

**MINUTES OF THE REGULAR MEETING  
OF THE HONORABLE TOWN COUNCIL  
OF THE TOWN OF PINETOP-LAKESIDE, ARIZONA,  
HELD ON THURSDAY, JUNE 4, 2020  
IN THE TOWN COUNCIL CHAMBERS LOCATED AT  
325 W. WHITE MOUNTAIN BOULEVARD, LAKESIDE, AZ 85929**

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**A. Call to Order**

Mayor Irwin called the meeting to order at 6:00 p.m.

➤ **Roll Call**

The following Council Members were present:

Stephanie Irwin	Mayor
Jerry Smith	Vice Mayor
Kathy Dahnk	Council Member
Carla Bowen	Council Member
Jim Snitzer	Council Member
Mazie Hastings	Council Member <i>participated telephonically</i>
Lynn Krigbaum	Council Member

Also, Present:

Keith Johnson	Town Manager
Jill Akins	Town Clerk
Tony Alba	Community Services Manager
Matt Patterson	Public Works Director <i>participated telephonically</i>
Dan Barnes	Chief of Police

➤ **Pledge of Allegiance and Invocation**

Mayor Irwin led the Pledge of Allegiance to the Flag.

Keith Johnson delivered the Invocation.

## B. Call to the Public

Town Clerk Jill Akins read the following statement from an email received from Mr. Kenny Cail who owns a home in Lakeside. Mr. Cail desired to participate in Call to the Public at this meeting, but Mr. Cail is currently in California and unable to leave the state due to the restrictions of COVID-19. He is concerned about election interference and asked that his comments be provided to the Mayor, Councilmembers and Town staff and entered into the minutes of this meeting:

*“Mayor Stephanie Irwin, Pinetop/Lakeside Town Council members and staff, Not reporting polling place results means a verifiable and long time established vote security measure was removed. Political swings in voting patterns indicate a strong possibility that the vote count has been manipulated. Every city council person has the right to ask for an extension of my time speaking to your council. You have my written statement before you, and my pledge I will not go off script. I’m here to inform, and move you to action. I have seen this board grant extensions of time for much less pressing issues. I am here this evening to speak of an old problem which arises in every generation - election integrity. I’m here to tell you: If the Russians hacked a vote tally machine in Holbrook, the council needs to call for a hand audit of the 2018 federal Senate and Representative races. To do otherwise would stain our election integrity. I am tonight challenging you to do what is right. The denial of information from polling places is alone enough reason to call for an audit. I reported this to the Navajo County authorities. The evidence is an extensive collection of data which I have collected in numerous graphs using the precinct and polling place vote totals from public information provided by Navajo County. If there have been any errors understand that my intent is in service of truth. The County administration assigned me to sit on an election security ad hoc committee that met on May 16, 2019. In that opportunity the evidence unanimously convinced the committee the need for an audit. The elections director used deceptive political practices of misconstruing the intent of that committee. On the second address to the audience, the County Board of Supervisors questioned my right to speak because they couldn’t find the topic on their agenda. I replied that I was not aware that was a requirement. It was not. At the third address on May 26, 2020 the board denied Shonto Chapter House the opportunity to speak—in the middle of a pandemic that is hitting them hard — on a*

technicality that they did not file a request to speak the day before. They also changed the time limit from 5 to 3 minutes. By these actions, it does not appear that our Navajo County authorities, including the Board of Supervisors, want to hear. After several attempts to contact the Secretary of State's Office I received notice the County could audit on May 14. I sent this information to the County. The next day the Secretary of State's office sent a clarification that was a total reversal. I continue to call the Secretary. I have additionally contacted the Arizona Fair and Free Elections Department, my state Legislative Representatives from District 7, multiple news organizations, political interest groups, Americans United for Democracy, Transparency in Elections, political comedy show writers/producers, and friends. I sent every town, city, tribal council and chapter house a graph and chart of their particular location and precinct. The sound of silence is present, but it is not deafening. A TV producer has written back, tribal council members have tentatively asked questions, a couple of journalists have asked questions, the Secretary of State's office has replied to me, and the National Vote Audit Coalition has shown interest. This will grow with the number of people who feel that government has failed to protect their right to fair treatment, their health, their lives, and their vote which is their voice. It is also with clear evidence that I see those in power recoil at the idea that a voting machine could be tampered with; they may believe we are too small to have been a target, and scoff at the source of information. We are not too small. Voting is a grassroots effort, therefore change must come from the bottom up. The Mueller report, the U.S. Senate Intelligence Committee, 16 intelligence departments, the actions of six European nations and Canada to change their election auditing process all speak to the need to guard the integrity of our elections. Navajo County uses voting machines purchased from Election Systems and Software, or ES&S. ES&S has come under scrutiny reported by a December 19, 2019, NBC News report and other national reporting spurred by Russia's interference in the 2016 election. There are real fears that "hackers, whether foreign or domestic, might tamper with the mechanics of the voting system." The County is the source of election information; these are the Navajo County figures. They did not report polling places, the smallest of targets, and they are trying to hide what they have made public by not reporting all the individual polling place results over the last two elections. They are also trying to hide their attempts to stifle my voice. With great power, comes great responsibility. Luke 12:48 tells us "to whom much is given, much will be required..." It is within the

