major method for him in attending meeting by Zoom and submitted the bills for reimbursement. He thought there was an updated resolution addressing expenditures for the council to be reimbursed.

There was no comment from the public on this item.

Council Members discussed this issue. Vice Mayor Harris inquired about Triad service which was needed to keep dependable electronic communication. Mayor Vail checked with the other Council Members as to what they used. Council Member Wirth uses an iPhone with no internet. Council Member Wirth said we need to look at what we did in the past. It was understood the town would pay for internet in the past. We need to move forward with better information. Vice Mayor Harris agreed the town has provided internet and thought the service was fine. Now we are finding out it is not good enough. Harris felt the town needed to apply the policy as written. It should have been addressed earlier, but it was never updated.

No Action is needed. Per the policy \$20 will be reimbursed on next month's consent agenda.

Council Member Wirth felt this should be reimbursed in full, but moving forward should be corrected.

The Council returned to Item 5C.

**C. Consideration, discussion, and possible action regarding Holiday Items Update. (5 min)**

Town Manager, Charlie Hendrix reported the second turkey distribution was a success. The Santa Shack helped 56 area children. There was no comment from the public.

**D. Consideration, discussion, and possible action regarding Cindy May and Williams Grand Canyon News Marketing Campaign. (5 min)**

Town Manager, Charlie Hendrix reported the campaign received around 50,000 impressions from Northern Arizona to California. The ad will end around the end of January. New ads will go through the Tourism Board instead of the Town Council. The Tourism Board would then come to the Council to make recommendations for approval.

Vice-Mayor Harris stated the Town exists for tourism, so these are important for the future.

Mayor Vail discussed the town web page not being iPad or iPhone compatible. Only looks good for computers. The radio ads are being heard.

This update is to give a performance update. Tourism Committee will make recommendations to the Town Council in the future.

**E. Consideration, discussion, and possible action regarding appointment to the Sports Complex Improvement Work Group. (5 min)**

Town Manager Charlie Hendrix reported since Mayor Sanderson is now off the group, a replacement will need to be named. The group consists of two council members and two school representatives. Mayor Clarinda Vail expressed interest in being part of the Work Group.

No comments from the Public.

**Moved by Council Member Greg Brush, seconded by Vice Mayor Brady Harris. Motion to appoint Mayor Clarinda Vail to the Sports Complex Improvement Work Group. Vote: 5-0 Passed Unanimously**

**F. Consideration, discussion, and possible action regarding Council Retreat. (15 min)**

Town Manager, Charlie Hendrix reported the council has requested a virtual retreat by zoom or local due to COVID-19 concerns. Senior advisors from ACMA (Arizona City/County Management Association) can do the leg work ahead of time and can join us during a virtual retreat. There is no cost to the town. Staff is asking for approval to move forward. Mayor Clarinda Vail was in favor of using ACMA. Vice Mayor Brady Harris expresses his support of a virtual or in town retreat. The town needs to remain vigilant due to COVID-19. Manager Hendrix reported due to this being a two-part retreat, the second part can be done in person in the fall. Council Member Becky Wirth

express support of a virtual or at Town Hall retreat. Council directed staff to plan the retreat for the first weekend in February. This would be Friday, February 5 and Saturday, February 6 at Town Hall.  
No comment from the public.

1. Facilitator program.
2. Sample Agenda.
3. Program Location.
4. Date.

G. Consideration, discussion, and possible action regarding Interim Engineer Contract for services and workshop meeting date. (5 min)  
Town Manager, Charlie Hendrix reminded the council they adopted an Interim Engineer Contract last year and need to set up a work shop to set the scope of duties. The workshop won't be able to be set in January. The engineer has been getting orientated to the town and has questions. The next town meeting is January 27th, but since several items need to be discussed, this should be set up after the retreat. No action taken.

H. Consideration, discussion, and possible action regarding Planning and Zoning Update. (5 min)

Town Manager Charlie Hendrix reported she has talked with the committee about setting goals, working on Bylaws and working on the Ordinance. January 27 was the suggested meeting date. Planning and Zoning was to meet with the Interim Engineer. Manager Hendrix advised the board to speak now or forever hold your peace - should look to fill the vacancy on the committee and should advertise for filling the spot. No comments or action taken.

I. Consideration, discussion, and possible action regarding maintenance request to move Connex box from Ten X site. (10 min)

Town Manager Charlie Hendrix reported the old Christmas decorations have been left outdoors and deteriorated and feel it would be better option to move the storage boxes to a new location where they will be used. Council Member Robb Baldosky reported the school board would like to let them know as a courtesy. It may be a good idea to make use of the equipment to get the area cleaned up. Vice Mayor Brady Harris asked due to the costs of \$8700 do we need to bid the job out? The work is a town's maintenance project with the costs involved being the renting of equipment. It is not a RobbCo project.

