

Welcome to our Community News Bulletin.

This Week's Issues:



First General Plan Meeting occurred at Planning & Zoning Commission on March 19, 2015 - Great turnout, not enough copies of red-lined proposed plan – continued until April 2nd, to allow residents time to read 100+pages. More next week

- **Citizen Comments on the Election Results – Sara Vannucci, Editor**
- **Update on litigation Town v Usama**
- **Announcement from APS Construction of new Transmission Line in Cave Creek**
- **Guest Editorial - It's Déjà Vu All Over Again – Ray Stark**
- **Update on 2014/2015 Roadway Maintenance Activities from The Town Engineer**
- **Parking Update from Town Engineer & Town Manager**
- **Various Art Events in Carefree & Cave Creek**
- **Portrait Artists of Arizona Exhibition**
- **Winners of Carefree Desert Gardens Photo Contest**
- **Photo by Bob Hughes, Cave Creek**

Many Citizens spoke at “Call to the Public” to thank the four recent councilmen for their time and service on behalf of the town. Here is a sampling. It began with Anna Marsolo leaving the podium to shake the hand of each departing councilman individually. She then offered some comments for all present.

“Vice Mayor Adam Trenk; Reg Monachino; Charlie Spitzer; Mike Durkin....

Certainly one thing we all know is running for elected office in this town takes much courage. Thank you for your courage!

We all know one of the best ways that a person can contribute to society is to run for elected office. Thank you for your contributions.

We all know that to run for an elected office it takes a certain political acumen, but that isn't nearly as important as hard work and a genuine desire to make our community a better place to live. Thank you for doing that!

We all know that serving on council is often a thankless task. Everyone is a critic, myself included, and cheerleaders are almost impossible to find. Thank you for allowing me and the over 900 citizens who voted for you to cheer you tonight!

We all know elected officials sometimes lose sight of the fact that CITIZENS are head of the organization chart, not the other way around. Thank you for putting us first!

When citizens approach the podium, they experience something very special and that is the attention of all the council members and staff all in one place. It just doesn't get any better than that. Thank you for your respect and never degrading speakers at the podium!

We have been fortunate to have had you part of our council. Your record of putting solutions into place to old problems that were ignored for years is exemplary. Your unprecedented level of openness/transparency at town hall made you accountable to your citizens and your processes open to public scrutiny. That is truly a democracy. Thank you for that!

You have been bucked off but I hope you get back on that horse in 2016. Why? Because history tells me that the vision of our town regarding ideas, ethics, fairness and lifestyle that make up our high quality of life will not be maintained nor enhanced by this new council. God Bless you all!

Anna Marsolo, Cave Creek

Kerry & Pauline Smith: We would like to express our appreciation to the Cave Creek Town Council and Mayor for 20 months of extraordinary accomplishments. Your service is a genuine donation to all of your neighbors in Cave Creek. We especially appreciate the way the Mayor and the entire council worked together as a team over this period. While you did not always agree, the discussion was always respectful and constructive. The result in our opinion was better decisions and a high level of productivity.

We especially appreciate the four council members whose terms ended on March 16, 2015. Mike Durkin, Reg Monachino, Charlie Spitzer, and Adam Trenk kept all of their promises. They worked diligently to make town government transparent and responsive. In the face of relentless external distractions and the recall you always put the town's best interests first. Your dedication and contributions will not be forgotten. / **Pauline and Kerry Smith**

Eileen Wright

Vice-Mayor Adam Trenk, Councilman Reg Monachino, Councilman Charlie Spitzer, Councilman Mike Durkin; I will hang my head in sorrow as I watch you step down tonight.

Thank you for your leadership and your willingness to serve. You have set the bar high!

You, more than anyone, understand that the day we stop fighting is the day we start losing our town.

In fact, our town is alive and well today because of you.

Thank you again for everything you have done for all of us. YOU WILL BE MISSED!

Eileen

Katya Kincel: I would like to take this opportunity to thank you gentlemen for your service, dedication, and all you did for the Town during your short tenure. Namely:

- Transparency – reducing 7 checkbooks to 2
- Working with David Prinzhorn to get out of firefighting mode by instituting a preventative maintenance program for the water/wastewater systems.
- Working on a road pavement program to provide analysis for data driven decisions
- Reinstating the **Water Advisory Committee**, who gave Council an incredible report February 17, 2015.
- Listening to the AREA 25 residents' concerns and acting appropriately
- Appointing responsible people to fill seats on the Planning Commission
- Having weekly 'Office Hours' with the Mayor and Vice Mayor.

