

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

Tuesday, July 5, 2016, 6:30 P.M.

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

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

AGENDA

The issues that come before the Town Council are often challenging and potentially divisive. In order to make sure we benefit from the diverse views to be presented, the Council believes that the meeting be a safe place for people to speak. With this in mind, the Council asks that everyone refrain from clapping, heckling and any other expressions of approval or disapproval. Council may vote to go into Executive Session for legal advice regarding any matter on the open agenda pursuant to A.R.S. 38-431.03 (A) (3), which will be held immediately after the vote and will not be open to the public. Upon completion of Executive Session, the Council may resume the meeting, open to the public, to address the remaining items on the agenda. Agenda items may be taken out of order. Please turn off all cell phones. The Council meeting may be broadcast via live streaming video on the internet in both audio and visual formats. One or more members of the Council may attend either in person or by telephone, video or internet conferencing. **NOTICE TO PARENTS:** Parents and legal guardians have the right to consent before the Town of Dewey-Humboldt makes a video or voice recording of a minor child. A.R.S. § 1-602.A.9. Dewey-Humboldt Council Meetings are recorded and may be viewed on the Dewey-Humboldt website. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request to the Town Clerk that your child not be recorded.

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Invocation.

3. Roll Call. Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan.

4. Announcements Regarding Current Events, Guests, Appointments, and Proclamations.

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

5. Town Manager's Report. Update on Current Events. No legal actions can be taken. Council may ask town staff to review an operational matter at this time, or may ask that a matter be put on a future agenda for actions or further discussion. Possible matters and projects are related to Town general administration, Finance, Public Works, Community Development.

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5.1. Town logo and slogan – State Trademark process update.

5.2. Main St. /SR 69 traffic light dedication ceremony scheduling.

6. Consent Agenda.

7

6.1. Minutes. Minutes from the April 26, 2016 Special Budget Workshop #1 Meeting.

7. Comments from the Public (on non-agendized items only). The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future

agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. A 3 minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

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

8.1. Discussion and possible adoption of Resolution No. 16-122 to authorize the acquisition, by condemnation, purchase or donation of real property located at 13101 E. Phoenix Street, Dewey-Humboldt, Arizona. (continued from the June 21 meeting)

8.1.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding contemplated litigation to acquire property located at 13101 E. Phoenix, Street, Dewey-Humboldt, Arizona; and pursuant to A.R.S. § 38-431.03(A)(7) for discussions or consultations with designated representatives of the Town in order to consider its position and instruct its representatives regarding negotiations for the purchase of such real property.

8.1.2. Reconvene into Open Session.

15 **8.2. To accept or reject the results of the Citizen Survey as presented to Council.** [CAARF requested by CM Repan]

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

17 **9.1. Three Public Body Policies/Procedure Guidelines (as the result of the resolution codification correction process).** (As directed at June 21, 2016 Council meeting) **Discussion and possible approval.**

9.1.1. PG TC 16-02 Policy Mirroring Resolution 07-35 Allowing Firearms at Town Hall.

9.1.2. PG TC 16-03 Policy Mirroring Resolution 08-56 National Incident Management System (NIMS) Training for Public Officials.

9.1.3. PG TC 16-04 Policy Mirroring Resolution 08-62 Records Retention and Disposition Schedule.

25 **9.2. Gain consensus on council opinion for response letter to Senator McCain as requested by his staff post the EPA response to Sen. McCain’s letter on behalf of D-H to be written by staff.** [CAARF requested by CM Alen]

27 **9.3. To discuss and take action on the letter we received from the EPA.** [CAARF requested by Mayor Nolan]

10. Public Hearing Agenda.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, July 19, 2016, at 6:30 p.m.

Next Planning & Zoning Meeting: July 7, 2016, at 6:00 p.m.

Next Town Council Work Session: Tuesday, July 12, 2016, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

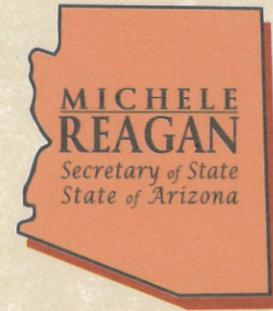
The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2016, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.
By: _____, Town Clerk's Office.

Persons with a disability may request reasonable accommodations by contacting the Town Hall at 632-7362 at least 24 hours in advance of the meeting.

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STATE OF ARIZONA

Department of State



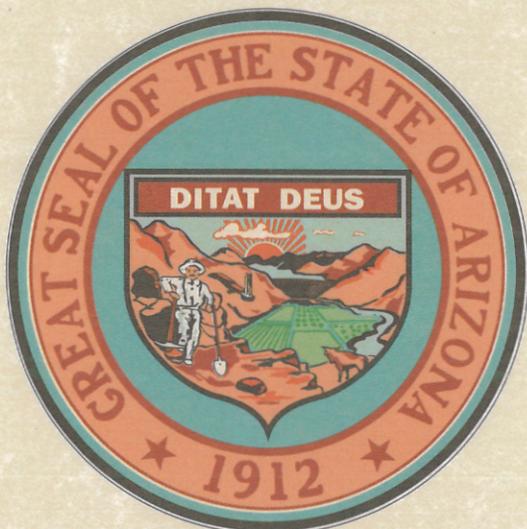
TRADE NAME CERTIFICATION

ARIZONA'S COUNTRY TOWN

I, Michele Reagan, Secretary of State, do hereby certify that in accordance with the Trade Name Application filed in this Office, the Trade Name herein certified has been duly registered pursuant to Section 44-1460, Arizona Revised Statutes, in behalf of:

TOWN OF DEWEY-HUMBOLDT, A MUNICIPAL ENTITY
PO BOX 69
HUMBOLDT AZ 85329-

6/1/2016 Application



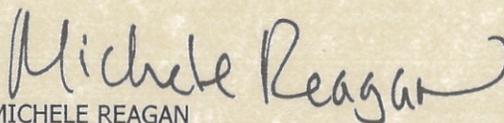
Registration Date: 06/01/2016

Expiration Date: 6/1/2021

Date First Used: 10/31/2005

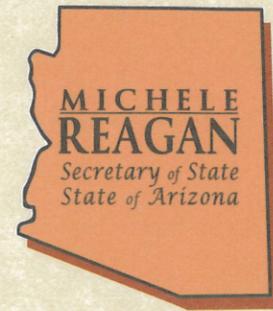
Trade Name No.: 647590

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at Phoenix, the capitol, this 21 day of June, 2016.


MICHELE REAGAN

STATE OF ARIZONA

Department of State



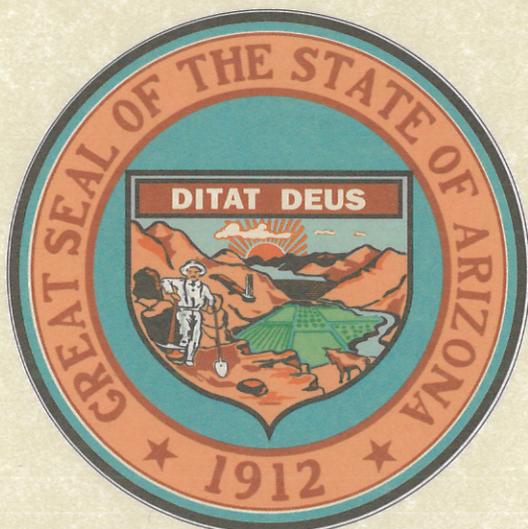
CERTIFICATE OF TRADEMARK

CIRCULAR SEAL WITH THE WORDS TOWN OF DEWEY-HUMBOLDT AROUND THE TOP OF THE CIRCLE, THE WORDS YAVAPAI COUNTY AROUND THE BOTTOM OF THE CIRCLE, THE LETTERS EST. ON THE LEFT SIDE OF THE CIRCLE AND THE NUMBERS 2004 ON THE RIGHT SIDE OF THE CIRCLE. IN THE BOTTOM HALF OF THE INSIDE OF THE CIRCLE IS A DRAWING OF A FARM FIELD WITH TWO BUILDINGS AND A WINDMILL. THE TOP HALF OF THE INSIDE OF THE CIRCLE IS SPLIT IN TWO WITH A DRAWING OF THE MAIN STREET BUILDING ON THE LEFT AND A DRAWING OF TWO BUILDINGS WITH A STACK IN BETWEEN THEM.

I, Michele Reagan, Secretary of State, do hereby certify that a copy of the Trademark annexed hereto, has been duly registered pursuant to Section 44-1445, Arizona Revised Statutes, in behalf of:

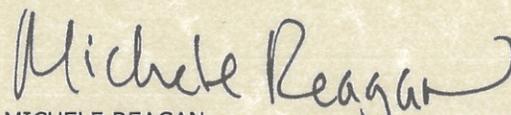
TOWN OF DEWEY-HUMBOLDT, A MUNICIPAL ENTITY
PO BOX 69
HUMBOLDT AZ 86329-

6/1/2016 Application



Class of Goods No.: 43
Registration Date: 06/01/2016
Expiration Date: 6/1/2026
Date First Used: 10/31/2005
Date First Used in AZ: 10/31/2005
State of Inc:
Trademark No.: 60823

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the Great Seal of the State of Arizona. Done at Phoenix, the capitol, this 23 day of June, 2016.


MICHELE REAGAN
July 5, 2016

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL BUDGET WORKSHOP #1 MINUTES
APRIL 26, 2016, 9:00 A.M.**

A SPECIAL BUDGET WORKSHOP #1 OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 26, 2016, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 9:03 a.m.
2. **Roll Call.** Town Council Members Arlene Alen, Jack Hamilton, Mark McBrady (arrived late at 9:08 a.m.), Dennis Repan, Nancy Wright; Vice Mayor Doug Treadway; and Mayor Terry Nolan were present.
3. **FY2016-17 Budget Deliberation.** Legal Action can be taken. Council Deliberation and possible action to modify Preliminary Budget content.

3.1. Review of Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).

Council addressed the Public Works budget first. (See Item 3.2.) After this, Council went on to review the preliminary budget by department.

3.2. Review and update of multi-year paved road maintenance plan and multi-year unpaved road maintenance plan as they relate to the budget.

Councilmember Mark McBrady arrived at 9:08 a.m.

Public Works Supervisor, Ed Hanks reviewed the current plans (dirt, paved) and answered questions about the three levels of dirt road grading (1-annual grading to smooth; 2-drainage, rebuild, crown; 3-adding millings or AB) and reviewed the schedule for work.

There were council questions on a County emergency access ingress/egress plan and whether this was something the town could benefit from. Staff will follow up and report back.

Council debated whether to allow public comment at this meeting. No public comment was taken as the one audience member left the chambers.