Public comment: John Vail - Randall with Unlock has done projects like this, can he to the project? (response: It is too big for him to do)

Mayor Clarinda Vail state she liked the idea of cleaning up the area.

Moved by Council Member Greg Brush, seconded by Mayor Clarinda Vail. Motion to allow staff to proceed with the Connex box from Ten X site move as presented by staff. Vote: 5-0 Passed Unanimously

- J. Consideration, discussion, and possible action regarding Certification of CMAR (Construction Manager-At-Risk) Bids for the Sports Complex Outdoor Classroom/Ramada. (5 Min)

Town Manager Charlie Hendrix reported the bids have been opened and sent the Town Attorney. Staff invited a member of the school board and a council designee, Robb Baldosky to rate and rank the bids. Council Member, Robb Baldosky has stepped away from bidding and voting on the project. The town attorney is working on the contract.

4:19 PM - Council member Becky Wirth - joined meeting by Zoom (instead of the phone connection)

- K. Consideration, discussion, and possible action regarding Roundabout Concept Plan. (5 min)

Town Manager Charlie Hendrix reported there is earmarked money for COVID in the maintenance fund. One project looked at is the Round-About. The idea is bigger than anticipated and should be considered in the retreat.

No comment from the public.

Council members were not sure what to think about people being in the Round-About with worries about an accident. The Round-About is about a beautification project. Crosswalk continued to be a concern. One suggestion was to have the artist from around the state compete for a prize with the design. Mayor Clarinda Vail said it is a good idea but not sure on crosswalks. Need to look into what we are allowed to do. Council Member Brady Harris advised we don't want to stop or slow traffic and should talk about the concept more. Council Member Robb Baldosky said there will be time to plan.

- L. Consideration, discussion, and possible action regarding Basin Project. (15 min)

Town Manager Charlie Hendrix reported the project predates her time with the town and is getting updates. 30% of the funds have been built so far. Robb Baldosky will be the designee and will come back to the retreat with more information. Mayor Clarinda Vail state she is in support of the project.

**Moved by Mayor Clarinda Vail, seconded by Council Member Gregg Brush. Motion to appoint Council Member Robb Baldosky on the Basin Project. Vote: 5-0 Passed Unanimously**

Council Member Robb Baldosky is instructed to do no action on his own and to bring everything back to the council.

**Moved by Mayor Clarinda Vail, seconded by Council Member Robb Baldosky. Motion to re-order the meeting to have items MNOP after the Executive Session. Vote: 5-0 Passed Unanimously**

Council will be back around 5:30 PM or will post updates before then.

- M. Consideration, discussion, and possible action regarding revised market offering Hydro-Resources, Inc. (10 min)

Not action taken.

No comment from the public.

- N. Consideration, discussion, and possible action regarding Utility Valuation Scope of Services Agreement(s)- Carollo Engineers, Inc. (10 min)

No action taken.  
No public comment.

- O. Consideration, discussion, and possible action regarding Update to Online Banking Policy. (5 min)

Town Manager Charlie Hendrix reported when proposed the Online Banking Policy last month didn't realize there was a problem with the ACH payments. Staff recommends amending the banking policy to add the Town Manager is able to appoint staff member, but not the town manager, to be an administrator on the online banking account for the purpose of making ACH payments.

No public comment.

**Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky. Motion to approve Resolution 2020-21A Electronic Banking Policy as amended. Vote: 5-0 Passed Unanimously**

- P. Consideration, discussion, and possible action regarding Mid-year Fiscal Adjustments. (15 min)

Town Manager Charlie Hendrix reported this information is for review for next month. Next month when Council Member Wirth is available in person, she will present some recommended changes. These are budget adjustments we know would happen and need to make the adjustments.

Non-agenda items were brought up which the council can not discuss, but can add to future agendas.

Call to the public

Lo Frisby asked about the \$400,000 in COVID Budget for 2021 - with all the recent activity with the vaccine arriving in the clinic, does the Council have any plans to set up vaccination sites?

Council Member Greg Brush may have some information on this and can address this during the Council reports later in the meeting.

8. EXECUTIVE SESSION

If authorized by a majority vote of the Town Council, an executive session may be held immediately after the vote and will not be open to the public. The Town Council may vote to go into executive session.

**Moved by Vice Mayor Brady Harris, seconded by Council Member Robb Baldosky. Motion to move into Executive Session at 4:30 PM. Vote: 5-0 Passed Unanimously.**

Council returned to open meeting at 6:14 PM.

