

**MINUTES OF TOWN COUNCIL MEETING  
TOWN OF SNOWFLAKE  
HELD 10/11/2016**

**1. CALL TO ORDER/ROLL CALL** at 7:00 p.m.

Mayor Tom Poscharsky, Vice Mayor Kerry Ballard, Lynn Johnson, Stuart Hensley, Byron Lewis, Cory Johnson, Terril Kay STAFF: Brian Richards, Bob Hall, Barbara Flake, Dale Call

**2. PRAYER/PLEDGE** Ballard/Hensley

**3. PROCLAMATIONS & RECOGNITIONS**

None

**4. CALL TO PUBLIC**

Lowry Flake—read a statement encouraging the Council to warn the residents of Snowflake regarding the dangers of recreational marijuana and to take the appropriate action to avoid it. He urged the Council to place an announcement stating they are against recreational marijuana and encouraging voters to vote no on Proposition 205 for health, safety, economic, criminal, environmental, and family reasons in the local newspapers and public areas.

**5. CONSENT AGENDA**

- A. Approve Council minutes dated September 26, 2016.
- B. Approve Accounts Payable for September 2016.
- C. Approve Financial Reports ending June 30, 2016.

*Motion by Ballard, 2<sup>nd</sup> by Hensley, to approve the Consent Agenda. Motion passed; unanimous*

**6. DISCUSSION/ACTION ITEMS**

A. Consideration and Possible Approval of 2<sup>nd</sup> Reading and Final Approval of Ordinance No. 2016-04 Rezone Residential 1 Acre (R1-A) to Residential Transitional (RT). Property is located at 63 W. Flake Avenue. Owner is Jace Baum. (Dale Call)

Mayor Poscharsky stated that this item was discussed at the last Council meeting and is on the agenda for a second reading and approval.

*Johnson C read by title only Ordinance No. 2016-04 Rezone Residential 1 Acre to Residential Transitional.*

*Motion by Ballard, 2<sup>nd</sup> by Kay, to approve 2<sup>nd</sup> Reading and Final Approval of Ordinance No. 2016-04*

**B. EXECUTIVE SESSION: LEGAL ADVICE - ARS § 38-431.03(A)(3) PENDING OR CONTEMPLATED LITIGATION - ARS § 38-431.03(A)(4)**

- 1. Arizona Attorney General's Investigative Report in No. 16-001 dated September 9, 2016

*Motion by Johnson L, 2<sup>nd</sup> by Hensley, to move to executive session. Motion passed; unanimous*

*Motion by Ballard, 2<sup>nd</sup> by Johnson C, to move back to regular session. Motion passed; unanimous*

C. Consideration and Possible Action regarding Arizona Attorney General's Investigative Report in No. 16-001 dated September 9, 2016 and whether the Town will rescind the financial terms of the respective Facilities Agreements with Copperstate Farms, LLC and Mountain Time Management, and allow for the possible future establishment, adoption, or passage of a uniform medical marijuana cultivation tax or fee that would apply to all businesses engaging in such cultivation to be determined at a later date.

***Motion by Poscharsky, 2<sup>nd</sup> by Ballard, that the Town Manager and Town Attorney be instructed to work on an amendment to the Copperstate Farms and Mountain Time Management Facilities Agreements to modify Section 4B and Section 5 pursuant to an Amendment No. 1 removing the fee that is being challenged by the Attorney General as possibly or may be violating the Statutes and Constitution of the State of Arizona. Motion passed; unanimous***

## **7. COUNCIL MEMBER REPORTS**

Ballard said he is against recreational marijuana. He said that Boy Scouts are looking for Eagle Projects and someone on staff at the Town should be assigned to have these projects ready. He said it has been hard for the kids to find a project.

Poscharsky said the Senior Center could use volunteer help during the week at the Thrift Shop. He said the Boy Scouts have done food drives which also helps at the Senior Center.

Lewis said the Golf Course Manager is looking for someone to flag all the sprinklers because they do not have a complete map. He thanked Chief Scarber for being in attendance. He stated that KidsCare is having an impact for enrollment to uninsured kids in the Snowflake and Taylor communities and about 800 have been identified with that number being knocked down significantly. He recognized the press for winning 2 of 3 investigative reporting awards recently. He said the Mayor of Holbrook will be joining the coalition supporting the broadband initiative. He said Sylvia Allen is also bringing the power of her office to move this initiative along. He said that Proposition 205 should be a no vote.

Kay said he encourages a no vote on Proposition 205 and 206

## **8. MANAGER REPORT**

Richards called Council's attention to the financial reports. He said Verizon has started work on the new tower and it will be complete in about 4 weeks.

## **9. ADJOURNMENT** at 8:03 p.m.

I hereby certify that the foregoing minutes are a true and correct copy of the Town of Snowflake Council meeting held October 11, 2016. I further certify that the meeting was duly called and a quorum was present.

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Barbara Flake, Town Clerk