These last 3 points indicated how willing you were to work with **ALL** of Cave Creek Citizens, not just certain factions.

I hope your work is not undone by the next Council.

Thank you, **Katya Kincel**

To: Messrs. Durkin, Monachino, Spitzer, and Trenk

Gentlemen:

I was saddened to learn of the election results leading to your departures from Cave Creek's Town Council. I trust that all of you will continue to stay active and vocal on our local scene so that we may continue to benefit from your leadership. With a mere twenty months in office, you have accomplished so much in so many areas.

I am especially appreciative of your support with the Specific Area Plan. The request for an additional three parcels to be added to the commercial buffer area near the McDonald's site would have had a great impact on the residents and properties in that area. Losing Desert Rural acreage is definitely in conflict with the vision of our Town. Thank you for listening to our concerns and following the unanimous votes of the Planning Commissioners to keep alive Cave Creek's vision for a Desert Rural lifestyle.

With sincere appreciation, **Suzanne Deffinbaugh**



CASE RESULTS:

Late , but still useful, was the draft finding of the Court, that the lawsuit against the previous council members was not based on law! Just made available to us was the following document:

Superior Court of Arizona Case CV-2013-011198/ Honorable Douglas Gerlach

Usama Abujbarah v. Town of Cave Creek.

Regarding alleged conspiracy of officials to terminate Abujbarah, before they were sworn officials.

The following draft ruling was published on 3-16-2015 (excerpt): "Contrary to what the Abujbarah response suggests (at 5), the directive to construe the Open Meetings Law broadly in favor of open meetings is not license for a court to assume that the Legislature must have intended to include members-elect within the scope of that law, and then issue a ruling as if the legislature had done so"

(Translate: The Open Meetings Law intended to punish officials who breached this law by communicating with each other secretly and not in open session with the public, but **DID NOT INTEND THIS TO APPLY TO ANY PERSONS WHO WERE NOT YET ELECTED/SWORN IN AS OFFICIALS.)**

The actual ruling: IT IS ORDERED:

- 1. The Defendants' motion for partial reconsideration is granted.**
- 2. The Defendants' (*new councilmen in 2013*) cross –motion for summary judgment is granted in part. Plaintiff's (*Usama*) claim is denied to the extent that it is based on a violation of ARS §38-431.01 (open meetings law) having been committed by discussions that may have taken place among persons who were newly-elected to the Cave Creek Town Council before the assumed their offices.**

Dare we hope that this \$3,000,000 cloud will be removed??

The judge must make this a final ruling for that.

GUEST EDITORIAL - It's Déjà Vu All Over Again – Ray Stark

My suggestion to everyone who voted for the new council: Stay involved! Keep track of what your elected representatives do to further enhance and secure the character and financial health of our unique town. Government is not an autonomous machine. It requires active involvement by the electorate: Stay involved or prepare to be disappointed. Government, by its very nature, runs amok if left unattended.

The new council members should be thanked for their willingness to volunteer for public service. Having served for 16 years as a director on a homeowner's board, I understand all too well how thankless public service can be. Just remember, while you won't make everyone happy, you will be held accountable for your actions.

It has been said time and again, "Votes Have Consequences." Let's hope the new council uses good advice and deliberates long and hard using the best leadership possible, always putting what is best for the town ahead of any personal benefit or benefit to a minority. That must be the "gold standard" under which every decision is made.

The decisions before this council are daunting. So that we all understand how we got here, let's look at a few essential facts...

Eight years ago an ambitious, but unqualified, town manager decided Cave Creek needed to become a public utility. Using flawed analytical data and over-optimistic projections, he sold our mayor, council, and voters, on buying not one, but *two* water companies. The town of Cave Creek bought Cave Creek Water Company for 20.1 million dollars (17.5 million for the company and 2 million in cash for improvements.) This company had sold only the year prior for *2.4 million dollars*.

Immediately after this purchase, the Town announced they were merging Cave Creek Water Company into the Desert Hills Water Company as well as building a water treatment plant. In 2005 the citizens of Cave Creek approved a maximum of 50 million dollars in WIFA loans to fund water infrastructure improvements. By August of 2007, the Cave Creek WIFA loan debt had reached 65.9 million dollars.

