

**TOWN COUNCIL OF DEWEY-HUMBOLDT
REGULAR MEETING NOTICE**

Tuesday, February 20, 2018, 6:30 P.M.

**COUNCIL REGULAR MEETING
2735 S. HWY 69**

**COUNCIL CHAMBERS, TOWN HALL
DEWEY-HUMBOLDT, ARIZONA**

AGENDA SUMMARY

1. **Call To Order.** The meeting was called to order at 6:30 p.m. by Mayor Nolan
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Tom Thurman.
 - 2.2. **Invocation.** Given by Councilmember Wendt.
3. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Doug Treadway, Victoria Wendt, and Mayor Terry Nolan were present. Vice Mayor John Hughes and Council Member Amy Timmons were absent.
4. **Announcements/Presentations/Appointments/Proclamations.** Discussion and Possible Legal Action may be taken.
 - 4.1. **Yavapai County Administration and Board of Supervisors Presentation regarding the 1/4 cent sales tax set to expire in 2020.**

Tom Thurman, Yavapai County Supervisor, and David McAtee, spoke giving a PowerPoint presentation of an overview of the ¼ cent sales tax, which supports the County jail. The jail which was previously located in Prescott is now located in Camp Verde. This tax was initially passed in 2000 and set to expire in 2020. The presenters went over the services provided through this tax. The cost of housing an inmate is approximately \$100-110 per day. Mr. Thurman noted that the initiative to have a jail on this side of the mountain previously crashed and burned two times. The ballots for this election will be mailed out on April 23, 2018, and the election is May 15, 2018. This is an all-mail-in ballot. Drop your ballot in the mail or any of the seven drop boxes throughout the area. This is not an increase; it is an extension of the current jail tax, which supports the current Camp Verde. Mr. Thurman noted that if the pass did not tax there is no other pot of money to pull from other than property taxes. The presenters closed by asking citizens for letters of support that need to be in by March 1st. Mr. McAtee referred the public to the website for more information and encouraged citizens to vote.

Environmental Protection Agency Update on the Superfund site. Discussion and Possible Legal Action may be taken.

Jeff Dhont and Yolanda Sanchez of the Environmental Protection Agency (EPA) were in attendance of this presentation. Mr. Dhont spoke of covering the residential clean up the last time they were here. They are now looking at dealing with the Iron King Mine, Humboldt Smelter, and the water connections between them, the Chaparral Gulch and the Agua Fria River. He noted that there were also members of Arizona Department of Environmental Quality (ADEQ) who work with them on this project, as well. Mr. Dhont gave an overall history of the area and showed many historic photos of the area, as well as current photos. Six hundred properties were investigated; they have done three different cleanups for a total of 50 yard cleanups. The vast majority of yards were not at threat level. Moving forward they have to understand the remaining non-residential sites and the risks proposed. They will then assemble options and consider a range of options. Input will be considered, an informed decision is made and they have to design and carry out the cleanup.

There is public involvement at different points of the process. He believes that a draft plan may be available by Fall 2018. They can come back to talk about alternatives before then.

Mayor Nolan asked for Council questions before Public Comment. None was forthcoming.

Public Comment

Sandy Guigar – Spoke of any possible projects that would be a solution, would there also be a connected maintenance required? Mr. Dhont replied that there would be provision for maintenance. There are responsible parties that may be involved in this as well.

Lon Ullmann – Spoke of purchasing property in the Blue Hills area approximately 20 months ago. When he started working in the soil, he experienced that his hands split open and stayed split open. He had no issues working in soil down in the Chandler area. His construction 2x12s rusted in three weeks' time. He spoke of rain and air quality issues suspecting a high Sulphur content contributing to acid rain he is familiar with from back East. Mr. Dhont said that the EPA has not done rainwater testing. Mr. Ullmann asked if this could be a transfer from the Superfund Sites. Mr. Dhont would not have expected actual mine waste to be found 2-1/2 miles away from the sites at Mr. Ullmann's property. He had no explanation for what was happening up there. Air sensors have not seen much Sulphur. Once the site is covered, there won't be wind emissions at all. Mr. Ullmann asked when it would be covered. Mr. Dhont said this depends on money and the Superfund site has been subject to cuts and there are no new Superfund sites receiving funding. He could not give a definite date for this. He did not see anything from the sites that would explain what Mr. Ullmann was referencing.

Will Orr – Spoke of having done some work for the current property owners on both sites about seven to eight years ago. They consolidate tailings in Chaparral Gulch to close gaps and consolidate. They came across dross piles in the upper residential area, near the higher area of the smelter site, which they consolidated with others. He made maps, pulled it into PowerPoint, and would be willing to make it available to the Town and EPA. Mr. Orr also noted they worked with University of Arizona when they were preparing the top of the Iron King tailing pile. They put the tanks in and worked up the soil. Underneath the crust, which is, 30-36 inches it gets very soft and turns to jelly. He would be willing to share any information with Council and the EPA.

Public Comment

Sandy Guigar – Inquired what the technical review was that was scheduled for the next day at 11:30 a.m. Mayor Nolan answered that they will be looking at the Smelter Site for the possibility of a State Park.