Council considered Mayor Nolan's and Councilmember Repan's proposed road maintenance projects (maintaining private roads); the problem with spending public money on private property; existing private to public road transition policy.

Public Works Supervisor, Ed Hank's reviewed the three additional proposed one-time projects: 1) Additional crack sealing on Kachina/Pony/Newtown-Henderson Roads; 2) Additional Fog coating on Foothill/East Bradshaw/Little Green Valley/Lazy River/Prescott and Main Streets; 3) expedited repairs on Old Black Canyon Highway in preparation of chipseal overlay. Council decided to wait to decide on these projects until more

information is obtained from the County and Attorney regarding Council (proposal to provide road maintenance on certain private circulation roads) and staff proposals.

Council Addressed the budget by department next.

3.1. Review of Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).

There was discussion on the data provided through OpenBooks and staff was questioned why more details are not provided through this public access program. Staff explained they are still working on providing more details, which will be on the public site soon.

GENERAL FUND: There was discussion on the permitting process and consideration of doing away with permit requirements for minor projects. Council heard how inspections are still necessary to ensure projects meet safety requirements and without requiring permits the town would have no way to check on these projects.

There was discussion on whether to consider options to increase the population of the town. Council will come back to this once the rest of the budget is addressed, if there is money left in the budget. Council reviewed the various revenues.

TOWN COUNCIL MANAGEMENT: Council reviewed the travel and training budgeted amount and indicated they thought it should be between \$8-10k. There was discussion on P&Z training - monies are included for less expensive trainings that would benefit the commission.

Council discussed leaving money in the budget under Town Manager contract negotiations due to past discussions and possible future increases.

TOWN CLERK: There were questions on election costs, and it was explained 2 elections are budgeted as there will be a primary election with the potential to hold a send (General) election.

HEALTH INSURANCE: Council discussed options for employee benefits. After much discussion on these options Council requested feedback from the employees on what their preference and priorities would be.

Council recessed at 12:07 for lunch. CM Alen announced she would need to leave for the day.

Council reconvened at 1:12 p.m. CM Alen was absent from the second half of the meeting; all other council members were present.

FINANCE AND BUDGET: Town Manager Kimball explained OSP Contracts are lower this year as Arizona Department of Resources (ADOR) was not charging the town this year for sales tax collection.

LEGAL: There was discussion on whether to place a cap on legal fees. Council agreed if legal advice is necessary then pay the cost for this service. Staff is to notify Council when approaching the \$53k mark (within the Legal Fees line item) in the coming year.

Ethics Hearing Officer fees are part of this line item. Council agreed the Hearing Officer should have its own line item in the budget.

INFORMATION TECHNOLOGY: Licensing costs are less this year as Microsoft licensing was necessary last year but not this year.

MAGISTRATE COURT: There were questions on why salary costs were going up. Ms. Kimball explained it is due to a proposed increase in base salary for the Court Clerk due to a higher training/position; the prosecutor's rate went up too.

PUBLIC SAFETY: There was discussion on the increase in the Yavapai County Sheriff's Office contract for police services in D-H. Council spoke on looking at alternative options for this service and asking for a refund for the monies paid through property taxes to the YCSO (since paying again through an IGA). Council appointed CM Repan to ask about this.

ENGINEERING: OSP Engineering is lower this year as it serves as a placeholder for something that might be needed throughout the year.

PUBLIC WORKS: Town Manager (TM) Kimball gave an overview: OSAT is requesting \$15k for property acquisition which accesses BLM land for a picnic setup and trailhead; \$11k for Video System in Council Chambers.

Council considered OSAT's request and it was suggested they leave it in the budget, and meet with OSAT chair to discuss at a later time.

Newtown Trailhead has minor costs projected for signage.

Council members suggested increasing the amount to budget for council chambers camera upgrades, adding \$2-4k more.

CM McBrady spoke on considering a park near Kachina, to include play equipment and a possible game field. Mayor Nolan suggested the use of washes as open space and parks for recreation. There was mixed response from Council on these ideas.

Council reached consensus to remove the \$15k for OSAT property acquisition. TM Kimball adjusted the Road/Facility Acquisition line item to \$12k to reflect this removal.

COMMUNITY DEVELOPMENT: Mayor Nolan stepped away from the dais, Vice Mayor Treadway chaired the meeting during his absence for approximately 5 minutes.

Council looked at Neighborhood Outreach line item. Councilmember Repan stated he is still requesting \$10k for Water Testing. Council considered whether to donate to 501C3s requesting assistance.

TM Kimball explained the difference with the dumpster day planning: own property, fence in area, flexibility for controlling the situation, more equipment, more employees. \$8-10k budgeted.

Council deliberated on whether to assist the museum and if so, how much.

Ms. Kimball spoke on a change with salaried employee laws and comp time, and the possibility one employee may need to be increased to \$50k or be provided overtime.

GENERAL FUND REVENUE TOTALS: No Capital Equipment is being recommended for purchase this year; Council has approved accelerating road projects; 1x option for drainage and road maintenance projects; explaining the "grant monies" line item for clarification; survey results indicate #1 priority of citizens is improved roads. Council reached consensus to do special road projects 1 (additional crack sealing Kachina/Pony/Newtown/Henderson) and 2 (additional fog coating on Foothill/East Bradshaw/Little Green Valley/Lazy River; Prescott and Main) with further consideration about #3 (expedited repairs on OBC Hwy).

