

**MINUTES OF TOWN COUNCIL MEETING  
TOWN OF SNOWFLAKE  
HELD 06/04/2019**

1. **CALL TO ORDER/ROLLCALL** at 7:00 pm; Present: Mayor Johnson, Kerry Ballard, Hunter Lewis, Byron Lewis, Greg Brimhall; Excused: Allison Perkins, Cory Johnson; Staff: Brian Richards, Bob Hall, Katie Melser, Chief Scarber, Lt. Martin
2. **PRAYER/PLEDGE** Ballard/Brimhall
3. **PROCLAMATIONS AND RECOGNITIONS**

***Retirement Recognition for Brandon Gardner***

***Chief Scarber gave history of Brandon Gardner, and his accomplishments with the department. Thanks to Brandon for his years of service. Thanks to his family for their support. Council expressed their thanks and kind words.***

4. **CALL TO PUBLIC:** None
5. **CONSENT AGENDA:**
  - A. Approve Council Minutes dated April 2, 2019
  - B. Approve Joint Council Minutes dated May 2, 2019
  - C. Approve April Check Register
  - D. Approve May Check Register
  - E. Approve Designation of the Finance Director as Chief Fiscal Officer and give authorization to submit the Annual Expenditure Limitation Report to the Auditor General annually
  - F. Approve Resolution 2019-06 Adopt Policy for Purchase from Mayor and Council  
***Motion by Lewis H, 2nd by Ballard, to approve the Consent Agenda. Motion passed; unanimous***
6. **DISCUSSION/ACTION ITEMS**
  - A. Discussion and possible approval of Intergovernmental Agreement with ADOT, SR77 sidewalk project  
  
Brian- This commits the town for a \$50k contribution for the sidewalk design and construction; from Jr High to the end of the sidewalk in Taylor.  
***Motion by Ballard, 2nd by Lewis H, to approve the Intergovernmental Agreement with ADOT, SR77 sidewalk project. Motion passed; unanimous;***
  - B. Discussion and possible approval to purchase used 250KW generator for sewer treatment plant  
Brian- Repair to the existing generator would cost \$60k; they can find a good used unit for \$30k, a new unit would be ~\$80k. Taylor just got one from Summit for \$8k, so there are good generators out there for great deals. The plan is to find the best one they can for \$30k or less.  
***Motion by Lewis B, 2nd by Johnson L, to approve purchase of used 250KW generator for sewer treatment plant for not more than \$30,000. Motion passed; unanimous;***
  - C. Discussion and possible approval of Intergovernmental Agreement with Navajo County for Chip Seals added an indemnification clause  
Brian- This agreement was previously approved, but the County added an indemnification clause, would like to reapprove it.  
***Motion by Ballard, 2nd by Lewis H, to approve the Intergovernmental Agreement with Navajo County for Chip Seals. Motion passed; unanimous;***

**7. EXECUTIVE SESSION: PURSUANT TO ARS 38-431.03A3: Discussion or consultation for legal advice with the attorney or attorneys of the public body.**

- A. Discussion with and direction to council regarding the Little Colorado River (LCR) Adjudication (Apache County Superior Court – In Re: The General Adjudication of All Rights to Use Water in the Little Colorado River System and Source (CV 6417, CV 6417-200, CV 6417-201, CV 6417-202, CV 6417-300, CV 6417-400)), and any other legal issues regarding the litigation, financial obligation, and legal representation of Town of Snowflake.

*Motion by Ballard, 2nd by Lewis H to move into Executive Session. Motion passed; unanimous (7:14pm)  
Motion by Lewis B, 2nd by Lewis H to return to Regular Session. Motion passed; unanimous (9:17pm)*

**8. POST EXECUTIVE SESSION**

- A. Discussion and possible action regarding Town of Snowflake's options for financial obligation and legal representation for water adjudication.

Mayor Johnson- Regarding water rights for individuals that are near the Colorado river watershed, since the '70s we've had Brown and Brown as representation for that. Do we want to maintain our representation with Brown and Brown, or do we want to seek alternative representation due to increasing costs?

Lewis B- we need to make a decision on whether to leave the coalition and get new representation or stay in the coalition and also seek additional representation; examine options regarding legal representation, then come back to the council with the options

Lewis H- Disagrees that Brian should bring options back to the council, the decision needs to be made tonight whether to stay in the coalition or get new legal representation

Brian- needs authority to sever relationship with Brown and Brown after entering an agreement with other representation

Ballard- Brown and Brown has been doing this for years and is about to go to trial and we're an important part of it and we should stay with him and not look for anybody else at this time

Brimhall- our town is limited on our funds, and we can only do so much as a town as the rates keep rising and rising

Lewis H- we don't have the deep pockets that other entities in the coalition do so if we could find new representation that would limit the amount we spend in the adjudication each month it would benefit Snowflake

*Motion by Johnson L, 2nd by Lewis B, to give Brian authority to seek and hire new legal representation and sever existing representation for Little Colorado River water adjudication. Motion passed; 4 to 1 with Ballard dissenting*

*Roll Call Vote- Brimhall-yes, Lewis B-yes, Johnson L-yes, Lewis H-yes, Ballard-no, Perkins-absent, Johnson C-absent*

**9. COUNCIL MEMBER REPORTS**

Johnson L- High school spring sports did well: golf team was runner up, girls softball was runner up, boys track team was runner up, girls track team was state champion; many complements about the caliber of athletes, athletically and characteristically; Snowflake Graduate Scholarship Foundation- Gave 6 scholarships from their foundation to their athletes and the Blue Ridge foundation awarded 1 to a Snowflake athlete as well, the work the communities are doing together even though we're competitors is great for the area, very pleased with the foundation and the relationship there is with other communities on this

Brimhall- coach for 4 years and it is tough competition, many complements about the quality of kids that Snowflake has

Lewis B- thanks Terry Cooper and crew for the great condition of the course; we'll miss

Chief Scarber as he is getting ready to retire; thank staff for their behind the scenes work; community prayer is becoming a bigger interdenominational event, great for the community

Lewis H- lots of growth in people looking for ways to help kids by giving scholarships; the Chamber awarded 2 scholarships and even though didn't have enough funds for a well-deserved 3<sup>rd</sup> scholarship, Chamber members stepped up to donate for the additional scholarship; June 21st auction and dinner fundraiser for the Chamber; Academy Foundation usually has a quilt show and craft fair in the building, hoping to have volunteer work to help with demolition in the building, trying to keep the renovation moving with limited funds

Ballard- great community: Kenadi Stuart went to the finals again in Chicago for the Hoop Shoot; people driving by the Police Station notice the new parking lot

#### **10. MANAGER'S REPORT**

Larry spoke about the parking lot at the Police Department and that after some protective measures are implemented, they will move the officers and staff to the street and encourage the public to park in the parking lot.

Brian: congratulate Greg as well to get runner up for state golf, and Lynn for the boys and girls track team accomplishments; chip seal done today on Park Plaza; half million dollar grant from FEMA kick off was today and will start in a few months; we were also awarded a grant to get a water line to 19th South, about \$130k; lots going on, potholes to fix and streets to keep in order.

Bob Hall- remarkable number of coaches working with the students and support from adults and parents that help shape the kids into the people that they are; our kids and grandkids are lucky to work with such great members of the community.

#### **11. ADJOURNMENT 9:35pm**

I hereby certify that the foregoing minutes are a true and correct copy of the Town of Snowflake Council meeting held June 4, 2019. I further certify that the meeting was duly called and a quorum was present.

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Katie Melser, Town Clerk