The costs for the water companies and waste treatment plant mounted through 2008 while other revenue for the town decreased. The Arizona Republic reported Cave Creek's budget shortfall for 2009 was 5.7 million dollars. The town of Cave Creek nearly went bankrupt that year.

Bankrupt. All because of bad decisions backed up by bad assumptions that were not uncovered by any public discussion or vetting. Many of these decisions were made behind closed doors.

One of the new council members (Esser) was on the council then and voted for the water company purchase. Another one of the new council (Lamar) was on a town planning commission and is on record enthusiastically supporting this move. Enough history.

This town was pushed right to the very brink of insolvency by poor leadership, extremely poor decision-making, and subterfuge in trying to conceal the true costs of being a public utility from the citizens of this town. We dodged a very large bullet back then. ***We almost ceased to be.***

As a result of these decisions, Cave Creek now pays 4.8 million dollars in debt service on our loans each year as we will for another decade. Additionally, because we allowed an unqualified and inept town manager to supervise a waste treatment plant that was, vastly oversized, poorly engineered, poorly constructed, and judged defective shortly after it started up, we have had to subsidize its operation every year. Last year the

waste treatment plant cost the citizens of Cave Creek 1.2 million dollars because it is only running at 30% of capacity. That's totals six million dollars a year out of a budget of only 16.5 million, over a third of our total budget. And budget projections for next year are not good. Some estimates indicate that revenues may drop by over a million dollars or more. Our income will decrease –but our debt won't.

What does *that* mean? **It means this new council is going to have to pull a rabbit out of a hat.**

With less money coming in, a huge debt payment every year, and ever-escalating costs on the water company, this council is going to have to either cut expenses somewhere, or raise revenue.

I am a “road guy.” After managing my community's roads for 16 years, I was stunned when I moved to Cave Creek and really examined the quality of the roads. They are appalling and the road survey echoed that very clearly. The problem is, we don't have the money to repair them because we have too much debt and too low an income stream. No repaving has been done in town in the last eight years except on Cave Creek Road and the few times where the wash ate the roadway on School House and Spur Cross.

The engineering analysis (Pavement Management Program) done for the town last summer indicated many of our streets were past the point of repair and needed to be replaced. The further a road is allowed to fail, the more costly it becomes to replace the roadway.

They say you can tell the financial health of a town or city by looking at its roads. Remember that as you travel around the town over alligator cracked and crumbling town streets. Our streets stand as a monument to the crippling debt we now bear resulting from the poor choices made after we got into the water business. I suspect the Sonoran News will try to blame the last council who served for a scant 20 months for the predicament faced by our town. **The honest truth is this problem began with the huge debt our town took on and now those who supported and encouraged that debt are back in power. If this same group makes one more financial screw up, Cave Creek may find itself facing three unpleasant choices:**

- 1. Bankruptcy or insolvency**
- 2. A substantial property tax to avoid bankruptcy which the voters will likely reject as they have in the past –and vastly higher sewer and water rates!!!**
- 3. Annexation by a neighboring city, Phoenix perhaps, as a court-ordered solution in the re-organization process -which we may have very little say in**

Of the choices above, we nearly triggered # 1 in 2008. With declining revenues and unrelenting debt we could be there again in short order. The council will try to push option #2 but again, as they always do, the voters will reject it. That leaves us facing option #3. How will that affect our unique lifestyle?

I am a new Cave Creek resident. After living just east of Carefree for nearly 20 years, I moved here because of the unique character that Cave Creek offers. I want to see my town thrive, prosper and flourish while managing the inevitable change without destroying this character. Far and away the biggest threat we face today is financial.

Those who contributed to our financial concerns are now back in power, aided directly in their campaign efforts by the Sonoran News. If you doubt Don Sorchych wants to exert vast influence over town operations, merely look at the last Sonoran News with his list of recommendations. One of those recommendations is to do away with our Planning and Zoning commission and our Water Advisory Committee. They did away with the Water Committee once before, despite the state mandate to maintain one.

Just between two of the WAC members, we have 60 years of water production and distribution experience. We couldn't afford these two individuals if we had to pay them for their considerable expertise. Yet they willingly volunteer their expertise freely. How can this be a bad thing, especially when water is quickly

becoming a HUGE issue in this state? When you have to make a tough decision, would you like to have more expert opinion to base your decision on or less?