3.3. To include [in the FY 16-17 Budget] a grading of Dewey Rd., Prescott Dells Rd., and Rocky Hill Rd. at least 3 times a year. [CAARF requested by Mayor Nolan]

Council decided they will deliberate on this at a later time once attorney has weighed in on this proposal and the Council hears back from Yavapai County on their project for maintenance of private roads providing emergency ingress/egress.

Town Manager Kimball gave a review of decisions made at this meeting: She will bring back results of speaking to employees on salary and benefits; Council still needs to determine Neighborhood Outreach projects; Town Attorney will be invited to May 3rd meeting to answer questions regarding roads (private road maintenance for emergency ingress/egress), include Byron Jasper Yavapai County Public Works, to attend, or someone from the county to speak on their emergency ingress/egress project. She will try and invite the two County Supervisors too; formal survey result presentation on May 17th; suggested May 24th at 9AM for a special budget workshop (court has use of the council chambers at 2PM).

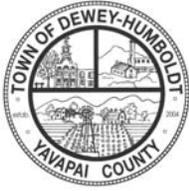
4. Adjourn.

The meeting was adjourned at 3:10 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

July 5, 2016, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 8.1. Discussion and possible adoption of Resolution No. 16-122 to authorize the acquisition, by condemnation, purchase or donation of real property located at 13101 E. Phoenix Street, Dewey-Humboldt, Arizona.

To: Mayor and Town Council Members

From: Steven Brown, Code Officer and Yvonne Kimball, Town Manager

Date submitted: June 27, 2016

Recommendation: Adopt Resolution 16- 122 Authorizing condemnation of 13101 E. Phoenix Street property.

Summary (how did the consideration of condemnation come about?): In September 2015, staff became aware of an unsafe dilapidated and deteriorating structure at 13101 E. Phoenix St. in Humboldt. The structure was in such a deteriorating shape that it has become a matter of public welfare and safety concern. Therefore, staff immediately began the process of identifying the property owner and sending initial Notice of Complaint to the listed property owner, Michael Compass.

A month later, Sheila Jones called and identified herself as the individual who has been receiving the tax bills for this property c/o her address in Phoenix. Ms. Jones indicated that Mr. Compass has been deceased for the past approximately 20 years, and that she has simply been paying the tax bills and would not be responsible for other issues related to the property.

Given the property location, which is directly adjacent to the Town Park, Council directed staff to consider the condemnation process which if successful, would enable the Town acquiring the property to expand the Park or for other public purposes.

In preparation, we have received an appraisal and secured a Litigation Guarantee in the amount of the appraisal. At the June 21, 2016 meeting, Council discussed the possibility of proceeding with the condemnation of the property in an executive session. This July 5th meeting discussion will be a continuation of the June 21st discussion.

RESOLUTION NO. 16-122

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA AUTHORIZING AND DIRECTING THE TOWN MANAGER AND TOWN ATTORNEY TO OBTAIN APPRAISALS AND LEGAL DESCRIPTIONS AND TAKE OTHER NECESSARY ACTIONS PREPARATORY TO ACQUIRING TITLE TO CERTAIN PARCELS OF REAL PROPERTY ON BEHALF OF THE TOWN BY DONATION, EMINENT DOMAIN OR PURCHASE FOR MUNICIPAL PARK PURPOSES.

WHEREAS, the continued growth and development of the Town of Dewey-Humboldt requires the acquisition of certain real property; and

WHEREAS, the Common Council of the Town of Dewey-Humboldt finds that the acquisition of property generally located at 13101 East Phoenix Street, Dewey-Humboldt, Arizona is necessary for municipal park purposes; and

WHEREAS, prior to acquisition of such property, an appraisal and a legal description must be prepared and other actions preparatory to such acquisition will be necessary.

NOW, THEREFORE BE IT RESOLVED by the Common Council of the Town of Dewey-Humboldt, County of Yavapai, Arizona:

1. That the Town Manager and Town Attorney are hereby authorized and directed to obtain appraisals and legal descriptions and take other necessary actions preparatory to acquisition of certain parcels of real property on behalf of the Town; and

2. That notice required by law shall be given to the owner of record of the property; and

3. That the Town Manager is directed to present the above information to the Council for possible approval to proceed with the acquisition.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona this ___ day of _____, 2016.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

APPROVED AS TO FORM:

Gust Rosenfeld, P.L.C.
Town Attorney
By: Susan D. Goodwin

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 ▪ Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: 7/5/16

Date of Request: 6/26/16

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

Agenda Item Text (a brief description for placement on the agenda; please be exact):

Unfinished business: To accept or reject the results of the citizen survey as presented to council.

Purpose and Background Information (Detail of requested action). _____

During the 6/14/16 Work Study session, council voted to acknowledge the receipt of the citizen survey as presented by Alex Wright from Yavapai College. This Caarf serves to call for either acceptance or rejection of the survey results.

Staff Recommendation(s): _____

Budgeted Amount: 0.00

List All Attachments: _____

Type of Presentation: Verbal

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other: _____

Contact Person: C.M. Repan

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

July 5, 2016, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 9.1. Three Public Body Policies/Procedure Guidelines (as the result of the resolution codification correction process). (As directed at June 21, 2016, Council meeting) **Discussion and possible approval.**

9.1.1. PG TC 16-02 Policy Mirroring Resolution 07-35 Allowing Firearms at Town Hall.

9.1.2. PG TC 16-03 Policy Mirroring Resolution 08-56 National Incident Management System (NIMS) Training for Public Officials.