*power of our local City and County officials to do the right thing to ensure the integrity of our elections. I urge you to request our Navajo County Board of Supervisors, Arizona Secretary of State or if necessary, the Navajo County Superior Court to order a complete hand audit of the paper ballots that still exist from our 2018 election—before they are scheduled for destruction—to assure the integrity of our coming elections.”*

**C. Consent Agenda**

Mayor Irwin announced consideration of the Consent Agenda and explained that all items listed would be acted upon by a single vote of the Council, unless a member of the Council asked that specific items be removed from the Consent Agenda, discussed and voted upon separately.

Mayor Irwin explained that at the end of the May 7, 2020 meeting there was an agenda item for updates from the Mayor and Town Manager. She said that there was a question asked regarding the Woodland Lake Park acquisition. Councilmember Bowen expressed her concern that the open meeting law may have been violated since it was not a specific agenda item. The Town attorney was consulted, and he said that as long as there was not any discussion it was alright to provide an update. She explained that a member of a public body may present a brief summary of current events without being specifically listed on the agenda and as long as the public body does not discuss or take legal action on the item. The attorney advised that we could provide a summary of current events, which can include updates, as long as a general update item was listed on the agenda. She said that the update was added to the May 7, 2020 meeting minutes. Mayor Irwin thanked Councilmember Bowen for bringing this up and she said that we all need to be aware of how we are proceeding with our meetings.

Vice Mayor Smith moved for passage of the Consent Agenda as presented with the amendment to the May 7, 2020. Councilmember Dahnk seconded the motion and by show of hands the following vote was recorded:

**AYES**

**ABSTAIN**

**NAYS**

- Mayor Irwin
- Vice Mayor Smith
- Council Member Dahnk
- Council Member Bowen
- Council Member Snitzer

Council Member Hastings  
Council Member Krigbaum

Mayor Irwin then declared that all consent agenda items in these minutes were approved, passed and adopted with a 7-0 vote.

C.1 **Approval of the Minutes of the Town Council  
Regular Meeting held on May 7, 2020**

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By a unanimous vote under the Consent Agenda, Town Council approved the minutes of the Town Council Regular meeting held on May 7, 2020.

C.2 **Consider approval of the Town Check Register for the period April 1  
through 30, 2020.**

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By a unanimous vote under the Consent Agenda, Town Council approved the Town Check Register for the period April 1 through 30, 2020.

D. **Business Before the Council**

Mayor Irwin announced that Public Comment will be taken at the beginning of each agenda item, after the subject has been announced by the Mayor and explained by Staff. Any citizen, who wishes, may speak one time for five minutes on each agenda item before or after Council discussion. Questions from Council Members, however, may be directed to staff or a member of the public through the Mayor at any time.

D.1 **United States Army's 245<sup>th</sup> Birthday Proclamation.**

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Councilmember Snitzer proclaimed the United States Army's 245<sup>th</sup> Birthday.

D.2 **Recognition of outgoing Mayor's Youth Advisory Committee  
(MYAC) Members: Paige Flake, Megan Lawler and Skyla Rigg.**

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Mayor Irwin recognized the following outgoing members of the Mayor's Youth Advisory Committee (MYAC) and presented them with plaques:

- Paige Flake graduated from Blue Ridge High School as one of the Valedictorians for the Class of 2020. Paige is a member of the National

Honor Society and the National Music Honor Society. She will be attending BYU Provo in the fall studying either Political Science or Law.