Mr. Dhont spoke of consideration for the Town/Public input.

Mayor Nolan inquired what the current property owner's responsibilities would be. Mr. Dhont said the law provides different liabilities for different classes of owners, which have different levels of responsibility. Mr. Dhont noted that he is not an attorney. Mayor Nolan questioned the liability and responsibility for current owners. Mr. Dhont said that he could provide Mayor with the law. There is a class of liability for current property owners.

Council thanked Mr. Dhont for his presentation, in particular the historical photos.

5. **Town Manager's Report.** Update on Current Events. No legal actions can be taken. Council may discuss, no legal action will be taken.

Town Manager Wilson noted that the next day there would be a non-action general reception. The Superintendent of State Parks, Susan Black, will join in with some of her staff. It is a meet and greet

and Council is invited. The Mayor would like those who are interested to go out onto the site and look at the parcels, which may last until lunch. There will be two meetings go on. EPA will meet with Staff regarding the residential yards that received matting under the soil. These properties are identified by parcel numbers. Staff will learn the system to identify those sites and when parties want to work on those parcels, Staff can give them a heads up. The other aspect of this is a meeting for Mayor & Council if they choose to attend and discuss the park site and hear from Ms. Black and her Staff on any remediated area that could be committed to a State Park. ADEQ will be in on this conversation as well.

Town Manager Wilson also informed Council that he spoke with the developer of the Giant Gas Station and they would like to come in and speak with Council at a Special Meeting on February 27, 2018 or at the Regular Meeting on March 6, 2018.

6. Consent Agenda. Legal Action May be Taken.

6.1. Minutes. Approval of Minutes from the Town Council Regular Meeting of January 16, 2018.

Councilmember Treadway made a motion to approve the Minutes from the Town Council Regular Meeting of January 16, 2018, seconded by Councilmember Wendt. The motion passed unanimously.

7. Comments from the Public on matters not this agenda. None

8. Unfinished Business. Discussion and Possible Legal Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Adoption of a Resolution of the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, in support of Northern Arizona Council of Government's Federal Funding. (As approved by Council at January 16, 2018 Meeting)

Mayor Nolan gave an overview of this item.

Councilmember Hamilton made a motion to adopt Resolution 18-129 to support the Northern Arizona Council of Government, seconded by Councilmember Treadway. The motion passed unanimously. She would like to have the Regional Manager for APS come in and discuss this with Council.

9. New Business. Discussion and Possible Legal Action on matters not previously presented to the Council.

9.1. Request Council to invite area Regional Manager of APS to discuss condition of town utility poles and transformers. (Councilmember Wendt CAARF)

Councilmember Wendt spoke of her opportunity to be out in the community and she noted some fire poles that gave her concern with fire season approaching. She went over the photos that she took.

Councilmember Treadway noted there was an APS representative in the audience. Darla Deville came to the podium and said they just needed to request a time and place APS would like to come and share.

Councilmember Hamilton was not sure going to the Council is the right way to educate. He asked if APS had a hotline number. Ms. Deville confirmed they did and that is the best way to reach them or at www.aps.com. CM Hamilton recommended this be put in the Town newsletter. He felt it best to get the information out to the people, not come to Council.

Councilmember Wendt agrees it is important that the public is aware, but feels Council needs to be aware of the system to examine poles, replace poles, a general update.

Councilmember Treadway recommended this information be placed in the newsletter and APS come speak to Council as well.

Councilmember McBrady made a motion to have the Town Manager set up an appointment with the new Director of APS in our area, seconded by Councilmember Wendt. The motion passed unanimously.

9.2. Council needs a discussion on how we as a council & staff deal with developer inquiries. (Councilmember Wendt CAARF)

Councilmember Wendt spoke of the eventual growth of the Town. When a developer approaches, the Town there needs to be a process in place to keep Council informed, as to not be caught by surprise. There needs to be some way to be informed without violating Open Meeting Law.

There was Council discussion on the need for a policy.

Councilmember Wendt made a motion that we further discuss and develop a policy for our Town Staff and Council on how to deal with incoming inquiries from developers that approach our Town for future development that could greatly impact our Town and residents.

Councilmember Hamilton did not think this was necessary. They need to make a motion to have the Town Manager let them know even about rumors.

Councilmember Hamilton seconded the motion. The motion passed unanimously.

9.3. Council approve Presentation Request for a brief update from Yavapai College. (Mayor Nolan CAARF)

Mayor Nolan made a motion to approve the Presentation Request from Yavapai College to come in and make a presentation, seconded by Councilmember Hamilton. The motion passed unanimously.

9.4. Presentation and Request for Sponsorship from Dewey-Humboldt Historical Society on the Agua Fria Festival and request for \$2,500 sponsorship. (Mayor Nolan CAARF)

Mayor Nolan made a motion to approve the presentation and request for Sponsorship from Dewey-Humboldt Historical Society on the Agua Fria Festival and request for \$2,500 sponsorship, seconded by Councilmember Wendt. The motion passed unanimously.

10. Public Hearing Agenda. Discussion and Possible Legal Action may be taken. None.

11. Adjourn. The meeting was adjourned at 8:43 p.m.