9.1.3. PG TC 16-04 Policy Mirroring Resolution 08-62 Records Retention and Disposition Schedule.

To: Mayor and Town Council Members

From: Judy Morgan, Town Clerk

Date submitted: June 29, 2016

Recommendation: Adopt Policies: PG TC 16-02, PG TC 16-03, and PG TC 16-04

Summary: At the March 8, 2016, Council meeting direction was given to look at all resolutions that are currently codified and consider removal from the Code of Ordinances. At the June 21, 2016, Council meeting, direction was given to staff from Council to remove all resolution references from the Code of Ordinances, with subsequent actions for some of the resolutions.

This agenda item addresses the three resolutions that will be removed from Code of Ordinance AND have a policy created to provide another avenue of awareness for the resolution.

Remove from Code of Ordinances and create a policy: Resolutions 07-35 (32.03); 08-56 (32.30, 32.31); 08-62 (32.04).

These policies provide a framework to mirror the resolution, thereby drawing attention to it.

PG TC 16-02 mirrors Resolution 07-35 which addresses the Council's desire to let the public know Firearms are allowed at town hall.

PG TC 16-03 mirrors Resolution 08-56 which resolves to provide training for Public Officials on Emergency Management.

PG TC 16-04 mirrors Resolution 08-62 which resolves to adopt the Arizona State's Records Retention and Disposition Schedules.

Staff recommends the adoption of the three attached policies.



All Public Bodies : Town Council, Board, Commission, and Committees

Policy Date: July 5, 2016

Subject: *Allowing Firearms on Municipal Premises as authorized by Resolution 07-35.*

Resolution Effective Date: March 20, 2007

1. Background:

Resolution 07-35 Allowing Firearms on Municipal Premises was erroneously codified into the Town’s Code of Ordinances in 2007 as Section 32.03 Town Policies/Right to Bear Firearms on Municipal Premises. In 2016, the Resolution is being removed from the Code of Ordinance book through an administrative clean-up process. Despite being removed from the Code of Ordinances Resolution 07-35 remains effective.

Upon removing Resolution 07-35 from the Code book, a policy mirroring its content is hereby created so that *Resolution 07-35 “Allowing Individuals to Bear Firearms when entering Municipal Premises or Town Meetings”* is easier to be known. For the convenience of the public, and present and future councils, the Policy is posted on the Town website and placed in the Public Body Policy binder.

- 2. Policy:** In order for continued awareness of Resolution 07-35, this policy is hereby created and will be posted on the Town’s website and placed in the Public Body Policy binder.

RESOLUTION NO. 07-35

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ALLOWING INDIVIDUALS TO BEAR FIREARMS WHEN ENTERING MUNICIPAL PREMISES OR TOWN MEETINGS.

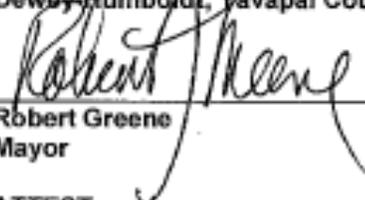
WHEREAS, the Town Council of Dewey-Humboldt believes that the 2nd Amendment of the United States Constitution secures the individual right to keep and bear firearms, and,

WHEREAS, the Arizona State Legislature has enacted laws allowing municipalities to require persons to disarm themselves before entering public buildings, and,

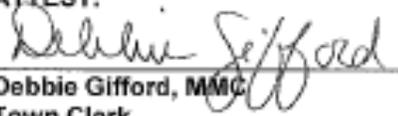
WHEREAS, the Town of Dewey-Humboldt does not wish to prevent its residents and others from carrying weapons onto municipal premises or during Town meetings.

NOW THEREFORE BE IT RESOLVED,
That the Town Council of Dewey-Humboldt hereby resolves that no person lawfully entitled to carry a weapon shall be prevented from doing so within the municipal buildings or to Town meetings.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Yavapai County, Arizona, this 20th day of March, 2007.



Robert Greene
Mayor

ATTEST:


Debbie Gifford, MMC
Town Clerk



Kenton D. Jones
Town Attorney

TERRY NOLAN, MAYOR _____
ATTEST:
JUDY MORGAN, TOWN CLERK _____
Notes: _____

 TOWN OF DEWEY-HUMBOLDT	PG № TC16-03
All Public Bodies : Town Council, Board, Commission, and Committees	Policy Date: July 5, 2016;
Subject: <i>Public Officials Training for Emergency Management as authorized by Resolution 08-56.</i>	Resolution Effective Date: September 2, 2008

1. Background:

Resolution 08-56 Adopting NIMS was erroneously codified into the Town’s Code of Ordinances as Section 32.30 National Incident Management System Adoption and 32.31 Authorization to Prepare Documents. In 2016, the Resolution is being removed from the Code of Ordinance book through an administrative clean-up process. Despite being removed from the Code of Ordinances Resolution 08-56 remains effective.

Upon removing Resolution 08-56 from the Code book, a policy mirroring its content is hereby created so that *Resolution 08-56* “ADOPTING NIMS, AUTHORIZING THE PREPARATION OF DOCUMENTS” is easier to be known and specifically Section 1 which states the policy of the Town to train public officials responsible for emergency management. For the convenience of the public, and present and future councils, the Policy is posted on the Town website and placed in the Public Body Policy binder.