- Mega Lawler graduated from Blue Ridge High School in the top ten (10) percent of the Class of 2020 and is a member of the National Honor Society. She will be attending Colorado State University studying Equine Science. Megan plans to become a large animal vet.
- Skyla Rigg graduated from Blue Ridge High school as the Salutatorian for the Class of 2020. Skyla is a member of the National Honor Society and the National Music Honor Society. She will be attending BYU with an interest in English and Humanities.

**D.3 Consider the approval of Resolution No. 20-1552 to approve a Permanent Easement on parcel number 212-31-007 (Lakeside Cemetery) to accommodate emergency vehicles.**

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Public Works Director Matt Patterson stated that staff recommends approving a Permanent Easement on parcel number 212-31-007, the location of the Lakeside Cemetery, granting minimum road width requirements for Belinda Lane and Gwin Way for emergency vehicle access to properties adjacent to the Lakeside Cemetery.

Director Patterson explained that the Town accepted stewardship of the Lakeside Cemetery in July of 2000. Belinda Lane and Gwin Way were existing roads on existing easements that allowed ingress and egress for properties adjacent to the cemetery, however, the easement is not the minimum width requirement for Navajo County. The current roadway prohibits emergency vehicles from accessing residences on Belinda Lane and Gwin Way. Public Works staff commissioned a survey and legal description to facilitate the permanent easement. Upon Council approval, the easement will be recorded with Navajo County, and slight modifications will be made to widen the road, including the removal of boulders.

Councilmember Bowen moved to approve Resolution No. 20-1552, to approve a Permanent Easement on parcel number 212-31-007 (Lakeside Cemetery) to accommodate emergency vehicles to access properties adjacent to Belinda Lane and Gwin Way, and authorize the Town Manager to execute all documents necessary. Councilmember Snitzer seconded the motion and by show of hands the following vote was recorded:

AYES

ABSTAIN

NAYS

Mayor Irwin  
Vice Mayor Smith  
Council Member Dahnk  
Council Member Bowen  
Council Member Snitzer  
Council Member Hastings  
Council Member Krigbaum

Mayor Irwin then declared that Resolution No. 20-1552 and a Permanent Easement on parcel number 212-31-007 (Lakeside Cemetery) to accommodate emergency vehicles to access properties adjacent to Belinda Lane and Gwin Way, and authorize the Town Manager to execute all documents necessary approved, passed and adopted with a 7-0 vote.

**D.4 Consider Resolution No. 20-1553 approving a one-year extension to the agreement for Town Attorney Services with Sims Mackin, Ltd. and authorizing the Town Manager to execute the agreement on behalf of the Town.**

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Town Manager Keith Johnson explained that staff recommends the approval of a one-year extension to the agreement for Town Attorney Services with Sims Mackin, Ltd. and adopting Resolution No. 20-1553 and authorizing the Town Manager to execute the agreement on behalf of the Town. The Town Council appointed William J. Sims, III as Town Attorney on August 4, 2014 through an agreement for Town Attorney services with his firm, Sims Murray, Ltd. now named Sims Mackin, Ltd. The agreement was renewed in 2015, 2016, 2017, 2018 and 2019. Staff recommends that the agreement be renewed for one additional year under the same terms and conditions provided for in the current contract.

Town Manager Johnson said that the new agreement will commence on July 1, 2020 and end on June 30, 2021 with options to extend for successive fiscal year periods by mutual agreement of the parties. The proposed agreement is attached for Council's review.

Councilmember Dahnk moved to adopt Resolution No. 20-1553, approving a one-year extension to the agreement for Town Attorney Services with Sims Mackin, Ltd. and authorizing the Town Manager to execute the agreement on behalf of the Town. Vice Mayor Smith seconded the motion and by show of hands the following vote was recorded:

AYES

ABSTAIN

NAYS

Mayor Irwin  
Vice Mayor Smith  
Council Member Dahnk  
Council Member Bowen  
Council Member Snitzer  
Council Member Hastings  
Council Member Krigbaum

Mayor Irwin then declared that Resolution No. 20-1553 was approved, passed and adopted with a 7-0 vote.

**D.5 Update and Discussion regarding the White Mountains Balloon Festival.**

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Community Services Manager Alba said that last year’s Balloon Festival had between 5,500 and 7,000 people attend the event over the three days. The event is scheduled this year for the end of June 2020 and said that the pandemic has shut down many events the past three months. He said that they have continued to plan this event and have been in touch with the vendors and the sponsors. He said that Governor Ducey has made it very clear to follow the re-opening guidelines established by the White House and the CDC. He said we are still in Phase One of the re-opening and he said that each phase lasts a minimum of two weeks. We have been in Phase One for three and a half to four weeks and we are still in Phase One with no idea when we will go to Phase Two.

