



## TOWN COUNCIL MEETING MINUTES

**\*\*\* WORK SESSION \*\*\***

**March 29, 2011, 6 pm**

Taylor Town Hall

425 Paper Mill Road, Taylor, AZ 85939

### ***SPECIAL WORK SESSION***

#### **CALL TO ORDER:**

By Mayor Tuckfield at 6:00

#### **ROLL CALL:**

**Council present:** Mayor Debbie Tuckfield, Vice Mayor Jordy Fuentes, Councilwoman Jane Lee, Councilman Jay Whipple and Councilman Mark Reed

**Council absent:** Councilman Robin Palmer and Councilman Jared Hatch

**Council Elect present:** Gary Solomon, Fay Hatch

**Staff:** Manager Eric Duthie, Finance Director Gus Lundberg, Clerk Kelly Jones and Police Chief Jerry VanWinkle

**Attorney:** Sterling Solomon present

#### **PLEDGE OF ALLEGIANCE:**

Led by Councilwoman Jane Lee

#### **INVOCATION:**

Offered by Councilman Jay Whipple

### **DISCUSSION ITEMS**

**Discussion: Update concerning Navajo County jail fees ordinance; Update concerning Navajo County Justice of the Peace Court prosecution fees intergovernmental agreement request; Presentation of the Town of Taylor Council policy position in preparation for a March 30, 2011 meeting with other municipalities in Navajo County, as well as Navajo County officials and staff to further discuss the fees identified previously.**

**Mayor Tuckfield**

Mayor Tuckfield informed those in attendance that Vice Mayor Jordy Fuentes has attended several meetings regarding Navajo County Justice of the Peace prosecution fees and the proposed jail fees the county wants incorporated municipalities within the county to pay. She said the feelings are that it is an injustice for the incorporated municipalities to pay this fee but unincorporated areas would not be required to pay although the service will be provided to them.

#### ***Navajo County Jail Fee Ordinance:***

Eric gave back ground on this issue stating that a few months ago at a Navajo/Apache Counties Mayor and Managers Association meeting the Navajo County Manager Jimmy Jayne presented this situation stating the county can no longer bear these costs and that something needed to be figured out with them and incorporated municipalities in the county.

In late November 2010 county staff presented a list of five projects the county has done for the town from 2006 – 2010.

- 1) The sub regional transportation which Eric said was reimbursed by the town.
- 2) The county along with four other entities including Taylor are partners with the Northern Arizona Training Center (NATC) located in Taylor. The county proposed that if Taylor would install water to the training center they would install the sewer. They then decided they would pave a mile or two of Pinedale Road in lieu of providing sewer, which they did. The costs would be on an even keel. This was on the list they presented to us as \$250,000 they spent for Taylor.
- 3) Navajo County agreed to pay \$50,000 toward a consultation fee for a study on the detention basin at the Taylor Airport. They have been invoiced twice but we have not received a payment.
- 4) and 5) They listed the White Mountain connector bus line. The agreement said each town would pay \$70,000 per year for 2 years.

Sterling reported that he along with other municipal attorneys in the county will put together a memo on what the county is legally required to do regarding receiving inmates at the Navajo County Jail. They will address what legal authority the county feels they have to refuse inmates since they have alluded they are not required to receive arrests from municipalities that have not paid toward these expenditures.

There has been discussion of a Jail Tax District to impose a sales tax of up to 1% to help pay these costs. This would require an election for a vote of the people.

Eric reviewed the numbers we received from the county on the expense of housing inmates. These figures are tied to the Bureau of Prisons fees.

Daily housing per inmate \$68  
Daily non routine medical treatment \$10  
First day booking fee \$50  
Total for first day \$128  
Total for each day after the first day \$78

The number of misdemeanor bookings in 2010 for Taylor and Snowflake was 154, according to the counties numbers. Using these numbers the cost to Taylor and Snowflake for 2010 would be \$80,000, Taylor's share at (45%) 37,000 and Snowflake's share at \$43,000. The counties first proposal for implementing costs was to faze them in at 50% for the first and second year, 75% for the third year and 100% thereafter. There current proposal is 50% for the first and second year and 100% thereafter. Eric said that the numbers from Snowflake-Taylor Police Chief Jerry VanWinkle indicate that there were 90 bookings into the Navajo County Jail in 2010 and for the first quarter of 2011 there have been 16 bookings from Taylor and Snowflake. The county claims that they have recently seen fewer bookings so costs are currently down.

***Justice of the Peace Court prosecution fees:***

Since Taylor does not have a Magistrate Court our misdemeanor cases are heard by Judge Peterson in the Snowflake Justice Court. Taylor has paid \$15,000 per year for the last three years to help subsidize a prosecutor and a court clerk for misdemeanor cases issued through the Snowflake-Taylor Police Department. Of those citations 95% of them are State and 5% are Magistrate. Sterling explained that a Magistrate Court deals with town code issues while a State Court (Justice) deals with State (Arizona Revised Statute) cases. He went on to say that all fees collected from misdemeanor cases go to the State first and then flow through the county while municipalities receive nothing. Each community in the county was asked to pay Navajo County annually for this service therefore from the dollar stand point Taylor and Snowflake are each paying \$15,000 each for one court. In 2010 289 misdemeanor cases were filed through the Snowflake-Taylor Police Department. We are by far the lowest of all courts in the county.

The Council gave a favorable consensus to have the Town of Taylor pursue objecting these issues, the Council Elect concurred.

**ADJOURNMENT:**

**A motion was made by Vice Mayor Jordy Fuentes, seconded by Councilman Mark Reed**

**To adjourn the meeting**

**The vote was unanimous (7:41)**

*Certification of Minutes:* I hereby certify that the foregoing minutes are a true and correct copy of the Taylor Town Council Work Session held on the 29<sup>th</sup> day of March, 2011. I further certify that the meeting was duly called to order and that a quorum was present.

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Kelly Jones  
Town Clerk  
Town of Taylor