- 2. Policy:** In order for continued awareness of Resolution 08-56, this policy is hereby created and will be posted on the Town’s website and placed in the Public Body Policy binder.

RESOLUTION No 08-56

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING NIMS, AUTHORIZING THE PREPARATION OF DOCUMENTS, AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, emergency response to critical incidents, whether natural or manmade, requires integrated professional management;

WHEREAS, unified command of such incidents is recognized as the management model to maximize the public safety response;

WHEREAS, the National Incident Management System, herein referred to as NIMS, has been identified by the Federal Government as being the requisite emergency management system for all political subdivisions; and

WHEREAS, failure to adopt NIMS as the requisite emergency management system may preclude reimbursement to the Town of Dewey-Humboldt for costs expended during and after a declared emergency or disaster and for training and preparation for such disasters or emergencies.

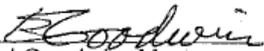
NOW THEREFORE, be it resolved by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

Section 1: NIMS Adoption. It shall be the public policy of the Town of Dewey Humboldt to adopt the NIMS concept of emergency planning and unified command. It shall further be the policy of this Town to train public officials responsible for emergency management.

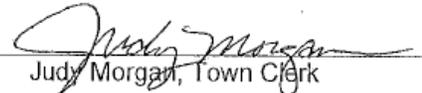
Section 2: Authorization to Prepare Documents. The Town Manager, Town Clerk, Town Attorney, and any other necessary persons are hereby authorized to prepare the agreements, forms and instruments contemplated to be used by the Town in implementing the provisions of the NIMS.

Section 3: Effective Date. This Resolution shall be effective immediately.

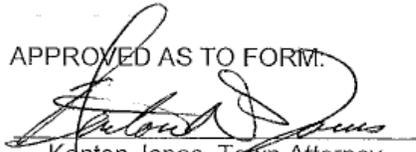
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 2nd day of September 2008.


Earl Goodwin, Mayor

ATTEST:


Judy Morgan, Town Clerk

APPROVED AS TO FORM:


Kenton Jones, Town Attorney

TERRY NOLAN, MAYOR _____
ATTEST:
JUDY MORGAN, TOWN CLERK _____
Notes: _____

	TOWN OF DEWEY-HUMBOLDT	PG № TC16-04
All Public Bodies : Town Council, Board, Commission, and Committees		Policy Date: July 5, 2016
Subject: <i>Records Retention and Disposition Schedule as authorized by Resolution 08-62.</i>		Resolution Effective Date: November 18, 2008

1. Background:

Resolution 08-62 Establishing a Records Retention and Disposition Schedule was erroneously codified into the Town’s Code of Ordinances as Section 32.04 Records Retention and Disposition. In 2016, the Resolution is being removed from the Code of Ordinance book through an administrative clean-up process. Despite being removed from the Code of Ordinances Resolution 08-62 remains effective.

Upon removing Resolution 08-62 from the Code book, a policy mirroring its content is hereby created so that *Resolution 08-62* “ESTABLISHING A RECORDS RETENTION AND DISPOSITION SCHEDULE FOR THE TOWN OF DEWEY-HUMBOLDT” is easier to be known. For the convenience of the public, and present and future councils, the Policy is posted on the Town website and placed in the Public Body Policy binder.

- 2. Policy:** In order for continued awareness of Resolution 08-62, this policy is created and will be posted on the Town’s website and placed in the Public Body Policy binder.

RESOLUTION № 08-62

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, ESTABLISHING A RECORDS RETENTION AND DISPOSITION SCHEDULE FOR THE TOWN OF DEWEY-HUMBOLDT.

WHEREAS, A.R.S. § 41-1346 requires every municipality to establish and maintain an active, continuing program for the economical and efficient management of records, and to designate an individual from within the agency to manage the records management program and act as liaison to the Arizona Department of Library, Archives, and Public Records; and

WHEREAS, A.R.S. § 41-1346 requires the governing body of each county, city, town or other political subdivision to promote the principles of efficient records management for local public records, and as far as practicable, follow the program established for the management of state records; and

WHEREAS, it is also a purpose of this resolution to adopt the Arizona State Records Retention and Disposition Schedule established by the Arizona Department of Library, Archives, and Public Records for the Town of Dewey-Humboldt;

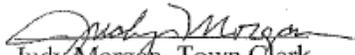
NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, AS FOLLOWS:

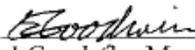
The Arizona State Records Retention and Disposition Schedules, All Office Administration - Schedule Number 000-08-01 and All Agency/Division Management - Schedule Number 000-08-3, are hereby adopted to provide for the efficient and effective control of all town records.

The Town Clerk shall be the Custodian of Records and liaison to the Arizona Department of Library, Archives, and Public Records.

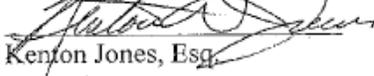
PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this 18th day of November 2008.

