

**TOWN COUNCIL OF DEWEY-HUMBOLDT
STUDY SESSION MEETING NOTICE**

Tuesday, December 13, 2016 2:00 P.M.

**COUNCIL STUDY SESSION 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. Roll Call. Town Council Members Jack Hamilton, John Hughes, Mark McBrady, Amy Timmons, Victoria Wendt; Vice Mayor Doug Treadway; and Mayor Terry Nolan.

3. Study Session. No legal action to be taken.

3.1. Presentation by APS of their Focused Future program that they have facilitated for many AZ communities. [Approved by Council at November 1,2016 Council Meeting]

3.2. Report on Audit of the Fiscal Year 2015-2016 Financial Statements. [presented by Marilyn Mays, Partner of Henry & Horn LLP]

3.3. Discussion of whether to hold a Council retreat and options of a retreat.

3.4. To talk about Council rules and procedures. [CARRF by Mayor Nolan - December 5, 2016]

3.5. Town services and Department Core Function Overview.

4. Special Session. Legal action can be taken.

4.1. Whether to hold additional special session(s) this month. This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

5. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, December 20, 2016 at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, January 5, 2017 at 6:00 p.m.

Next Town Council Work Session: Tuesday, January 10, 2017 at 2:00 p.m.

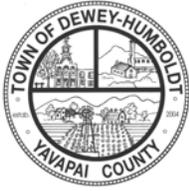
If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

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.



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

TOWN COUNCIL STUDY SESSION MEETING

December 13, 2016 – 2.00 p.m. Town Council Meeting Chambers

Agenda Item # 3.3 Discussion of whether to hold a Council retreat and options of a retreat.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: December 8, 2016

Recommendation: Hold a retreat facilitated by a moderator.

Summary:

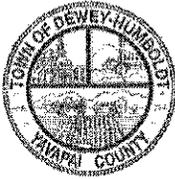
With three new council members being seated, Town Council's overall dynamics are expected to change. A few council members talked to me about possibly having a council retreat. I believe it is a good idea for several reasons. It can be viewed as a team building exercise to help the Council form a cohesive team moving forward. It is also a good opportunity for myself, the Town Manager to hear your individual priorities and Council collective goals. The FY 17 Budget is to be developed beginning February. A good retreat can be an effective prelude to the budget process.

An outside facilitator is the usual way to go for a retreat. I spoke with the League of Cities and Towns. There are a few options. Patrick Ibarra, with the Mejorando Group, and Lance Decker, former President of LL Deck & Associates were identified repeatedly. Patrick Ibarra presented at the 2015 League's annual conference and received rave reviews from municipal officials. He sent me some basic information and can probably conduct a one-day session for us for \$6000 or so. The Town hired Lance Decker in 2008, the fee was \$5100. The Town also had another renowned facilitator Rich Bowers for a retreat in 2010; his fee was \$6500. All three individuals are located in Arizona.

Location and food would have a minimal cost as well. Although there would be cost involved in the retreat, I believe it is important to have a retreat.

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received in person
12/5/2016
mg



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: 12/13

Date of Request: 12/5/16

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):

To talk about Council Procedures

Purpose and Background Information (Detail of requested action).

To help new Council members in understanding procedures & Policies of the Council + Town

Staff Recommendation(s):

Budgeted Amount: 0

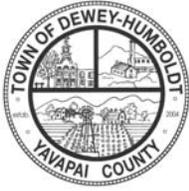
List All Attachments:

Type of Presentation:

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other:

Contact Person: Mayor Nolan

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 COUNCIL STUDY SESSION MEETING

December 13, 2016 – 2:00 p.m. Town Council Meeting Chambers

Agenda Item # 3.4 Mayor Nolan’s CARRF – To talk about Council rules and procedures.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: December 8, 2016

Summary:

At Mayor Nolan’s request, I have enclosed the following codes, policies and procedures.

1. Town Code of Ordinances Title III Administration Chapter 30 – Town Council and Officials. In this chapter, you will find sections regarding Council, Council meetings general rules and regulations, Council appointed positions, such as the Town Manager. This chapter also provides for the guidance of how Council communicates with staff.
2. Town Code of Ordinances Title III Administration Chapter 35. Code of Ethics and Conduct. Town Council was discussing rules and procedures for the ethics hearings. Judge Kelley is working on finalize them.
3. Council/Public Body rules of policies and procedures. There are 8 rules altogether.

CHAPTER 30: TOWN COUNCIL AND OFFICIALS

Section

General Provisions

[30.001](#) Form of government

Town Council

[30.015](#) Town Council generally

[30.016](#) Vacancies on Town Council

[30.017](#) Compensation, bond and financial disclosure statement

[30.018](#) Council actions

[30.019](#) Council Member committees

Town Officials

[30.030](#) Town Manager

[30.031](#) Mayor and Vice Mayor; appointment, power and duties

[30.032](#) Town Magistrate

Elections

[30.042](#) Election day

[30.043](#) Referendum and initiative elections

[30.044](#) Recall elections

[30.045](#) Election of Mayor

[30.046](#) Optional procedure for municipal elections

Communications

[30.080](#) Written communications

[30.081](#) Request for staff resources

[30.082](#) Relationship and communications with staff

[30.083](#) Relationship and communication with boards, commissions and committees

[30.084](#) Handling of litigation and other confidential information

[30.085](#) Representing an official town position

[30.086](#) Quasi-judicial role; ex parte contacts

[30.087](#) Attorney-client relationship

Council Meetings

[30.100](#) Council meetings generally

[30.101](#) Regular meetings

[30.102](#) Study sessions

[30.103](#) Executive sessions

[30.104](#) Special and emergency meetings

[30.105](#) Council agenda

[30.106](#) Decorum

[30.107](#) Time of adjournment

[30.108](#) Agenda packets

[30.109](#) Protocol at meetings

Cross-reference:

Right to bear firearms on municipal premises, town meetings, see § [32.03](#)

Code of ethics and conduct, see [Ch. 35](#)

GENERAL PROVISIONS

 § 30.001 FORM OF GOVERNMENT.

(A) *Form.* The Town of Dewey-Humboldt municipal government operates under a council-manager form of government as established by this town ordinance.

(B) *Roles.* Under this form of government, the Council provides legislative directives, sets town policy per § 30.015(B) and monitors its execution by town staff. The Town Manager serves as the town's chief administrative officer and is responsible for directing the day-to-day administrative operations of the town.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 10-76, passed 11-30-2010)

TOWN COUNCIL

§ 30.015 TOWN COUNCIL GENERALLY.

(A) *Number and term.* The elected officials of the town shall be seven Councilmembers (including the Mayor) who shall constitute the Town Council. Councilmembers shall serve four-year, staggered terms as provided by state law. Each Councilmember shall continue in office until the assumption of duties of office by his or her duly elected and sworn successor. Councilmembers elected in 2011 or appointed to fill the term of a Councilmember elected in 2011 shall serve until the assumption of duties by Councilmembers elected in the Fall 2014 election. Councilmembers elected in the Spring 2013 election shall serve until the assumption of duties by Councilmembers elected in the Fall 2016 election.

(B) *Any form of action permissible.* The corporate powers of the town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order, or motion.

(C) *No artificial limit.* The Town Council has the power, in the name of the town, to do and perform all acts and things appropriate to a municipal corporation and the general welfare of its inhabitants, which are not specifically prohibited by the constitution, the town ordinance or state or federal laws.

(D) *Majority rule.* The Council acts as a body. Policy is established by majority vote. A decision of the majority binds the Council to a course of action. The Council majority may be a majority of the quorum of the Council.

(E) *No special powers.* No Councilmember has extraordinary powers beyond those of other members (except as may otherwise be provided in state law). All members, including the Mayor, have equal powers.

(F) *One office.* No member of the Council is permitted to hold any other town office or town employment (except as may otherwise be provided in the town ordinance).

(G) *Assumption of office.* Immediately prior to assumption of the duties of office, each Councilmember shall sign the Council Code of Ethics and take and subscribe to the oath of office. The oath shall be given by the Town Magistrate or by the Town Clerk. Councilmembers of the town shall assume the duties of office at the first regular meeting of the Council in December next following the date of the primary or general election at which the Councilmembers were elected. Assumption of an elected office will result in the automatic resignation of all other town offices, elected or appointed.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 13-97, passed 6-4-2013; Am. Ord. 14-106, passed 6-3-2014)

§ 30.016 VACANCIES ON TOWN COUNCIL.

(A) The Council shall fill any vacancy that may occur for whatever reason by appointment until the next regularly scheduled Council election, if the vacancy occurs more than 30 days before the nomination petition deadline.

(B) If the vacancy occurs 30 days or less before the nomination petition deadline, the vacancy shall be filled by appointment for the unexpired term.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 09-56, passed 9-8-2009; Am. Ord. 10-79, passed 12-7-2010; Am. Ord. 12-90, passed 2-7-2012)

📖 § 30.017 COMPENSATION, BOND AND FINANCIAL DISCLOSURE STATEMENT.