Or, let me put it another way: Who do YOU want making critical decisions about your ability to access to water in our community: An expert with decades of experience or an 85 year-old newspaper editor?

You would be willing to forgo that expertise offered by our incredibly talented volunteers for one simple reason: CONSOLIDATION OF POWER. Wasn't a lack of expertise and good outside advice the leading cause of the horrible decisions that put Cave Creek in the financial position it finds itself in today? And Don Sorchych wants us to go back to that inarguably flawed process again? Councilman elect Esser is on the record as having stated, "We just need to go back to the way we were."

Can we really afford to? Do you want to? The voters in this recall apparently do. Don't turn your backs on town government now. Stay involved and stay aware. Or, this last holdout of the American West may go the way of the Pony Express. Remember, we nearly went insolvent 6 years ago...



This town has a habit of repeating things that turn out *badly*. Get your neighbors and friends involved and aware so that it doesn't happen again!

Happy Spring, Ray Stark

Update on 2014/2015 Roadway Maintenance Activities *from* **The Town Engineer**

Since mid-summer last year, the Town of Cave Creek has performed the following roadway maintenance and repairs as outlined in the Town's Pavement Management Plan:

1. Milling and new Pavement Overlay of 44,290 square yards of Cave Creek Road and Carefree Highway (near Wal-Mart).
2. Seal Coating of 27,750 square yards on a various Town roadways.

In the upcoming weeks (before July 1st), we will finalize this year's roadway maintenance activities by completing the following projects that we began scheduling several weeks ago:

1. Seal Coating of 26,720 square yards on a variety of Town roadways.
2. Chip Sealing 11,250 square yards of several other Town roadways.
3. Pavement Striping of Schoolhouse Road and Fleming Springs Road.
4. Performing pavement repairs to 11 additional Town roadways.

It is important to note that we have placed the Pavement Management Plan on the Town's Website for your information. This document identifies all of the major roadway repair activities for a five-year period (2015 to 2019).

The budget for next fiscal year's roadway maintenance activities is currently being prepared. For next year, we will again follow the Pavement Management Plan project listing which identifies the roadways most in need of repair and maintenance.

If your roadway is not shown in the plan, it does not mean that it will never be maintained, it simply means that it is not listed in the current five-year plan. Every five-years the plan is updated, so your roadway may be in the next five-year cycle.

In summary, by July 1st, we will have completed all of the roadways listed in the Pavement Management Plan for 2015, a total of nearly one million square feet of pavement surfaces.

Next year, more pavement maintenance work on Cave Creek Road from Spur Cross Road south to the Town of Carefree border will take place as well as fifty other roadway sections identified in the Pavement Management Plan. 3-17-15

OTHER TOWN NEWS:

Information from the Engineering Department: Town of Cave Creek Opens New Public Parking Lot

On March 17th, 2015 the Town of Cave Creek will be opening a new 70 space public parking lot on North Hidden Valley Drive one block south of Cave Creek Road. Signs have been placed along Cave Creek Road to provide direction for visitors and patrons of our local establishments.

There are no fees to park in this parking lot and it was situated to provide easy walking access to the many fine shops and restaurants located along Cave Creek Road. Additionally, parking for parades and other special events will now be easier for our out-of-town guests.

Summary of the Celebration Weekend, Courtesy of Carefree Truth, Carefree, AZ.

11th ANNUAL TASTE OF THE FOOTHILLS CELEBRATION AND CASH & CARING RAFFLE

THE FOOTHILLS CARING CORPS ANNUAL FUNDRAISER MARCH 19 AT EL PEDREGAL IN SCOTTSDALE

Support the Foothills Caring Corps and help make a difference at the 11th Annual Taste of the Foothills Celebration and Cash & Caring Raffle.

This non-profit event is the organization's largest fundraiser of the year and will take place from 5-9 p.m., Thursday, March 19, at el Pedregal, 34505 N. Scottsdale Road, in Scottsdale.

Admission to the event is \$40 per person without a raffle ticket, or attendees can receive free admission for two adults, with the purchase of a Cash & Caring raffle ticket for \$100.

The Taste of the Foothills and Cash & Caring Raffle ensures that the Caring Corps can continue its mission to promote elderly independence and provide programs for neighbors in the community.

These vital services include mobile meals, medical transportation, handicapped accessible van transportation, caregiver relief, shopping trips, social opportunities, a medical equipment loan closet, friendly pet visiting and handyman assistance.

