

RESOLUTION NO. 16-1081

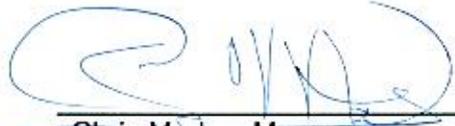
A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, COUNTY OF YAVAPAI, ARIZONA, REPEALING RESOLUTION NO. 15-1055 RELATED TO REMOVING THE CENSURE OF COUNCILMEMBER HATCH; PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, County of Yavapai, Arizona, that Resolution 15-1055 censuring Councilmember Linda Hatch for refusing to comply with certain public records requests by denying that such records existed when they did, in fact exist, is hereby repealed and of no effect.

BE IT FURTHER RESOLVED that all resolutions or parts of resolutions in conflict with the provisions of this resolution are hereby repealed.

BE IT FURTHER RESOLVED that if any section, subsection, sentence, clause, phrase or portion of this Resolution is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 10th day of May, 2016.



Chris Marley, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Phyllis L.N. Smiley, Town Attorney

I hereby certify the above foregoing Resolution No. 16-1081 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 10, 2016, and that quorum was present thereat and that the vote thereon was 6 ayes and 0 nays and 0 abstentions. 1 Council members were absent or excused.



Jami C. Lewis, Town Clerk

RESOLUTION NO. 15-1055

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CHINO VALLEY, YAVAPAI COUNTY, ARIZONA, CENSURING COUNCILMEMBER LINDA HATCH FOR REFUSING TO COMPLY WITH CERTAIN PUBLIC RECORDS REQUESTS BY DENYING THAT SUCH RECORDS EXISTED WHEN THEY DID, IN FACT, EXIST.

WHEREAS, Chapter 35, Code of Ethics of the Chino Valley Town Code establishes ethical standards of conduct for public officials of the town; and

WHEREAS, the Council deems it to be of the utmost importance that all members of the Council be held to the standards of conduct set forth in this Code of Ethics; and

WHEREAS, Section 35.04 of the Town Code (Conduct in Public Office) requires Councilmembers to lead by example and to seek and speak the truth; and

WHEREAS, on February 23, 2015 Councilwoman Hatch did respond to the two public records requests by denying that she had any records in her possession that fit the description and stating that she did not use personal email for Town business except under certain stated conditions; and

WHEREAS, the entire membership of the Chino Valley Town Council has been provided copies of four emails which fit the description listed in the public records requests that were obtained from another party to the email; and

WHEREAS, it is the Council's intent that the Code of Ethics be enforced,

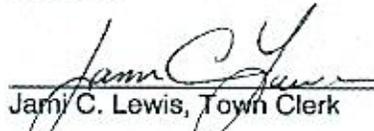
NOW, THEREFORE, BE IT RESOLVED by the Mayor and Common Council of the Town of Chino Valley, Arizona, that:

1. The Council finds such falsification and denial of the existence of public records in her possession to be unacceptable behavior for a public official and in violation of the Town's Code of Ethics.
2. Councilmember Linda Hatch is formally censured by the Chino Valley Town Council for such falsification and denial.
3. The Council demands that Councilmember Hatch comply immediately with Public Records Requests 15-02-02 and 15-02-05 by furnishing all documents responsive to the requests that are in her possession, electronically or otherwise, to the Chino Valley Town Attorney within ten business days of the approval of this Resolution.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Chino Valley, Arizona this 12th day of May, 2015.

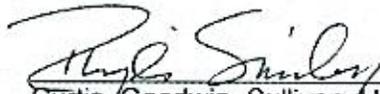

Chris Marley, Mayor

ATTEST:



Jami C. Lewis, Town Clerk

APPROVED AS TO FORM:



Curtis, Goodwin, Sullivan, Udall & Schwab, PLC
Town Attorneys
By: Phyllis Smiley

I hereby certify the above foregoing Resolution No. 15-1055 was duly passed by the Council of the Town of Chino Valley, Arizona, at a regular meeting held on May 12, 2015, and that quorum was present thereat and that the vote thereon was 3 ayes and 1 nays and 0 abstentions. 2 Council members were absent or excused.



Jami C. Lewis, Town Clerk