(A) *Council compensation.* Councilmembers will not receive any salary, benefits or other form of monetary compensation for their services. A sitting Council may, by ordinance, modify compensation; provided, however, such modification shall not be effective for any Councilmember during his term in which the ordinance modifying compensation was adopted. For Councilmembers not in office at the time the ordinance was adopted, the modified compensation shall become effective upon the start of such Councilmember's term in December following the Council election.

(B) *Bond.* Prior to taking office, the town will provide for each Councilmember an official bond enforceable against the principal and his or her sureties. The bond shall be payable to the state, and to and for the use and benefit of the town or any person who may be injured or aggrieved by acts of the officer in his or her official capacity. A person so injured or aggrieved may bring suit on the bond under provisions identical to those contained in A.R.S. § 38-260. Bonds shall be in a sum as shall be determined by the Town Manager and the premium for the bonds shall be paid by the town.

(C) *Financial disclosure statement.* Each member of the Council shall file a financial disclosure statement by January 31st of each year on a form setting forth such information as may be required by state law.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 14-105, passed 5-6-2014)

📖 § 30.018 COUNCIL ACTIONS.

(A) Legislative actions by the Town Council may be taken by means of ordinance, resolution, or motion duly made and passed by a majority of the Councilmembers present (unless otherwise required in this code or by state or federal law). All amendments to the town code shall be accomplished by approval by the Town Council of an ordinance, setting forth the amendment in full or adopting the amendment by reference, as authorized by Arizona law.

(B) In accordance with state law, public actions of the Council are recorded in the minutes of the Town Council meeting. The Town Clerk is required to make a record of business actually passed upon by a vote of the Council and should not record any remarks of Councilmembers or of any other person, except at the special request of a Councilmember, with the consent of the Council.

(C) Actions of the Council concerning confidential property, personnel, and legal matters of the town are to be reported consistent with state law.

(D) Agenda items submitted by a Councilmember shall be introduced by the submitting Councilmember without restrictions, interference or comment from other Councilmembers, the Mayor or the public. Discussion on the item shall not be commenced until the submitting Councilmember yields the floor.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 12-91, passed 6-12-2012; Am. Ord. 13-99, passed 9-17-2013)

📖 § 30.019 COUNCIL MEMBER COMMITTEES.

(A) The Town Council may organize itself into standing or ad hoc committees of the Council (each a **COUNCIL MEMBER COMMITTEE**) to facilitate Council review and action regarding certain matters referred to them by the Town Council.

(B) All work undertaken by a Council Member Committee must originate with the Council and all actions of a Council Member Committee shall be reported to the Council.

(C) Standing, special, or ad hoc Council Member Committees may be created or dissolved by the Mayor or a majority vote of the Council. The Mayor appoints the members.

(D) The Mayor annually appoints members to standing Council Member Committees.

(E) Other members of the Council not assigned to a Council Member Committee may attend meetings of a Council Member Committee, as an observer; however, they shall be seated with the audience and may not participate in any manner or address the Council Member Committee.

(F) If an absence is anticipated on a Council Member Committee and that absence may impede the work of the Council Member Committee, the Council Member Committee chair or other member may request that the Mayor designate another member of the Council to attend for the absent member and serve as an alternate member of the Council Member Committee. The term for service by the alternate member will be the term designated in the appointment, or for one meeting, if no term is specified.

(Ord. 09-49, passed 4-7-2009)

TOWN OFFICIALS

§ 30.030 TOWN MANAGER.

The town hereby identifies the following as the authority and duties of the Town Manager:

(A) *Office created.* The Office of the Town Manager is created and established by this section. The Town Manager shall be appointed by the Council on the basis of his or her administrative and executive ability and qualifications.

(B) *Reserved.*

(C) *Bond.* The Town Manager shall furnish a corporate surety bond to be approved by the Council in a sum as may be determined by the Council, and shall be conditioned upon the faithful performance of the duties imposed upon the Town Manager as herein prescribed. The cost of the bond will be paid by the town.

(D) *Compensation package.*

(1) The Manager shall receive compensation as determined by the Town Council. The Council shall from time to time examine at the salary range to determine if an adjustment should be made.

(2) Health and retirement benefits are the same as for all salaried town employees.

(3) The Town Manager shall be reimbursed for all sums necessarily incurred or spent in the performance of duties, or incurred when traveling on business pertaining to the town under direction of the Council. Reimbursement will be made in accordance with Administrative Rule 10-04.

(E) *Removal from office.* The Town Manager may be removed, with or without cause by the Town Council, by simple majority vote of its members.

(F) *Absence; duties during vacancy.* The Town Clerk will perform the duties of Town Manager during the temporary absence or disability of the permanent Town Manager unless otherwise specified by the Town Manager. In the event the office of Town Manager is vacant and no interim Town Manager has been appointed by the Council, the Clerk shall carry out certain administrative duties of the Town Manager as directed by Council until a Manager or Interim Manager has been appointed.

(G) *Authority and responsibilities.* The Town Manager shall be responsible to the Council for the proper administration of all affairs of the town under the specific direction and control of the Council. The responsibilities are set forth as follows:

(1) Coordinate and execute on behalf of the Town Council general administration and supervision of town employees, and implement the policies set by Council by motions, ordinances, resolutions and codes of the town;

(2) Analyze and supervise the functions, duties and activities of the various departments and services of the town and of all employees thereof, and make such recommendations to the Town Council with reference thereto as in his or her judgment will result in improved efficiency in the overall operation of the town;

(3) Attend all meetings of the Council unless excused by the Mayor individually or the Council. He or she shall present options and recommendations relative to each item on the agenda for approval, rejection or modification by the Council. Also be prepared to report on or discuss any matter concerning the affairs of the departments, services, or activities under his or her supervision upon which the Council shall be informed;

(4) Keep the Town Council, committees, commissions and boards fully advised about relevant information including, but not limited to legal actions involving the town, upcoming discussions and events that pertain to their respective functions. Any information received should be transmitted, as it comes in, so that the committees, commissions and boards will have plenty of lead time to investigate and advise the Council;

(5) Recommend to the Council for their consideration resolutions, ordinances or other measures as needed or appropriate. The Manager is bound by whatever action the Council takes;

(6) Appoint, promote, demote, suspend, and remove employees of the town. The Town Manager may recommend to the Council appointment and removal of the Attorney and Magistrate;

(7) Keep the Council at all times fully advised as to the financial conditions and needs of the town and to provide whatever reports to the Council as it may deem necessary. It shall further be his or her duty to see that no indebtedness is incurred or expenditure made in violation of the Arizona Constitution, the State Budget Law, A.R.S. §§ 42-17101 *et seq.* and the *Principles of Sound Financial Management*, Resolution 08-58;

(8) Supervise the expenditures of all departments or services of the town and act as purchasing agent for the purchase of all supplies, goods, wares, merchandise, equipment and materials which may be required for any of the departments or services within the existing budget;

(9) Receive from each department of the town, itemized annual estimates of expenditures required by them for capital outlay, salaries, wages and operating costs; to tabulate the same into a preliminary consolidated town budget and submit the same to the Town Council annually on the date specified by them, with his or her recommendations for all expenses and revenues;

(10) Either the Town Manager or the Town Clerk shall recommend the issuance of all warrants or checks drawn on the bank account or accounts of the town to be signed by two Council Members;

(11) Follow through and endeavor to resolve all complaints filed against any employee, department or service within two weeks. All such complaints and resolutions shall be forwarded to the Town Council as they are received;

(12) Keep the Town Council informed of all opportunities available from or sought by organizations or individuals whose aim and purpose it is to advance the interests of the town and its residents;

(13) Make and keep an up-to-date inventory of all property owned by the town and exercise general supervision over all property that is under the town's control and jurisdiction of the

Council. Recommend to the Town Council the purchase of machinery, and equipment as deemed needed;

(14) See that all franchises, permits and privileges granted by the town are faithfully observed;

(15) Performs such other duties as may be directed by the Town Council.

(H) *Limitations upon responsibility.* The Town Manager, other than making recommendations, shall not exercise any policy-making or legislative functions whatsoever, nor attempt to commit or bind the Town Council or any member thereof to any action, plan or program requiring official action of the Town Council. This section does not grant any authority to the Town Manager that is vested in or imposed by general law or town ordinances in any town committee, commission, board, officer or employee.

(I) *Conduct.* The Town Manager shall endeavor at all times to exercise tact, patience, impartiality and courtesy in his or her contacts with the public, the Town Council, all town boards, committees, commissions, departments and employees.

(J) *Resignation of Manager.* The Manager shall provide the Council with 30 days' written notice of intention to resign his or her position. The Manager shall assist the Council on their recruitment and selection of a replacement if requested by the Council. In the event of resignation due to health reasons or other reasons which a majority vote of the Council deems an emergency, the period of written notice shall be determined in conference between the Manager and the Town Council. During the time that the town has no interim or permanent Manager, the Town Council may act in a limited capacity until a permanent Manager is hired and on board at Town Hall. The duties of the Council will be:

(1) To receive information sent via e-mail or snail mail to the Manager so that no information slips through the cracks;

(2) Answer any questions that come in via phone or in person from citizens or others that would normally be handled by the Town Manager; and

(3) To relay any information without opinions to the whole Council.