- A. Pursuant to A.R.S. § 38-431.03 A.1 and A.3 discussion of Town Manager performance review. (60 min)
- B. Pursuant to A.R.S. § 38-431.03 A.3, A.7 and A.4 discussion regarding revised market offering Hydro-Resources, Inc. (20 min)
- C. Pursuant to A.R.S. § 38-431.03 A.1 and A.4 discussion Utility Valuation Scope of Services Agreement(s) Carollo Engineers, Inc. (5 min)
- D. Pursuant to A.R.S. § 38-431.03 A.3 and A.4 discussion regarding resolution on ongoing Attorney General investigation. (10 min)
- E. Pursuant to A.R.S. § 38-431.03 A.2 and A.3 discussion Update to Online Banking Policy. (10 Min)
- F. Pursuant to A.R.S. § 38-431.03 A.3 and A.4 legal update and advice regarding Coconino County Flood Control District v. Town of Tusayan, Coconino County Sup. Ct. Case No. CV-201800616. (10 Min)

9. **REPORTS**

A. **Town Manager**

a. **Town Manager Report**

Town Manager Charlie Hendrix reported due to a dense meeting tonight she won't go into too much detail, but please refer to the attached report. Staff has been working on the new ClerkBooks accounting program this next month. In December Flag IT has been working installing the new computers and getting things ready for the accounting software. Jill has taken over this project, and she is doing an outstanding job. Also looking at the possibility of a new vendor for IT once everything is completed which might be less expensive. Town Manager Hendrix said Cristina is doing a great job. The conflict of interest form needs to be reviewed and updated to conform with the policy. These need to be available at each meeting for the council to fill out if necessary. Council Member Brush has been a tremendous help on the Hazard Mitigation Plan which we are working on with the county, and it is almost completed. The Sanitary District discussed a joint powers agreement. Town maintenance Mike has been gathering quotes for a generator. RobbCo may be giving us some quotes too. Emergency communication response (not first response - for communication) is in the plans. The plan is to keep nonperishable supplies and generators on hand and will purchase for the long term. Please let staff know if you have any thoughts or feelings on this. The school year book is asking about advertising and will bring more information to the council on this in the future. The web-site developer will have a quote to set up biographies for the council to upload to the web page. Also looking for some insight from the council on the updates to the web page. The developer is working to refresh the website. Recent council pictures were discussed, and we will be working on different pictures for the Council.



**b. Town Financial report**

Town Manager Charlie Hendrix pointed out the information is in the packet for the Council. The report shows the actual vs budget with the green item being we are less than 5% of total revenue of budget, but we are still spending more than bringing in. COVID is having an impact on the town. Overall we are in good shape.

**c. Organization reports**

**1. Selection of Restaurants for Town Council Meals**

Wagon Wheel Saloon was selected for next meal.

**B. Council Members**

Council Member Greg Brush reported he will have a function with the points of distribution of the COVID vaccine. First does are going out to elderly and first responders. With the COVID testing the last round was 70-90 tests given on average per day with 117 cases right now, not including those recovered. We have had an uptick of about 11 in the past couple days. Please stay vigilant by wearing your mask and social distancing.

Vice Mayor Brady Harris reported on the final distribution with the food left over from Thanksgiving, which was very successful. Thank you to businesses including Big E for their donations and Grand Canyon Food Pantry and IMax for storing the excess foods. Next question is where to store our food and still make available to those in need.

Council Member Becky Wirth had no report at this time.

**C. Mayor**

Mayor Clarinda Vail reported the town has started 1B part of the list for COVID vaccines and have been asked to reach out to Coconino Health Department to spread the word. The Park Service will post some forms.

**10. FUTURE AGENDA ITEMS**

Mayor Clarinda Vail discussed reorganization, to be more specific as to when a new Mayor comes into office and when the previous Mayor goes out. Also regarding the Vice Mayor position if by policy or appointment and by alternate years of 2 or 4 years, the guidelines need to be more specific as to if on January 1 or first meeting of the new year. Part of the issue in question is due to the State Legislature. Town Manager Hendrix will check with the Town Attorney on this.

Vice Mayor Harris added COVID numbers are at a historic high for Arizona, and we may want to look into another round the Personal Protect Equipment for the businesses.

Also requested an update on the trail's system. We are waiting for information, and it is set to go on the next agenda.

11. MOTION TO ADJOURN

Moved by Council Member Robb Baldosky, seconded by Council Member Greg Brush. Motion to adjourn the meeting at 6:40 PM.  
Vote: 5-0 Passed Unanimously

Clarinda Vail 5/12/21  
Clarinda Vail, Mayor Date

ATTEST:

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Town Clerk

STATE OF ARIZONA ) CERTIFICATION  
                                  )ss  
COCONINO COUNTY )

I, Mark Workman, do hereby certify that I am the Town clerk of Town of Tusayan, County of Coconino, State of Arizona, and that the above minutes are a true and correct summary of the meeting of the Council of the Town of Tusayan held on 1-13-2021. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 4<sup>th</sup> day of May 2021

Mark Workman  
Town Clerk