Manager Alba presented the following information:

- New cases per day have increased in AZ.
- Off tribal land in Navajo County has been increasing.
- Summit Health Care has new cases still increasing.
- Arizona percentage cases have fallen but in the last 3-4 days there have been a slight increase.

Manager Alba explained that there is not a way to do this event successfully and safely at the end of June 2020. He said that this is unfortunate and that it is the recommendation of staff to not proceed with a full-blown festival. He said that this has been a very difficult decision because our community and businesses have been hurting. He said that he would still like to bring the pilots here and said that

the seventeen pilots have agreed to fly their balloons each morning from Mountain Meadow Recreation Complex.

Councilmember Bowen said that she wonders if the public knows that we are still in Phase One because it does not seem to be so.

Town Manager Johnson said that we cannot create distancing at the Balloon Festival and that everyone would be elbow to elbow.

Councilmember Bowen said that everyone should hold their activities at the Walmart parking lot because there are plenty of people there. She stated that this is ludicrous that that she is so done with this and it is beyond common sense anymore. She said if we label it a “protest” we would be find and could hold the event.

Manager Alba said he is proposing to do the morning balloon launch each morning. People will be able to socially distance and said that this will be a good way to keep the spirit of the event alive and will hopefully give a little lift to the community, which is badly needed. He said a drive-by balloon glow Saturday evening is also be discussed.

Mayor Irwin said that it is heartbreaking because the event has grown but said that she does understand Councilmember Bowen’s point of view. She said that her concern is the Town being the epicenter of an outbreak.

Councilmember Bowen said that she understands that but said by the same token if you go into any commercial entity in the State of Arizona, from the Valley to up here, it is like nothing is going on. Trying to get out onto the Highway, with all of the traffic is crazy. She said that this is beyond the point of ludicrous and to say that we could possibly be the epicenter of a breakout, she said she does not see it. She said that she understands where everyone is coming from but said that she is looking at the businesses in Town and they are suffering. If this goes on very much longer, the Town will be laying off people and she said that is exactly what she does not want to do during the budget process. She said something has something has to give soon because the business owners are suffering, and they cannot keep going very much longer.

Mayor Irwin said that she agrees with Councilmember Bowen but said that she is not willing to take that responsibility as a Town to hold an event that large. She thinks that Manager Alba has been creative at working some ways around it so that

we can continue the momentum for the festival and to provide some uplifting for the community.

Councilmember Hastings said that she is very proud of our Council and said that it is important that we put humankind before the almighty dollar. It is a terrible ending of a life, if we even lose one person from having a large group of people attend an event, she feels it is not worth it. She expressed that we have to look to 2021 for a bigger and better balloon festival.

Councilmember Dahnk thanked Manager Alba for coming up with other things that can be done. She said the Nature Center is also trying to be as creative as possible with different things and said that they hope to open the Nature Center soon. She said that if this continues the Nature Center could be out of business by the end of the year.

In response to Vice Mayor Smith, Manager Alba said that any tickets raffled off at non-profit dinners for balloon rides will be honored next year and sponsorships will be held over until next year or refunded.

Vice Mayor Smith said that he hates to see the event cut back and said that he is afraid if we went ahead with the event we might be disappointed with the attendance and the vendors might be disappointed because of the turnout.

Councilmember Snitzer thanked Manager Alba and said he believes the right decision has been made and next year it will be a great event.

Councilmember Krigbaum agrees with Councilmember Snitzer and said that she is proud of Manager Alba making what she feels is the correct decision and knows how difficult a decision it was to make.

Manager Alba thanked the Council for their comments and said that it was a very difficult decision to make and that we wanted the Council to weigh in on the decision and make sure that our leadership in the Town agreed with the decision.

E. Adjournment

There being no further business at this time, the meeting was adjourned at approximately 6:36 p.m.

*Stephanie Irwin*

Stephanie Irwin  
Mayor

ATTEST:

*Jill Akins*  
Jill Akins, CMC  
Town Clerk



CERTIFICATION

I hereby certify that the foregoing minutes are a true and correct copy of the minutes of the Regular meeting of the Town Council of Town of Pinetop-Lakeside, Arizona, held on the 4<sup>th</sup> day of June 2020. 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 June 2020.

*Jill Akins*  
Jill Akins, CMC  
Town Clerk

