

**TOWN OF DEWEY-HUMBOLDT  
ETHICS COMMITTEE MEETING  
MEETING MINUTES  
AUGUST 29, 2014, 02:30 P.M.**

**A SPECIAL MEETING OF THE DEWEY-HUMBOLDT ETHICS COMMITTEE WAS HELD ON FRIDAY, AUGUST 29, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. VICE MAYOR ARLENE ALLEN PRESIDED.**

1. **Call To Order.** The meeting was called to order at 2:34 p.m. by Vice Mayor Arlene Alen. The meeting was temporarily paused due to technical difficulties with the microphones. The meeting was started at 2:37 p.m.

2. **Roll Call.**

2.1. **Ethics Committee Members.** Council Members Mark McBrady, Dennis Repan; and Vice Mayor Arlene Alen were present.

3. **Ethics Complaint Agenda - Complaint Review, procedure and investigation requirements. Discussion and Possible Action on matters not previously presented to the Council.**

Vice Mayor Alen gave an overview of the process they would follow: look at a complaint filed by Councilmember Wright against Mayor Nolan, and determine whether there is any reason to move it forward to a hearing. No public comment will be taken at this meeting.

3.1. **Ethics complaint filed July 1, 2014 by Nancy Wright against Terry Nolan. Discussion of Ethics Code complaint filed against Mayor Nolan; procedure committee will follow; possible discussion and direction for additional information or investigation requirements.**

Vice Mayor Alen read the violation of complaint. If the committee determines it needs to move forward the committee will need to identify what materials/documents they need to do so. A hearing date would be set, notification of parties who need to appear at the hearing and what materials are necessary, giving two weeks to respond. Vice Mayor Alen read the timeline provided with the complaint, which included documentation as to state statute and/or town code violated. The committee members were asked if they had reviewed the materials so they can have discussion of those materials and how they relate to those codes.

Vice Mayor Alen asked for comment on the complaint materials, asking CM McBrady first. Councilmember McBrady asked to delay this meeting so the Mayor could attend, giving him an opportunity to comment on this complaint. Vice Mayor Alen responded that for this meeting the presence of the respondent and complainant is not necessary. This is the time to look at the material and have discussion of the merit of the complaint. She stated Council saw no reason to make it mandatory for him (the respondent) to be here.

Councilmember McBrady stated CM Repan should step down as a member of the committee as he was the Mayor's opponent in the recent election and to

salvage the perception of this being an unbiased committee. Councilmember Repan stated the purpose of the ethics code is as a learning experience, and he was able to be fair and balanced. CM Repan suggested they look at the complaint today and determine whether to move forward with this complaint. Councilmember McBrady asked CM Repan if the Mayor has an objection to Repan being on the committee would make a difference on whether he would be on the committee. Councilmember Repan responded he can talk with the Mayor but not on the committee details. He stated he can do this and be unbiased. Vice Mayor Alen stated the makeup of the committee has been known for some time and the Mayor did not request anyone recuse themselves. She explained this process is to make the community understand they are running the council the way the community wants them to. Councilmember McBrady asked about the punitive measures in place if a violation does occur. Vice Mayor Alen explained the third offense becomes punitive. VM Alen asked CM McBrady to review the timeline of the complaint, look at the codes, and determine if in fact what occurred is potentially a violation of those codes. Councilmember McBrady responded, the way the ethics code is written it would fall under that (potential violation).

Councilmember Repan spoke on the supporting materials being specific and to the point. Nothing they couldn't use. He would like to see more detail as far as the submittal. The correlation is good, and what is provided is good and straight forward. Councilmember McBrady asked for elaboration of what additional CM Repan would like to see. Councilmember Repan explained he wants some clarification but that would come during a hearing rather than at this meeting.

Vice Mayor Alen thinks she is understanding the timeline. CM McBrady was asked if he had reviewed the materials and he responded he had not. She asked Councilmember McBrady to review it now. VM Alen explained she noticed some gaps in the knowledge that you see between the complaint and some of the documentation provided. Councilmember Repan explained he saw the basis for the complaint but getting into it they might need some clarification. Councilmember McBrady left the dais to get his materials/packet. Vice Mayor Arlene Alen called a short recess for two minutes at 2:55 p.m.

Vice Mayor Alen reconvened the meeting at 2:57 p.m. and read to the public the additional information provided by Councilmember Wright (complainant) on timeline, various Council and OSAT minutes, emails between the Mayor and Mr. Gilsdorf on the trailhead, and formal letters of support to RAC on the trailhead and firebreak grant requests.

Councilmember McBrady stated he did not have enough information to decide whether to dismiss or move forward to a hearing without the mayor being here to answer questions.

Councilmember Repan said he felt they have enough information to go onto the next step. They might need more information as they get in to the process but he is ready to go to the next step.

Vice Mayor Alen explained this meeting was not for input from the public, complainant or respondent. If they can't dismiss the complaint then they need to

move forward to a hearing. At hearing, they will make a determination then submit that to council for their determination.

Councilmember McBrady stated this should forward to a hearing.

Vice Mayor Alen reading through documentation and timeline, wants more information to make a decision. Needs more info before dismissing or moving forward. Her decision is to move forward to a hearing.

The committee members voted whether to dismiss or move forward to a hearing. All three voted to move this complaint forward to a hearing. Vice Mayor Alen stated a notice of request for Witnesses and Documents will be send out, explaining the process will go to a hearing. A hearing date will be set later.

**4. Adjourn.** The meeting was adjourned at 3:04 p.m.

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Arlene Alen, Vice Mayor and Chair

ATTEST:

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Judy Morgan, Town Clerk