(Ord. 08-36, passed 1-15-2008; Am. Ord. 10-76, passed 11-30-2010; Am. Ord. 11-82, passed 3-22-2011; Am. Ord. 11-84, passed 4-5-2011; Am. Ord. 13-102, passed 10-15-2013)

§ 30.031 MAYOR AND VICE MAYOR; APPOINTMENT, POWER AND DUTIES.

(A) *Preamble.* Pursuant to Arizona Revised Statutes, in addition to being a member of the Town Council, the Mayor is the town's Chief Executive Officer. All authority in town government ultimately resides with the Town Council of which the mayor comprises one-seventh of its membership. Except as set forth in the Arizona Constitution and the Arizona Revised Statutes, the Mayor has no duties, responsibility or authority not delegated by the Council. This section sets forth the duties, responsibilities and authority delegated by the Common Council to the Mayor.

(B) The Mayor shall perform such duties as prescribed by town ordinance, as imposed by the Town Council, or as required by the constitution and laws of the State of Arizona, including the following:

(1) The Mayor is the official head of the town for all ceremonial purposes.

(2) The Mayor does not possess any power of veto.

(3) The Mayor (and any other member of Council) shall not use town letterhead for any correspondence without the express approval of a majority of the Town Council and unless it reflects the view of the majority of the Council as expressed by either vote or consensus.

(4) The Mayor shall not act as a representative of the town before any other town, city, county, state, or federal government or agency without the express approval of a majority of the Town Council. If Council has previously appointed a Councilmember to act as the town's representative to such a body or meeting, the Mayor may attend as an observer and shall not participate in the meeting unless acting as an alternate representative of the town.

(5) The Mayor and Vice Mayor, or their designee(s), shall coordinate with the Town Manager to develop agendas for meetings of the Town Council.

(6) The Mayor shall act as the Chairman of the Council and preside over its meetings in accordance with *Robert's Rules of Order* and with the Council procedures set forth in §§ [30.107](#) and [30.109](#) of this code.

(7) As a member of the Council, the Mayor shall have the same rights and privileges as all other Councilmembers, including the ability to make, second, and vote on motions made by the Council.

(8) The Mayor may make inquiries to town staff but shall not interfere with the Town Manager's authority, either by giving orders or explicit directions, suggestions, or requests, publicly or privately, regarding town matters to any subordinates of the Town Manager whether it be financial, budgetary, human resources, or operational in manner. The Mayor shall not attempt to exert influence on the Town Manager on issues relating to the hiring or removal of persons employed by the town or on issues yet to be decided on by the Council.

(9) The Mayor shall sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring the Mayor's signature within five business days from the date the Council took action requiring the Mayor's signature or from notification by the Town Manager that such document requires the Mayor's signature. If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument authorized to be signed and requiring his signature, then the Vice-Mayor shall sign such ordinance, resolution, contract, warrant, demand or other document or instrument and when so signed such document shall have the same force and effect as if signed by the Mayor. If the Vice Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument within five days from notification by the Town Manager that such document requires his signature, then any member of the Council may sign such document and when so signed such document shall have the same force and effect as if signed by the Mayor.

(10) The Mayor may, by proclamation, declare a local emergency to exist due to any natural or man-made calamity or disaster. The Mayor may also declare such an emergency in the event of a threat of occurrence of riot or other acts of civil disobedience which endanger life or property within the town. After declaration of any such emergency, the Mayor shall govern by proclamation and impose any and all necessary regulations to preserve the peace and order of the town, including but not limited to:

- (a) Imposition of a curfew for all or any portion of the town;
- (b) Ordering the closing of any business;
- (c) Closing to the public access to any public building, street or other public place; or
- (d) Calling upon regular or auxiliary law enforcement agencies and organizations within or without the town for assistance in providing for the safety of the town, its citizens and property.

(11) As the Mayor may deem appropriate, and upon request by an organization or individual, the Mayor may prepare proclamations that identify particular days or events to be of special interest to the town and its citizens.

(12) The Mayor shall prepare and submit to the Council an annual update on the external memberships and committees that the Mayor participates in or serves on in his or her official capacity. The update shall include the entity's mission and purpose, associated costs, the role of the Mayor, and the town's position/policy for each of the external memberships or committees. The report shall be submitted at the first regular Council Meeting in December. Exception: if any member of Council requests a report on an activity or meeting that the Mayor has attended prior to the annual report date that member may request such report by action of Council agenda request form. Upon majority affirmative vote of the Council, the Mayor shall provide said report, including direct effects and justification for the use of town funds, at a Council meeting within 30 days of the request.

(13) The Mayor may perform such other duties consistent with the Mayoral duties set forth herein and as required by town ordinance or resolution, action of council, or Arizona State Law.

(C) *Action in excess of delegation.* If a majority of the Town Council possesses a reasonable belief that the Mayor has acted in excess of the Town Council's delegation of duties, responsibilities, or authority, the Town Council shall direct the Town Prosecutor to consider charging the Mayor with a civil violation of this section. If the Town Prosecutor brings such a charge and if the Town Magistrate determines by a preponderance of evidence that the Mayor has exceeded his or her delegated authority, the Magistrate shall impose a fine within the guidelines of his or her authority and the general penalties set forth in § [10.99](#).

(D) *Failure to perform.* If a majority of the Town Council possesses a reasonable belief that the Mayor has failed to perform any duty or responsibility imposed on him or her by this section, any other ordinance, statute, or law, the Town Council shall direct the Town Prosecutor to consider charging the Mayor with a civil violation under this section or a criminal charge of nonfeasance in public office as defined by Arizona Revised Statutes, or the Town Prosecutor may, of his or her own volition, charge the Mayor with a civil violation under this section or a criminal charge of nonfeasance in public office as defined by Arizona Revised Statutes. If the Town Prosecutor brings a civil charge and if the Town Magistrate determines by a preponderance of evidence that the Mayor has failed to perform as required by this section, the Magistrate shall impose a fine within the guidelines of his or her authority and general penalties set forth in the town code. If the Town Prosecutor brings a criminal charge of nonfeasance in public office and the Town Magistrate finds the Mayor guilty, the Mayor shall be subject to the maximum criminal penalty available for such a violation. If the Town Prosecutor brings both a civil and a criminal charge and the Mayor is found responsible for the civil charge and guilty of the criminal charge, the Mayor shall be subject to both the criminal penalties and the civil fine, but if fines are imposed for the criminal offense, they shall offset any fines imposed for the civil offense.

(E) *Appointment of Vice Mayor; term.* Absent a vote of no-confidence, at the second regular Council Meeting in December each year, the Town Council shall appoint the most senior Councilmember who has not already been the Vice Mayor and has served on Council for at least one year to the Vice Mayor position for a one-year term or until a new Vice Mayor is appointed. If no Councilmember meets the above criteria or the person to be appointed declines the appointment, the most senior Councilmember shall be appointed to serve as Vice Mayor for a one-year term.

(F) *Duties of Vice Mayor.* The Vice Mayor shall perform the duties of the Mayor in the Mayor's absence and shall perform such other duties as may be, from time to time, delegated by the Town Council.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 09-56, passed 9-8-2009; Am. Ord. 13-100, passed 9-17-2013; Am. Ord. 15-109, passed 1-20-2015; Am. Ord. 15-115, passed 9-1-2015; Am. Ord. 15-119, passed 12-15-2015; Am. Ord. 15-121, passed 12-15-2015)

📖 § 30.032 TOWN MAGISTRATE.

(A) *Town Magistrate.* The presiding officer of the Magistrate Court shall be the Town Magistrate, who shall be appointed by the Town Council to a term of no less than two years. The Magistrate may be removed by the Council only for cause during his or her term as Magistrate.

(B) *Associate Magistrate.* The Town Magistrate may recommend to the Council the names of individuals qualified to serve as Associate Magistrates for the Magistrate Court. Upon appointment, Associate Magistrates shall be subject to the assignment and direction of the Town Magistrate. Associate Magistrates shall serve for a term that exceeds the then current Magistrate's term by one year, subject to removal by the Town Council for any reason. All duly appointed Associate Magistrates shall be compensated per a fee established by the Town Council, and shall be considered contract employees of the town.

(C) *Powers and duties.* The powers and duties of the Magistrate shall include:

(1) The powers and duties set forth and conferred upon him or her under the provisions of the State Constitution and Statutes, this code and the ordinances and resolutions of the town.

(2) Managing the administration of the judicial and internal administrative functions of the town court, including the supervision of all judges and judicial and non-judicial staff, who directly affect the operation of the court.

(3) Complying with the rules, policies and procedures established by the town in respect to personnel matters, as expressed in the ordinances and codes, including, but not limited to, hiring, classification, salary administration, termination, grievance procedures, sick leave, overtime, vacation time and work hours.