ATTEST:


Judy Morgan, Town Clerk


Earl Goodwin, Mayor

APPROVED AS TO FORM:


Kenton Jones, Esq.
Town Attorney

TERRY NOLAN, MAYOR _____

ATTEST:

JUDY MORGAN, TOWN CLERK _____

Notes: _____

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-8562 • Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: Next Available

Date of Request: 6.24.16

Requesting: Action Discussion or Report Only

Type of Action: Routine/Consent Agenda Regular

Agenda Item Text (a brief description for placement on the agenda; please be exact as this will be the wording used for the agenda):

Gain consensus on council opinion for Response letter to Senator McCain as requested

by his staff post the EPA response to Sen. McCain's letter on behalf of DH to be written by staff

Purpose and Background Information (Detail of requested action). To provide bullet points

for staff to send a letter to Senator McCain as he requested with what council would like to see and

then he will take action on our behalf. It is imperative we reach consensus on the future vision for

EPA actions and convey them clearly to the Senator asap now that we have his attention and interest.

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: _____

Type of Presentation: Verbal

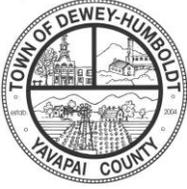
Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: CM. Arlene Alen

Note: Per Town Code §30.105(D): Any new item will be placed under "New Business" for the council to determine its disposition. It can be acted upon at that meeting, sent to staff for more work, sent to the appropriate board or commission, set for a work session or tabled for a future date, etc.

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TOWN OF DEWEY-HUMBOLDT

P.O. BOX 69

HUMBOLDT, AZ 86329

Phone 928-632-8562 ▪ Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: [July 5th].

Date of Request:[6/24/16].

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

Agenda Item Text (a brief description for placement on the agenda; please be exact):

[X]. A request by [Mayor Nolan] to discuss [and take action].

Purpose and Background Information (Detail of requested action): [to discuss and take action on the letter we received from the EPA]

Staff Recommendation(s): [____].

Budgeted/Amount: \$[0].

Expected duration of discussion or report: [1/2 HOUR]

List All Attachments: [0].

Type of Presentation: [Oral].

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: [Mayor Nolan].



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION IX
75 Hawthorne Street
San Francisco, CA 94105-3901

**OFFICE OF THE
REGIONAL ADMINISTRATOR**

The Honorable John McCain
United States Senate
SR-241 Russell Senate Office Building
Washington, DC 20510

Dear Senator McCain:

Thank you for your letter of May 25, 2016 to Administrator Gina McCarthy on behalf of your constituents in Dewey-Humboldt, Arizona regarding EPA's activities and schedule for the Iron King Mine/Humboldt Smelter Superfund Site. Your letter was referred to the EPA Pacific Southwest Region because our office has the lead role in the site's cleanup.

EPA staff provided an update on our progress on the investigation and cleanup of the site in a February 2016 letter to the town council, followed by an April 2016 newsletter to local residents. We set forth our priority of our efforts: first, clean up mine-related contamination in residential yards and then focus on the contamination at the former mine and smelter and non-residential drainages above the Agua Fria River.

The remedial investigation work at the site conducted by EPA in 2009-2010 was supplemented with significantly more investigation activities to identify and evaluate cleanup alternatives for the site. We have now completed that work and anticipate releasing a revised, expanded remedial investigation report by fall 2016.

In 2006 and 2011, EPA conducted initial cleanups of lead and arsenic-contaminated soils at a total of 20 residential yards in town. Beginning in fall 2016, we will work with town leaders and residents to plan for additional soil cleanups at 18-30 residences, which we plan to conduct in 2017.

We will also continue our work to evaluate cleanup alternatives for the non-residential areas affected by contaminated mine tailings. We anticipate completion of the feasibility study report by the end of 2017 and by the end of 2018, after a public comment period, selection of a cleanup alternative.

We share your concern about private and public drinking water for residents of Dewey-Humboldt. Our data indicate that the former mine and smelter are not impacting the drinking water. However, local groundwater has variable natural levels of arsenic and other metals. We are working with the state health and environmental agencies to encourage residents with private wells to test their water and implement treatment if arsenic levels are above federal safe drinking water standards.

I have asked our Congressional Liaison to reach out to your staff to set up a call to brief them on EPA's work at the site and to answer any questions they may have. We trust that this information is responsive to your request and serves the needs of your constituents in Dewey-Humboldt. We remain committed to our work at the site and to working with the town and residents throughout the process. If we can be of further assistance, please contact me or refer your staff to our Congressional Liaison, Brent Maier, at (415) 947-4256.

Sincerely,

 16 June 2016
Alexis Strauss
Acting Regional Administrator

United States Senate

May 25, 2016

218 RUSSELL SENATE OFFICE BUILDING
WASHINGTON, DC 20510-0303
(202) 224-2235

2201 EAST CAMELBACK ROAD
SUITE 115
PHOENIX, AZ 85016
(602) 952-2410

122 NORTH CORTEZ STREET
SUITE 108
PRESCOTT, AZ 86301
(928) 445-0833

407 WEST CONGRESS STREET
SUITE 103
TUCSON, AZ 85701
(520) 670-6334

TELEPHONE FOR HEARING IMPAIRED
(602) 952-0170

The Honorable Gina McCarthy
Administrator
Environmental Protection Agency
1200 Pennsylvania Ave. NW 1101A
Washington, DC 20460

Dear Administrator McCarthy:

I write to inquire on the status of the Dewey-Humboldt Iron King Mine and Humboldt Smelter Superfund site. I have met personally with members of the Dewey-Humboldt Town Council concerning this matter, who are—as am I—eager for information on when and how the Environmental Protection Agency (EPA) intends to address contamination at this site.