Admission and raffle tickets are on sale now and will be sold at the event. For tickets or information, call Foothills Caring Corps at [480-488-1105](tel:480-488-1105) or visit www.foothillscaringcorps.com.

Now in its 11th year, the Taste of the Foothills Celebration has grown into a night filled with festivities including savory tastings from local eateries, as well as live music and entertainment.

AFFINITY, a ten-piece band and musical mainstay for over 30 years, will perform on stage. Live and silent auctions will take place throughout the evening, featuring exclusive getaways and experiential activities.

The Cash & Caring benefit raffle offers over \$9,000 in cash prize drawings. Three winners will receive cash prizes. Raffle tickets may be purchased for \$100, three for \$275 or eight for \$500. Participants need not be present to win.

Foothills Caring Corps Executive Director, Debra Determan, encourages the community to take part in a good cause with all proceeds benefiting the volunteer-based non-profit. Every admission and raffle ticket sold is another generation contribution to the Caring Corps future and the elderly community.

In 2013-2014, the organization's 575 volunteers donated more than 42,000 hours to assist residents throughout Carefree, Cave Creek, North Scottsdale, North Phoenix and other areas within Maricopa County.

For tickets and more information, call the Foothills Caring Corps at [480-488-1105](tel:480-488-1105).

14th Annual Sonoran Festival of Art

Friday, March 20 - Sunday, March 22

10:00 a.m. - 5:00 p.m.



Hosted by the prestigious Sonoran Arts League, this popular outdoors festival celebrates its 14th year, featuring more than 100 accomplished artists from across the country. Enjoy three,

fun-filled days of live musical performances, local flavors, and interactive art experiences that encourage visitors to "be a part of the arts"!

101 Easy Street, Carefree
Downtown Carefree
For more information [click here](#).

Sonoran Arts League 40th Anniversary
Saturday, March 21
6:30- 10:00 p.m.

The Sonoran Arts League is celebrating four decades as the premier art organization supporting the arts, artists, and art education. The 40th Anniversary Celebration will be held on March 21, 2015 in downtown Carefree within the Sanderson Lincoln Pavilion area. The fundraiser begins at 6:30 p.m.

Event highlights include:

- Silent Auction Fundraiser – with unique original artwork from Sonoran Arts League artists.

Musical entertainment by The Sahnas Brothers. Outstanding food from local restaurants.

- Three Arizona wineries will be on site including Arizona Stronghold Winery and Vineyard. These wineries are generously donating 50% of all sales back to the Sonoran Arts League.
- Sonoran Arts League Float (featured in the Fiesta Days Parade in Cave Creek) will be on-site for guests to view.
- Hosting a 'Name the Lizard' mascot contest. The League's mascot is a "Sonoran Whiptail Lizard" and has remained nameless for the past 40 years. This year, the lizard will get a name. The 'Name the Lizard' contest starts March 1 and runs through June 30, 2015.

Details on how to register will be online at www.sonoranartsleague.org.

- The League has partnered with the Town of Carefree for its annual presentation of the Spirit of Carefree Award. The award, presented by the Town of Carefree, highlights a Carefree citizen who has demonstrated an exceptional spirit of community service and volunteerism. The handcrafted art glass sculpture award, created by **Sonoran Arts League member and artist Peggy Pettigrew Stewart, will be on display in the Carefree Town Hall lobby up until the event.**

Sanderson Lincoln Pavilion, 101 Easy Street, Carefree
For more information and to purchase tickets [click here](#).



FOR IMMEDIATE RELEASE

Media Contact: Katie Stearns
Portrait Artists of Arizona - Public Relations
602-370-0363 Cell Phone
stearnsstudio@cox.net Email

PORTRAIT ARTISTS OF ARIZONA'S FIFTH ANNUAL MEMBER JURIED FINE ART EXHIBITION AND SALE!



Portraiture — the art of creating portraits — has mesmerized humanity from the earliest times. Whether representational or impressionistic, portraiture possesses the magical qualities of capturing the likeness and essence of a person, or an animal, and rendering them immortal. Portraiture captures a moment in time. It creates history. Think Rembrandt, John Singer Sargent, Frans Hals, Robert Henri . . . to name a few.