(4) Adhering to state law and the policies and procedures of the town in budgeting and expenditure procedures, including the procedures adopted for the purchase of equipment or supplies.

(5) Keeping of a docket in which shall be entered each action and the proceedings of the Court therein.

(6) Fixing and receiving all bond and bails and receiving all fines, penalties, fees and other monies as provided by law.

(7) Establishing an effective system of proper payment and distribution of all fees, fines, penalties and other monies collected consistent with Arizona Statute and the rules, regulations and orders of the Arizona Supreme Court and the Administrative Offices of the Arizona Supreme Court (the "AOC").

(8) Preparing a schedule of criminal traffic violations listing specific bail for each violation.

(9) Preparing of a schedule of civil traffic violations listing a specific fine and deposit for each violation.

(10) Preparing of a schedule of criminal violations of town code, ordinances, and resolutions listing specific bail for each violation.

(11) Preparing of a schedule of civil violations of town code, ordinances, and resolutions listing a specific fine and deposit for each violation.

(12) Designating a person, a specific location and the hours which such person will be at the location to accept proper payments and deposits for civil violations for and on behalf of the court.

(13) Collecting, safeguarding and accounting for all fines, sanctions, restitution and bond payments, which may come into the possession of the town court and transferring such public monies to the Town Treasurer, in accordance with State Law and procedures established by the Town Manager or the Manager's designee.

(14) Preparing accurately and submitting on a timely basis, to the proper authority, all reports required to be submitted by statutes, court rule, administrative order, town charter, ordinances, or, as may be appropriate and necessary, the Town Council or Town Manager.

(15) Assisting the Town Manager's office in the preparation of monthly management information reports which summarize year to date statistics regarding the Town Court, key judicial functions, resource use and case management/ resolution data.

(16) Complying with all town rules, regulations, policies and directives of the town which are not inconsistent with the Constitution, State Law, Town Charter, Town Ordinance or administrative orders of the Supreme Court or lawfully delegated authority.

(D) *Qualifications.* The Magistrate and all Associate Magistrates must be and remain members in good standing (active, inactive, or judicial) of the State Bar of Arizona, with at least five years of practice as an attorney or judicial officer.

(E) *Duties of Town Council and Town Manager.* The compensation (in an amount to be determined by Council) and the town pro rata portion of the annual "Judicial" membership fee of the State Bar, if any, shall be borne by the town. All training required by the AOC for service to the town (pro rata) shall be paid for by the town. The Town Council shall provide for the financial, physical, personnel and consulting requirements of the Town Court. The Town Council may adopt those additional orders and resolutions which are deemed necessary for the consistent implementation of this section. The duties and responsibilities of the Town Manager in respect to the Town Court shall include but are not limited to:

(1) Establishing such rules, regulations, policies and directives which are not inconsistent with the constitution, state law, town charter, town ordinances or administrative orders of the Supreme Court or lawfully delegated authority; as may be deemed reasonably necessary to the effective operation of the court as a part of the town government and to ensure that the personnel, budgeting and expenditure rules, regulations and requirements are followed by the town court.

(2) Providing for a system for the collection and safeguarding of all fines, sanctions, restitution and bond payments, which may come into the possession of the town court, and for transferring such public monies to the Town Treasurer.

(F) *Filling of vacancies.* In the event of the death, resignation, suspension or removal of a town judge, such vacancy may be filled for the unexpired term of office. The Town Council may suspend or remove a judge:

(1) For any reason authorized by law;

(2) Whenever the judge is unable to perform the duties of the office; or

(3) For failure to meet the minimum qualifications of the position.

(G) *Temporary Judges pro tempore.* Notwithstanding anything to the contrary in this section, the Town Magistrate may appoint judges to serve on a temporary or "pro tempore" basis. Such judges shall be compensated on a contractual or hourly basis, shall not be eligible for any benefits, and shall be appointed for a term as set forth by the Town Magistrate.

(Ord. 09-52, passed 5-19-2009)

ELECTIONS

📅 § 30.042 ELECTION DAY.

Commencing with the elections in 2014, the primary election shall be held on the date of the primary election of the State of Arizona. The general election shall be held on the date of the general election of the State of Arizona.

(Ord. 13-97, passed 6-4-2013)

§ 30.043 REFERENDUM AND INITIATIVE ELECTIONS.

(A) When a referendum or initiative is required to be placed upon the ballot, the Council shall do so either:

(1) At the next regularly scheduled town primary or general election or state general election; or

(2) Call a special election to be held on any date authorized by A.R.S. § 16-204.

(B) At all times citizens shall retain the right to vote by absentee ballot.

(Ord. 13-97, passed 6-4-2013)

§ 30.044 RECALL ELECTIONS.

(A) *Officers subject to recall.* Any public officer of the town holding an elective office, whether by election or appointment, is subject to recall by the qualified voters of the town, subject to the limitations and requirements set forth in Article 8 of the Arizona Constitution and A.R.S. Title 19, Chapter 2.

(B) *Limitations.*

(1) A recall petition shall not be circulated against a public officer of the town until he has held office for at least six months.

(2) After one recall petition and election, no further recall petition shall be filed against the same officer during the term for which he was elected unless the petitioners signing the petition first, at the time of application for the subsequent recall petition, pay all expenses of the preceding election into the public treasury from which such election expenses were paid.

(3) Signatures obtained on recall petitions by a committee or any of its officers, agents, employees, or members before the filing of the committee's statement of organization are void and shall not be counted in determining the legal sufficiency of the petition.

(C) *Resignation of officer.*

(1) If a person against whom a recall petition is filed desires to resign, the person may do so by filing a written tender of resignation with the Town Clerk within five days, excluding Saturdays, Sundays and other legal holidays, after the filing of the petition, as prescribed in A.R.S.19-208.03.

(2) A vacancy created by such resignation shall be filled as provided in § [30.016](#).

(D) *Election.*

(1) If the officer against whom a recall petition is filed does not resign within the time period set forth in this section, the Town Clerk shall, within 15 days, order a special recall election to be held on the next following consolidated election date pursuant to A.R.S. 16-204 that is 90 days or more after the order calling the election.

(2) Unless the officer otherwise requests in writing, the name of the officer against whom the recall petition was filed shall be placed as a candidate for the office on the official ballot without nomination.

(Am. Ord. 15-117, passed 10-6-2015)

§ 30.045 ELECTION OF MAYOR.

(A) *Direct election of the Mayor.* The Mayor of the town shall be directly elected by the qualified electors of the town.

(B) *Term of office.* The term of office of the Mayor shall be two years, except that, to accommodate the consolidated elections law, A.R.S. § 16-204, the term of the Mayor elected in 2013 will end in December 2014, at the time of assumption of duties by the Mayor elected in the Fall 2014 election.

(Ord. 05-05, passed 3-1-2005; Am. Ord. 13-97, passed 6-4-2013; Am. Ord. 14-106, passed 6-3-2014)

§ 30.046 OPTIONAL PROCEDURE FOR MUNICIPAL ELECTIONS.

(A) Any candidate who receives at the primary election a majority of all the votes cast shall be declared to be elected to the office for which he or she is a candidate, effective as of the date of the general election, and no further election shall be held as to that candidate; provided, that if more candidates receive a majority than there are offices to be filled, those candidates equal in number of the offices to be filled with the highest number of votes shall be declared elected.

(B) Nothing on the ballot in any election shall be indicative of the support of the candidate.

(C) If, at any primary election held as above provided, there be any office for which no candidate is elected, then as to that office, the election shall be considered to be a primary election for nomination of candidates for the office, and the general municipal election shall be held to vote for candidates to fill the office.

(1) Candidates to be placed on the ballot at the general municipal election shall be those not elected at the primary election and shall be equal in number to twice the number to be elected to any given office or less than that number if there be less than that number of names on the primary election ballot.

(2) Persons who receive the highest number of votes for the respective offices at such first election shall be the only candidates at the second election; provided that if there be any person who, under the provisions of this section, would have been entitled to become a candidate for any office except for the fact that some other candidate received an equal number of votes therefor, then all such persons receiving an equal number of votes shall likewise become candidates for the office.

(D) The candidates equal in number to the persons to be elected who receive the highest number of votes shall be declared elected.

(Ord. 05-04, passed 3-1-2005)

COMMUNICATIONS

§ 30.080 WRITTEN COMMUNICATIONS.

Written communications addressed to the Town Council are to be referred to the Town Clerk for forwarding to the Council.

(Ord. 09-49, passed 4-7-2009)

§ 30.081 REQUEST FOR STAFF RESOURCES.

(A) Council requests for research or other staff work must be directed to the Town Manager, or the Town Attorney regarding legal matters, or the Town Clerk regarding matters within the Clerk's authority.

(B) If more than one hour of staff time will be required to complete the task/project, the item will be agendaized to ask the Town Council if time should be spent on preparing a report on the proposed item.

(C) Staff responses prepared to Council inquiries shall be distributed to all Town Councilmembers.