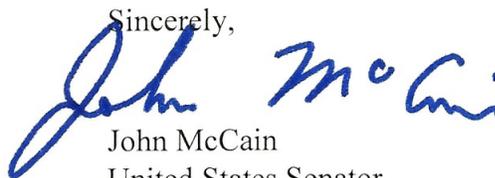
In 2008, the EPA added the Iron King Mine and Humboldt Smelter site to Superfund program's National Priority List. In 2010, the EPA released the results of the site's remedial investigation (RI). That investigation summarized the sources of contamination, risks to both human health and the environment, and the resulting need to remediate the contamination mining industries have left behind since the mine's opening in 1904.

As you know, the next step in the Superfund process is a feasibility study to evaluate and determine cleanup options for the site. That study, aimed at developing cleanup options, has been ongoing since the RI was completed back in 2010. In a report dated April 30, 2015, the EPA stated that sampling studies were completed in Dewey-Humboldt and that the EPA would "begin to study cleanup alternatives for the site."

This cleanup is a priority matter for the Town of Dewey-Humboldt as the town is partly located between the mine and the smelter. Over 75% of Dewey-Humboldt residents are served by domestic wells and private septic systems.

With the foregoing in mind, I ask, on behalf of the Town of Dewey-Humboldt, that you (1) indicate when the EPA will complete its study of cleanup alternatives; (2) release a proposal to remove contaminants from the site; and (3) begin a public comment period in connection with its proposal. I appreciate your prompt consideration of this request, and I ask that this matter be handled in strict accordance with all agency rules, regulations, and ethical guidelines.

Sincerely,



John McCain
United States Senator



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 • Fax 928-632-7365

April 26, 2016

The Honorable John McCain
United States Senate
2201 East Camelback Road
Suite 115
Phoenix, AZ 85016

Dear Senator McCain:

In your conversation with Dewey-Humboldt Council Member Arlene Alen at the recent Tri-City Chambers of Commerce Luncheon, you advised that you would like to personally visit our community. We would love the opportunity to show you our fine community. Please contact the Town Manager, Yvonne Kimball, at 928-632-7362 to schedule your visit.

We, the Dewey-Humboldt Town Council, have also received your correspondence dated February 5, 2016, regarding the Iron King Mine/Humboldt Smelter Superfund Site. We sincerely appreciate your offer of assistance in this matter.

You indicated that you recognize that there may have been some divisions in opinions amongst the Town Council regarding the Superfund site. However, what the Town Council does agree upon is that, as a community, we have grown tired of the continuing wait for eventual remediation. The site was designated a superfund site by the Environmental Protection Agency (EPA) in 2006. Over ten years have passed with numerous studies and much research having been conducted, resulting in no tangible clean-up action plan, which was what we have been seeking. This prolonged process has taken a toll on our citizens and thwarted economic development in our area.

Further, over 75% of the Dewey-Humboldt residents are served by domestic wells and private septic systems. Since so much time has gone by without a resolution, there are health issues in our community that our citizens believe may be the result of the mine tailings and arsenic in their well water. The recent incident with the water supply in Flint, Michigan has only escalated the worry and concern of our citizens in regard to their domestic well water.

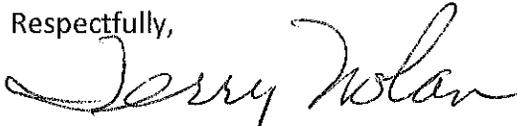
Instead of waiting for EPA, while there was no progress being made or a plan of action adopted, we independently took steps toward the resolution of this problem. The Town instituted a free well water testing program in order to enable our residents to determine the actual level of arsenic, copper and lead contaminants in their domestic well-produced water. Based on the results, we hope that our residents will make informed decisions for their families. Despite a significant impact on our tiny budget, Town Council was committed to this program, as the well-being of our citizens is of the utmost priority.

We are grateful that you are interested in assisting Dewey-Humboldt in our ongoing challenges with the EPA and the Superfund site. We appeal to you for help, as we realize that we cannot accomplish the clean-up goal by our own means. The Town Council, collectively, petitions you to direct the EPA to expedite the entire clean-up process for the Dewey-Humboldt Iron King Mine/Humboldt Smelter Superfund site.

We want our community to be healthy with revived economic development. With your furtherance, we believe that our Superfund site clean-up process would be accomplished quickly.

We look forward to seeing you soon in Dewey-Humboldt.

Respectfully,



Dewey-Humboldt Town Council

Terry Nolan, Mayor

Doug Treadway, Vice Mayor

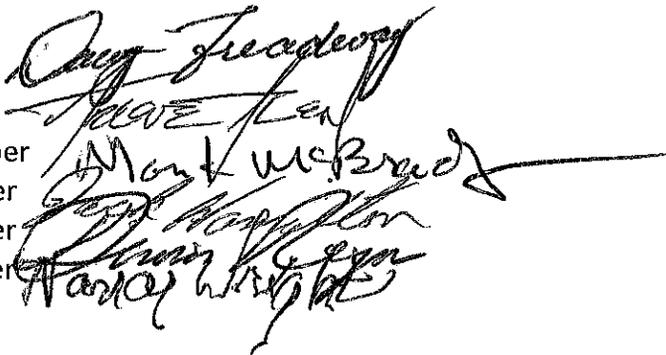
Arlene Alen, Council Member

Mark McBrady, Council Member

Jack Hamilton, Council member

Dennis Reban, Council Member

Nancy Wright, Council Member



cc: Senator Jeff Flake

Representative Paul Gosar