Announcing Portrait Artists of Arizona's 5th Annual Member Juried Fine Art Exhibition and Sale at Scottsdale Artists' School in Old Town

Scottsdale! The exhibition opens on Saturday, March 28th, with an Artists' Reception from 5 PM to 7 PM,

with the awards presentation at 6 PM. Award-winning, Arizona artist Nancy Chaboun is the Judge of the Exhibition. The exhibition can be viewed at SAS Monday through Saturday from 9 AM to 4 PM, until the exhibition close on Friday, April 24th.



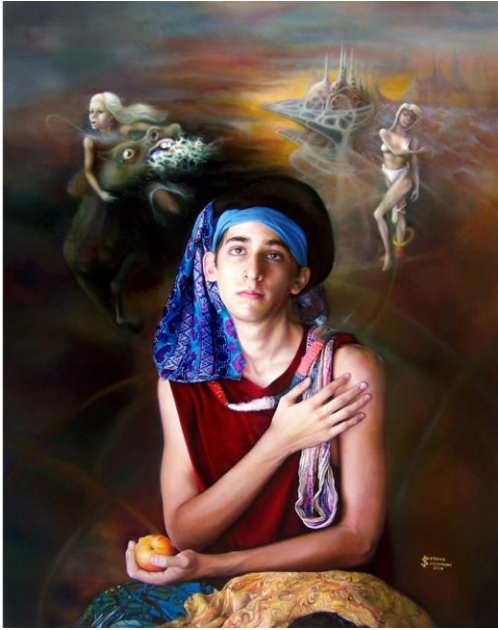
"This exhibition showcases the extraordinary talent of portrait artists in the state of Arizona," states Sherri Aldawood, PAOA President. "There is something for everyone to enjoy in this show."



The 2015 exhibition is comprised of 60 works of art by 28 PAOA artists. High quality artwork coupled with a wealth of variety defines this exhibition. A myriad of portraits and figurative works of children, adults, and even a few animals will tantalize viewers.

Exhibition artwork is rendered in various media, including watercolor, oil, charcoal, pencil, and pastel. Artistic styles range from impressionistic to highly realistic, classical artwork — and *everything* in between. The artists in the exhibition have transcended their subject matter in order to communicate their own unique, artistic visions.

Portrait Artists of Arizona (PAOA) is a 501 (c) (3) non-profit organization providing support, education, and assistance to portrait artists in their practice and promotion of this fine art form.



PAOA sponsors portraiture-focused workshops, portrait demonstrations by nationally acclaimed artists, working portrait studios with live models, and portrait-only exhibitions and competitions to enhance the community appreciation for fine art portraiture. PAOA membership offers artists educational support, discussion, critique, and activities aimed at enhancing their practice, techniques, and applications of fine art portraiture.

Additionally, PAOA encourages community support and understanding of this art form.

For high resolution images, additional information about Portrait Artists of Arizona, or to schedule an interview with a PAOA member artist, please call Katie Stearns, PAOA - Public Relations, at 602-370-0363 or email her at stearnsstudio@cox.net.

**WHAT: Portrait Artists of Arizona's 2015
Members Juried Fine Art Exhibition and Sale**
**WHEN: Saturday, March 28, 2015 -
Friday, April 24, 2015**

**Artists' Reception March 28, 2015, 5 PM - 7
PM with Awards Presentation at 6 PM / Daily
viewing at SAS Monday through Saturday, 9
AM - 4 PM WHERE: Scottsdale Artists' School,
3720 N. Marshall Way, Scottsdale, AZ 85251**



Winners of Carefree Desert Gardens Photo Contest

First Place: Hazel Vaughn; Second Place: Carrie Kahus; Third Place: Tom Baker. Images next week.

Bob Hughes, Cave Creek



We hope you will enjoy both the expanded news and our Art Journal of talented local artists.

Our Cave Creek-Carefree- North County venue necessarily will discuss various election issues. Responses directly to the editor at: creekerlady@gmail.com. Opt Out at same email. Advertisers requiring a full page or more for a flyer/event may obtain same for \$50. Nonprofits & Church events may have a full page at no cost, + at our discretion. "The Chronicle welcomes photographs intended for sharing on our website and newsletters. By submitting these images, the artist and end reader agree that this use is a limited license for personal enjoyment and social sharing, but no commercial re-use of the image is intended or permitted without written permission of the original artist. The Chronicle disclaims any ownership rights in any submissions provided to us."

Please watch for our Chronicle Art Journal on alternate weeks, for current news on art and library events. Your art events & showings are welcome, at creekerlady@gmail.com.

Sara Vannucci, Editor