(Ord. 09-49, passed 4-7-2009)

§ 30.082 RELATIONSHIP AND COMMUNICATIONS WITH STAFF.

Staff serves the Town Council as a whole, therefore:

(A) A Councilmember shall not direct staff to initiate any action, change a course of action or prepare any report, nor shall a Councilmember initiate any project or study without the approval of the Council.

(B) Councilmembers shall not attempt to pressure or influence discussions, recommendations, workloads, schedules or department priorities absent the approval of the Council.

(C) When preparing for Council meetings, Councilmembers should direct questions ahead of time to the Town Manager so that staff can provide the desired information at the Council meeting.

(D) Any concerns by a member of the Town Council regarding the behavior or work of a town employee should be directed to the Town Manager privately to ensure the concern is resolved. Councilmembers shall not reprimand employees directly nor should they communicate their concerns to anyone other than the Town Manager.

(E) Councilmembers serving on Council committees or as the town's representative to an outside agency may interact directly with town staff assigned to that effort as the Town Manager's designee. The town staff member so designated and assigned will keep the Town Manager appropriately informed.

(F) Soliciting political support from staff (e.g., financial contributions, display of posters or lawn signs, name on support list, etc.) is prohibited. Town staff may, as private citizens with constitutional rights, support political candidates, but all such activities must be done away from the workplace and may not be conducted while in uniform or wearing indicia of association with the town.

(Ord. 09-49, passed 4-7-2009)

§ 30.083 RELATIONSHIP AND COMMUNICATION WITH BOARDS, COMMISSIONS AND COMMITTEES.

Individual Councilmembers shall not attempt to pressure or influence board, commission or committee (each, an "agency") decisions, recommendations or priorities, absent the approval of the Council. The role of Council liaison is to observe and report to the Council and the agency the activities and actions of the agency and the Council, respectively. Councilmembers may not serve as members of any Town Agency.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 09-56, passed 9-8-2009)

§ 30.084 HANDLING OF LITIGATION AND OTHER CONFIDENTIAL INFORMATION.

(A) All written materials and verbal information provided to Councilmembers on matters that are confidential under state law shall be kept in complete confidence to ensure that the town's position is not compromised. No disclosure or mention of any information in these materials may be made to anyone other than Councilmembers, the Town Attorney or Town Manager.

(B) Confidential materials provided in preparation for and during executive sessions must be returned to staff at the conclusion of the executive session.

(C) Confidential materials provided to Councilmembers outside of executive sessions must be destroyed or returned to staff within 30 days of their receipt.

(D) Councilmembers may not request confidential written information from staff that has not been provided to all Councilmembers.

(Ord. 09-49, passed 4-7-2009)

§ 30.085 REPRESENTING AN OFFICIAL TOWN POSITION.

(A) Town Councilmembers may use their title only when conducting official town business, for information purposes, or as an indication of background and expertise, carefully considering whether they are exceeding or appearing to exceed their authority.

(B) Once the Town Council has taken a position on an issue, all official town correspondence regarding that issue will reflect the Council's adopted position.

(C) In most instances, the Council will authorize the Mayor to send letters stating the town's official position to appropriate legislators.

(D) If a member of the Town Council, including the Mayor, appears before another governmental agency organization to give a statement on an issue affecting the town, the Councilmember should indicate the majority position adopted by the Council. If the Council is divided on an issue, the member should make no statement.

(E) Personal opinions and comments may be expressed only if the Councilmember clarifies that these statements do not reflect the official position of the Town Council.

(F) Any Councilmember, including the Mayor, who has been directed by Council action (either by Council vote or by direction) to represent the town at any meeting of an outside organization and who cannot attend the meeting, shall immediately notify the alternate attendee, who shall attend the meeting. If there is not an alternate or the alternate is not available to attend, the representative shall immediately notify the Mayor and, in the absence of the Mayor, the Vice Mayor, of the attendance conflict.

(G) If a Councilmember or the Mayor, appears on or is interviewed by any news media, whether radio, television, newspaper, newsletter, or other communication outlet, the Councilmember shall indicate the majority position adopted by Council. If a majority position has not been reached on the subject, the Councilmember shall indicate that no majority position has been adopted and the Councilmember may give a statement expressing his personal opinion, but only if he states that it is his own opinion and not the opinion of the town.
(Ord. 09-49, passed 4-7-2009; Am. Ord. 13-101, passed 10-1-2013; Am. Ord. 15-120, passed 12-15-2015)

§ 30.086 QUASI-JUDICIAL ROLE; EX PARTE CONTACTS.

(A) *Quasi-judicial role.* The Town Council has a number of roles. It legislates and makes administrative and executive decisions. The Council also acts in a quasi-judicial capacity or "like a judge" when it rules on various permits, licenses and land use entitlements. In this last capacity, quasi-judicial, the Council holds a hearing, takes evidence, determines what the evidence shows and exercises its discretion in applying the facts to the law shown by the evidence. It is to these proceedings that the rule relative to ex parte contacts applies.

(B) *Ex parte contacts/fair hearings.* The Council shall refrain from receiving information and evidence on any quasi-judicial matter while such matter is pending before the Town Council or any agency, board or commission thereof, except at the public hearing. Note: ordinary lobbying on non-quasi-judicial matters is legal and not a violation of these rules.

(1) As an elected official, it is often impossible to avoid such contacts and exposure to information. Therefore, if any member is exposed to information or evidence about a pending matter outside of the public hearing, through contacts by constituents, the applicant or through site visits, the member shall disclose all such information and/or evidence acquired from his or her contacts, which is not otherwise included in the written or oral staff report, during the public hearing and before the public comments period is opened.

(2) Matters are **PENDING** when an application has been filed. Information and evidence gained by members via their attendance at noticed public hearings before subordinate boards, commissions, and committees are not subject to this rule.

(Ord. 09-49, passed 4-7-2009)

§ 30.087 ATTORNEY-CLIENT RELATIONSHIP.

[Reserved]

COUNCIL MEETINGS

§ 30.100 COUNCIL MEETINGS GENERALLY.

All meetings of the Town Council are governed by state Open Meetings Law (the "Act"). The Act applies to the Town Council, and all subordinate boards, commissions, and Citizen Committees of the town. If any member of a town legislative body, or town staff, believe that action has been taken on an item in contravention of the Act, that person is privileged to place the item on a future agenda for reconsideration or other action.

(Ord. 09-49, passed 4-7-2009)

§ 30.101 REGULAR MEETINGS.

Regular meetings of the Town Council are held on the first and third Tuesday of each month at 6:30 p.m. in the Council Chambers of Dewey-Humboldt Town Hall. All regular Council meetings are open to the public.

(Ord. 09-49, passed 4-7-2009)

§ 30.102 STUDY SESSIONS.

Study Sessions or "Work Sessions" of the Town Council are held on the second Tuesday of each month at 2:00 p.m. in the Council Chambers of Dewey-Humboldt Town Hall to allow for a detailed review of important matters. Study sessions may be conducted jointly with another town board, commission, Citizen Committee, or another governmental agency. Formal action is typically not taken at a study session unless the agenda indicates that action may be taken, in which case the study session is reclassified as a special meeting. All study session meetings are open to the public.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 13-98, passed 8-20-2013)

§ 30.103 EXECUTIVE SESSIONS.

(A) Executive sessions are also regulated pursuant to the Act. All written materials and verbal information regarding executive session items must remain confidential. Written reports and exhibits or materials furnished to members of the Council as part of an executive session must not be copied or saved and must be returned to staff at the conclusion of the executive session. No member of the Council, employee of the town, or anyone else present should disclose to any other person the intent or substance of any discussion that takes place in an executive session unless authorized by the Council.

(B) Permissible topics or issues for a executive session discussion are limited to those topics or issues outlined in state law (currently, A.R.S. § 38-431.03), which generally are:

- (1) Town staff employment matters;
- (2) Records exempt by law from public inspection;
- (3) Legal advice from the town's attorneys;
- (4) Legal instructions to the town's attorneys regarding contracts being negotiated, litigation, or settlement;
- (5) Labor agreement negotiations;
- (6) International, tribal, and interstate negotiations; and
- (7) Real property purchase negotiations.

(C) All public statements, information and press releases relating to executive session items should be handled by the Town Attorney or as otherwise directed by the Council majority.

(D) Executive session meetings are closed to the public and the press.

(E) Any suspected violation of the confidentiality of an executive session discussion shall be reported to the Town Attorney. **CONFIDENTIAL INFORMATION** means a communication, verbal or written, made in executive session that is specifically related to the legal basis for conducting the executive session.

(Ord. 09-49, passed 4-7-2009)

§ 30.104 SPECIAL AND EMERGENCY MEETINGS.

Pursuant to the Act, the Council may also hold special or emergency meetings as deemed necessary. The Mayor or three Councilmembers may call for a special meeting or special work session as he or she deems appropriate to conduct town business subject to the requirements of the Open Meetings Law and posting of meeting notices.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 10-77, passed 10-5-2010)

§ 30.105 COUNCIL AGENDA.

(A) The Manager and Clerk are responsible for receiving and organizing all materials for the agenda, in collaboration with the Mayor and Vice-Mayor. The Manager will then prepare a memorandum for distribution to the Council containing all agenda items currently scheduled. The Mayor or Vice Mayor should be contacted if an individual Councilmember wishes to modify that schedule.

(B) Any resident of Dewey-Humboldt or staff member may request placement of a matter on the Council agenda by requesting that a Councilmember submit a “Council Agenda Action Form.”

(C) Any member of the Town Council may request an item be added to the agenda for the next regular Council meeting, and the item shall be placed on the agenda. A request to modify or remove an agenda item may be made by the requesting Councilmember, in which case it shall be modified or removed without further action. The Mayor or any other Councilmember may request an item that was submitted by another Councilmember be modified or removed, in which case it may only be modified or removed with the concurrence of the Councilmember who requested it be put on the agenda.

(D) In order to accurately describe what agenda action is proposed, the “Council Agenda Action Form” should be used and submitted at least six days prior to the next regularly scheduled Council meeting.

(E) 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 to a future date or dropped.

(F) *Order of agenda.*

(1) Regular Council meeting agenda items shall be listed in the following order:

- (a) Call to order;
- (b) Pledge of Allegiance;
- (c) Invocation;
- (d) Roll call;
- (e) Announcements regarding current events, guests, appointments, and proclamations;
- (f) Town Manager’s report;
- (g) Consent agenda;
- (h) Public comment on non-agendized items;

- (i) Unfinished business;
- (j) New business;
- (k) Public hearing agenda; and
- (l) Adjournment.

(2) When Council holds a work study or special study Council meeting, agenda items shall be listed in the following order:

- (a) Call to order;
- (b) Roll call;
- (c) Discussion only items;
- (d) Action items; and
- (e) Adjournment.

(G) *Modifications to the agenda.*

(1) The presiding officer or any Councilmember may request a change of order of the agenda which, if approved by a majority of the Council, shall be granted.

(2) An agenda item may be continued to a date certain or postponed indefinitely by motion and approval by a majority of the members present who have not declared a conflict of interest. (Ord. 09-49, passed 4-7-2009; Am. Ord. 10-77, passed 10-5-2010; Am. Ord. 11-89, passed 10-18-2011; Am. Ord. 13-99, passed 9-17-2013; Am. Ord. 15-116, passed 9-15-2015)

§ 30.106 DECORUM.

(A) The presiding officer shall preserve the decorum of the meeting.

(B) While the Town Council is in session, all persons shall conduct themselves with reasonable decorum. Any person who is disorderly or who persistently disrupts the business meeting so far as to interfere with the proper conduct of the business may be ordered by the presiding officer to be removed from the meeting place. At such time, the presiding officer may call a recess.

(C) If the presiding officer fails to act on a matter of decorum, Council may, by majority approval of a motion, require the presiding officer to act.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 15-116, passed 9-15-2015)

§ 30.107 TIME OF ADJOURNMENT.

It is the policy of the town that all evening meetings of the Council be adjourned no later than 10:00 p.m. Study sessions shall be adjourned no later than 6:00 p.m. These times shall be referred to as the normal times of adjournment. The Council, by majority vote, may decide to set aside this policy and consider any or all of the items remaining on the agenda. If it appears that the entire agenda cannot be completed before the normal time of adjournment, the Council may decide by motion to consider and act upon the more pressing agenda items. All items that are not considered because of the time limitation shall be continued by the Council to the next regular or special meeting. At or before the normal time of adjournment, the presiding officer shall ask for a motion to adjourn and, upon Council approval, the meeting shall be adjourned.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 15-114, passed 9-1-2015)

§ 30.108 AGENDA PACKETS.

(A) Agenda packets are to be made available at the Town Clerk's office, the town's web site (www.dhaz.gov), and at the Council meeting. Council meeting agendas, minutes and staff reports are available for public review beginning the Friday evening before each Council meeting.

(B) Agenda packets are to be delivered to Councilmembers on the Friday prior to Tuesday Council meetings, or as far in advance as possible for special or emergency Council meetings.

(C) Agenda packets may be released to the press or members of the public at 4:30 p.m. on the Friday preceding Tuesday Council meetings, or as far in advance as possible for special or emergency Council meetings.

(Ord. 09-49, passed 4-7-2009)

📖 § 30.109 PROTOCOL AT MEETINGS.

(A) *Preamble.* Members of the Town Council are elected to represent their voting constituents and the citizens of Dewey-Humboldt. As such, each member of Council has the right to express his or her representation without being assailed in regard to that representation or in regards to their own personal political affiliations, religious preference, marital status, sexual orientation. Further, members of Council shall not be the subject of retribution from the Chair in any manner or form or in a manner of retribution for holding their view in all matters that come before Council. In addition, the right of a member to address the City Council on a question of personal privilege shall be limited to cases in which the member's integrity, character, or motives are assailed, questioned or impugned.

(B) *Basic rules of order.* Meetings will be conducted in accordance with the latest edition of *Robert's Rules of Order (Robert's Rules)*, with the following exceptions and changes:

(1) In case of conflict between *Robert's Rules* and the constitution or laws of the State of Arizona, the state law will prevail.

(2) In case of conflict between *Robert's Rules* and the Dewey-Humboldt code of ordinances, the code of ordinances shall prevail.

(C) *Procedures in general.*

(1) The presiding officer at any meeting shall rule on any point of order raised by a Councilmember. Only Councilmembers may raise points of order. The presiding officer shall request advice from other members of the body or an appointed parliamentarian before making a ruling. However, any member may, on a point of order, call for a vote on the ruling and specify an alternative ruling. A vote shall then be called on the point of order and, if a majority of members vote in favor of the proposed alternative ruling, the presiding officer shall defer to the opinion of the majority of the members for that meeting of the body. Otherwise the presiding officer's ruling shall stand. The presiding officer may impose reasonable limits to the time allotted for each member to speak during the discussion phase of the proceedings, but if additional time is requested by the member, the presiding officer shall ask for a vote to extend additional time, and if a majority of members agree, the time shall be granted.

(2) The presiding officer shall not use his position as Chair of the meeting to debate other Councilmembers in a condescending manner and shall avoid questioning the motives of others or using indecorous language.

(D) *Meeting operational procedures.*

(1) A Councilmember desiring to speak shall address the presiding officer and, upon recognition, shall confine his or her comments to the agenda item, avoid discussion of personalities and indecorous language and refrain from personal attacks and verbal abuse.

(2) A Councilmember or the presiding officer who desires to ask a question of staff shall address the question to the Town Manager who shall address the question or may designate another staff member to address the question. Councilmembers shall not berate or admonish staff members or the Town Manager.

(3) A Councilmember who has been recognized and given the floor, shall not be interrupted while speaking unless called to order by the presiding officer; a point of order is raised by

another member; or the speaker chooses to yield the floor. If a Councilmember is called to order, that member shall immediately cease speaking until the question of order is settled by a vote of Council. If ruled to be in order, the member shall be permitted to proceed. If ruled out of order, the member shall remain silent or may make additional remarks only in compliance with Council rules.

(4) The Mayor and Councilmembers shall comply with the Arizona open meeting law and confine their questions, comments and discussions to the agenda item under consideration by Council.

(5) The Mayor and every Councilmember have a duty to vote and shall vote on all matters except a matter involving his or her own official conduct or where he or she declares a conflict of interest, whether actual or apparent. A Councilmember who declares a conflict of interest shall leave the dais, not participate in the discussion, and refrain from influencing the votes of the remaining Councilmembers. A failure to vote or a voluntary abstention shall count as an "aye" vote unless the Councilmember has declared a conflict of interest.

(6) All motions require a second to be considered by Council. The Councilmember seconding a motion is not required to vote or speak in favor of the motion. If there is no second, the motion fails for lack of a second.

(7) Except as provided in division (D)(9), a Councilmember may change his or her opinion or vote at any time up and until the vote is taken and the final result is announced.

(8) At the request of any Councilmember, a roll call vote shall be taken. Councilmembers shall not explain their vote during the roll call but shall respond either yea or nay to the question.

(9) After a decision on a motion, any Councilmember who voted with the majority may move to reconsider the item during the same meeting at which the decision being reconsidered was made. Once a motion to reconsider has been approved by majority vote, the original motion may again be discussed. After discussion, a revote on the original motion is taken. No more than one reconsideration of an item shall be permitted without unanimous consent of the Council.

(10) During a meeting, the Mayor or a Councilmember may propose a short intermission or recess by moving to recess for a specified length of time. A motion to recess may be made while business is pending; shall not interrupt a speaker; must be seconded; is not debatable; can only be amended to change the length of the recess; cannot be reconsidered; and requires a majority vote for approval. The length of time for the recess shall not detract from finishing the meeting agenda within the limits set forth in § 30.107.

(11) An act or motion to suspend the Council rules requires a majority vote of the Council for approval and shall not be made while another motion is pending unless it directly applies to the pending motion.

(E) Understanding Council's intent to receive public comments prior to voting on any matter on which Council will make a decision, the presiding officer shall allow public comments on all such matters subject to the following:

(1) Prior to receiving public comments on an item, the presiding officer shall poll Council to ensure Council's questions and concerns have been addressed.

(2) No individual member of the public shall comment more than once on any item.

(3) Comments shall be limited to three minutes per person per item.

(4) Without consent from a majority of Councilmembers, the public comment period for each item shall be no more than 15 minutes.

(5) No public comments are permitted on executive session items.

(6) No public comments are permitted during Council study or work sessions unless the item is agendaized for formal action by Council or unless a Councilmember requests an exception be made and said exception is approved by a majority of the Council.

(F) *Changes to the rules of order.* Additional exceptions to *Robert's Rules* may be incorporated into the Town Council's rules and procedures at any time by formally amending this chapter, provided they are consistent with the laws of the State of Arizona. Amendments to any motion may be made according to the basic *Robert's Rules*.

(Ord. 09-49, passed 4-7-2009; Am. Ord. 15-111, passed 3-3-2015; Am. Ord. 15-116, passed 9-15-2015)

CHAPTER 35: CODE OF ETHICS AND CONDUCT

Section

- [35.01](#) Preamble
- [35.02](#) Definitions
- [35.03](#) Responsibilities of public office
- [35.04](#) Conflict of interest
- [35.05](#) Conduct in public office
- [35.06](#) Compliance and enforcement

§ 35.01 PREAMBLE.

(A) The residents and businesses of Dewey-Humboldt are entitled to have a fair, ethical and accountable local government, and to demand the highest standard of ethics from all of its officials. All members of town boards, commissions, committees and the Town Council shall maintain the utmost standards of personal integrity, truthfulness, honesty and fairness in carrying out their public duties, avoid any improprieties in their roles as public servants, comply with all applicable laws, whether local, state or federal, and never use their positions or powers improperly or for personal gain.

(B) **ETHICS** is defined here as the rules or standards governing those persons functioning as representatives of the town. These rules and standards are based upon a set of values judged to be moral to the extent that they enhance society and an individual's relationship to others. Honesty and integrity shall be the primary values in all issues, whether it be in their duties for the town or in any regard to their constituents.

(C) The purpose of this chapter is to establish ethical standards of conduct for public officials acting in their official public capacity.

(Ord. 13-103, passed 12-17-2013)

§ 35.02 DEFINITIONS.

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

CENSURE.

- (1) An expression of strong disapproval or harsh criticism.
- (2) An official rebuke, as by a legislature of one of its members.
- (3) To criticize severely; blame.
- (4) To express official disapproval of.
- (5) A formal, public reprimand for an infraction or violation.

PUBLIC OFFICIAL. The Mayor, Town Council Members, and any town board, commission or committee member.

SANCTION.

- (1) The penalty for noncompliance specified in a law or decree.
- (2) A penalty, specified or in the form of moral pressure, that acts to ensure compliance or conformity.
- (3) To penalize, especially for violating a moral principle or international law.
- (4) To impose a sanction on; penalize, especially by way of discipline.
- (5) To punish so as to deter.

(Ord. 13-103, passed 12-17-2013)

§ 35.03 RESPONSIBILITIES OF PUBLIC OFFICE.

(A) By oath of office each public official is responsible to uphold the Constitution of the United States, the Constitution of the State of Arizona, and the ordinances and regulations of the

town. Public officials are often asked to make decisions that affect various groups and individuals adversely. Balancing diverse constituent interests is a difficult task, and therefore, the public official shall perform his or her obligations in a manner that is impartial and responsible to all people, and shall adhere to ethical standards that eliminate disappointment borne of dishonesty, conflicts of interest, unfairness or illegality.

(B) The public official shall not use his position for personal or monetary gain, whether directly or indirectly, or any other manner in which the possibility of gain might be perceived by the public or another member of the public body, and as described in § 35.04.

(C) The public official shall not disclose confidential information concerning the property, government or affairs of the town without proper legal authorization. Arizona law provides that during a person's employment or service to the town, and for two years thereafter, no public official may disclose or use confidential information without appropriate authorization as set forth in A.R.S. § 38-504(B).

(D) Public officials have an obligation to be accessible, open and direct, not only with the other members of the Council and/or boards, commissions or committees, but also to the citizens and business representatives that appear before them, both in the public forum and in private. The public is entitled to communicate with their public servants and understand the position of the Council and boards, commissions and committees on public issues.

(E) Public officials have an obligation to attend meetings and be prepared. It is expected that public officials will review the materials, participate in discussions and make an informed decision of the merits of the issue, as opposed to acting out of emotional bias.

(Ord. 13-103, passed 12-17-2013)

📖 § 35.04 CONFLICT OF INTEREST.

(A) Public officials must be constantly on guard against conflicts of interest and shall not be involved in any activity that conflicts with their responsibilities to the town and its residents. The people of this town have a right to expect independence and fairness towards all groups without favoring individuals or personal interest.

(B) Arizona conflict-of-interest laws apply to public officials. And as such, this chapter shall reinforce any existing affirmation regarding conflict of interest contained in the public official's oath of office. When acting in a public capacity, the public official shall abstain from participating in discussion and voting on any pending matter that would result in his or her financial or private gain.

(C) Public officials shall not directly or indirectly solicit, accept or receive any gift—whether it be money, services, a loan, travel, entertainment, hospitality, a promise or any other form of consideration—that could be reasonably inferred to influence the performance of his or her official duties and actions, or serve as a reward for any official action. In addition and included under this issue, under no circumstances shall a public official accept a gift or favor that is a bribe, or reflects, to a reasonable person, an effort to improperly influence the public official contrary to that public official's responsibility to the public in total, or to act impartially and on the merits of the matter.

(1) Public officials must not be involved in discussing issues that appear to be ***SELF-DEALING***. That is, public officials must not be involved in discussing or deciding on any issue over which they have jurisdiction as a Council or board, committee or commission member, which may impact the public official or members of his or her family, or the public official's business, finances or in any way that may be perceived by any reasonable member of the community as advantageous to that public official.

(2) It should also be noted that Council Members must comply annually with the Financial Disclosure Act, as required in A.R.S. §§ 38-541 through 38-545. Arizona law also prohibits public officials from receiving anything of value or any compensation other than their normal salary or stipend for any service rendered in connection with that public official's duties with the town.

(Ord. 13-103, passed 12-17-2013)

📖 § 35.05 CONDUCT IN PUBLIC OFFICE.

(A) The public official shall not discuss or divulge confidential information acquired in the course of his or her official duties, nor shall he or she use this information for his or her own personal interest or aggrandizement. As a minimum, the public official shall utilize A.R.S. § 38-504 as one, but not the only, guideline.

(B) The public official shall respect the rights, privileges and opinions of fellow officials.

(C) Propriety dictates that the public official shall be sensitive to the possible confidential or personal nature of directives addressed to other individuals.

(D) In any dealings with town employees, the public official shall maintain professional conduct with respect to work assignments and obligations. The office of the public official shall in no situation be used to wrongfully obtain information, either by intimidation or by deliberately violating the privacy of an employee's work station.

(E) Public decision-making must be fair and impartial and shall be non-discriminatory on the basis of protected classes, such as racial and religious groups, outlined in federal, state and town laws and ordinances. Public officials shall conduct business and operate in a manner that is free from illegal discrimination on the basis of age, sex, color, race, disability, national origin, or religious persuasion.

(F) Public officials shall not use their political or appointed office to advance private interests and engage in political campaigning at town meetings or within town buildings.

(G) No relative of a sitting Council Member, member of a town board, committee or commission may be employed by the town.

(H) Discussion of issues that may appear in the future before the Council or a board, committee or commission shall be prohibited when a situation arises where a quorum of the Council or a board, committee or commission exists. Numerous Arizona laws require that meetings of public bodies be open to the public, and that public records be available for inspection.

(Ord. 13-103, passed 12-17-2013)

📖 § 35.06 COMPLIANCE AND ENFORCEMENT.

(A) Public officials take an oath when they assume their duties to uphold the laws of the United States of America, the State of Arizona, and the Town of Dewey-Humboldt. Therefore, it is the intent of the Town Council to educate and, where necessary, to discipline public officials who violate this chapter.

(B) The process for enforcement follows:

(1) If a resident (complainant) thinks that a violation of this chapter has occurred, he shall complete a complaint form and file it with the Town Clerk within 14 days of the discovery of the alleged violation. The form will be available online or at Town Hall. The form will include the date of filing the complaint, the date of the alleged violation, the facts supporting the complaint, which part of the code is alleged to have been violated, and the name of the person alleged to have violated the code. The complainant will supply contact information so he can be told of the outcome of the complaint.

(2) Within seven days of receipt of the complaint, the Town Clerk shall forward the complaint and supporting documentation to a hearing officer appointed pursuant to division (C) of this section.

(3) The hearing officer shall conduct a hearing on the complaint within 45 days of the date of the complaint, which date may be extended by the hearing officer for good cause. The hearing is not subject to the open meeting law.

(a) The hearing officer shall provide notice of the hearing to the complainant and public official alleged to have violated this chapter at least ten days prior to the hearing.

(b) The hearing officer may request additional information from staff, the public official, the complainant and the Town Attorney.

(c) At the hearing, the complainant and the public official may submit evidence and testimony regarding the alleged violation. At the end of the hearing, the hearing officer shall issue his written decision regarding whether there has been a violation of this chapter and, if so, whether the violation was a major or minor violation.

(d) The hearing officer shall forward his written decision to the town council within five days of the end of the hearing. The written decision shall be a public record.

(4) The Town Council shall review the written decision of the hearing officer at its next regularly scheduled meeting or at a special meeting. If the complainant is a member of the Council, he shall recuse himself from the discussion and the vote. If the decision of the hearing officer is that the public official violated this chapter, the Council shall determine what sanctions, if any shall be imposed.

(a) For a first minor violation, the Council may discuss the violation with the public official and explain how to avoid a violation in the future. For a second minor violation, the Council may either discuss the violation with the public official or may adopt a public censure. For a third minor violation, the Council may adopt a public censure.

(b) For a first major violation, the Council may adopt a public censure. For a second major violation, the Council may remove the public official from a town board, committee or commission, or remove him from representing the town at other government entities such as CYMPO, NACOG, WAC or the like. For a third major violation, the Council may impose a fine of up to \$500 per § [10.99](#).

(c) The decision of the Council shall be final. The complainant shall be notified in writing of the decision of the Council.

(C) The Town Attorney shall prepare a list of at least three qualified hearing officers for presentation to the Council. For each ethics code violation complaint filed with the Town Clerk, the Council shall select a hearing officer from the list prepared by the Town Attorney. A complainant or public official who is a member of the Council shall recuse himself and not participate in the selection of the hearing officer.

(Ord. 13-103, passed 12-17-2013; Am. Ord. 15-112, passed 4-21-2015)



**TOWN OF DEWEY-HUMBOLDT
PUBLIC BODY RULES OF POLICIES
AND PROCEDURES**

PG No TC12-01

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

Effective Date:

April, 3, 2012

Subject: *Telephonic Attendance*

1. **Purpose:** To establish guidelines for participation in Public Meetings by telephone or video conference.

2. **Scope:** This policy applies to all public bodies of the Town. In this Policy, "public bodies" shall mean the Town Council and all boards, commissions and committees of the Town.

3. **Background:**
 - 3.1. Pursuant to Dewey-Humboldt Town Code Section 31.16 Organization and Conduct (C), the conduct of board, commission, and citizen committee meetings is governed by the same rules of policy and procedure as the Town Council.

 - 3.2. Pursuant to Town Code Sections 32.15 and 32.16, the Town Council is authorized to establish written policies outlining and defining town matters within the powers and duties granted to the town council under state law and ordinances.

4. **Attendance Policy:**
 - 4.1. Members of the Town's public bodies shall attend meetings in person, if possible but may attend a maximum of two (2) meetings per year by telephone or video conference if circumstances prevent attendance in person.

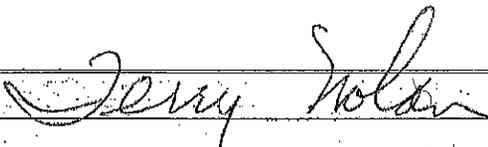
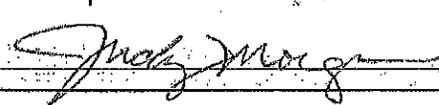
 - 4.2. When a member is unable to attend a meeting in person, he/she may attend the meeting by telephone or video conference, provided:
 - 4.2.1. He/she has not exceeded his/her maximum limit of telephone or video conference attendance of 2 times per year; and,

 - 4.2.2. The Public body member has provided at least twenty-four (24) hour advance notice to the Town Clerk of the necessity for him/her to attend the meeting telephonically.

5. **Open Meeting Law Compliance Policy.**
 - 5.1. The definition of "meeting" in the Open Meeting Law of the State of Arizona includes participation in a meeting of the public body by telephone and video conference.

 - 5.2. Notice of all meetings of Town public bodies shall include notification of the possible attendance of a member by telephone or video conference.

- 5.3. Facilities will be used at the public body meeting to permit the public to observe and hear all telephone or video communications.
- 5.4. The minutes of the public body meeting shall clearly set forth which members were present in person and which were present by telephone or video conference. The minutes shall also describe the procedures followed to provide the public access to all communications during the meeting.

TERRY NOLAN, MAYOR	
ATTEST:	
JUDY MORGAN, TOWN CLERK	 4/5/12
Notes:	

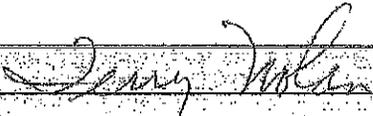
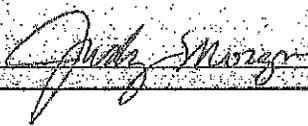
4.2 All staff members shall obtain permission from the Town Manager prior to contacting the town attorneys for services.

4.3 All requests for legal advice regarding an issue related to a committee, commission or board shall be made through the chair. The chair may submit a request form stating the specific question the public body needs answered to the Town Clerk for the Town Manager to process. If the Town Manager believes that the amount of time required is more than 15 minutes, the question will be put on the agenda for Council approval. Otherwise, it will be forwarded to the Town Attorney to answer without the Council approval.

4.4 The Town Manager is the Council's point of contact to contact the attorneys. Councilmembers' requests for legal advice shall be directed to the Town Manager.

4.5 If the matter is urgent or time-sensitive and the Town Manager is unavailable due to sickness or otherwise out of the office, the Town Manager's designee or the Town Clerk will assume the duties outlined in this policy relating to Town Attorney services.

4.6 Legal research results and opinions on specific questions directed by the Council will be disseminated to all Council members.

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



**TOWN OF DEWEY-HUMBOLDT
PUBLIC BODY RULES OF
POLICIES AND PROCEDURES**

PG No TC13-02

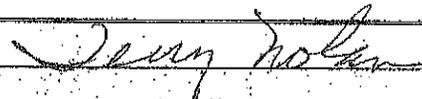
**All Public Bodies : Town Council, Board,
Commission, and Committees**

Effective Date: November 19, 2013

**Subject: *Council and other Public Bodies
Training and Travel***

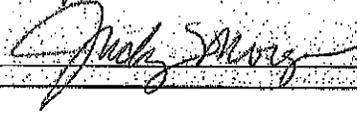
1. **Purpose:** To establish guidelines for Mayor and the Council and all public bodies' training and travel at Town's expense. This policy is to update and replace PG No. TC 12-03 which was modified in November 2013 at the Town Council's direction.
2. **Scope:** This policy applies to all public bodies of the Town. In this Policy, "public bodies" shall mean the Town Council and all boards, commissions and committees of the Town. It does not include Town Staff.
3. **Background:**
 - 3.1. Town Council has determined that it is in the Town's best interests to create policy to reimburse training and travel expenses of the Mayor and councilmembers in conducting official business of and for the benefit of the Town.
 - 3.2. Pursuant to Town Code Sections 32.15 and 32.16, the Town Council is authorized to establish written policies outlining and defining town matters within the powers and duties granted to the town council under state law and ordinances.
4. **Public Body Travel Policy:**
 - 4.1. Authorized travel, lodging and other reasonable expenses incurred as a result of members of the Public Bodies attending out-of- town trainings or meetings that are town business related may be paid for or reimbursed by the Town pursuant to Administrative Regulation No. 10-04 (attached).
 - 4.2. "Authorized travel expenses" are expenses incurred as a result of a member's attending trainings or meetings that are made upon the Town Council's request or designation, or that are consistent with the member's official duties at the Town Council's discretion. Council's pre-authorization is required in order for town staff to process individual public body member's travel expense reimbursement request unless the travel expense has been specifically approved and included in the annual budget. In any case, the attendance at the training would benefit the Town.
 - 4.3. Public body members who use Town funds to attend trainings or meetings will provide a written summary of the training or meeting within 30 days following the event. All materials and publications related to the training shall become the property of the Town. Meeting/Training materials and publications will be placed into binders by the attending public body members, and binders will be kept at town hall.

TERRY NOLAN, MAYOR



ATTEST:

JUDY MORGAN, TOWN CLERK



Notes: _____

Attachment:

Administration Regulation 10-04 - Travel Expenditures Policy and Procedures and associated forms
(adopted in June 2010)

1. **SCOPE.** This policy applies to all Town staff, Council, Committee, Commission and Board Members.
2. **PURPOSE.** To facilitate travel payment requests, reimbursements, reconciliations, and vendor payments, while meeting Internal Revenue Service (IRS) requirements. To provide clear and consistent guidelines for purchasing card payments, and reimbursement of business-related expenses incurred by a Town of Dewey-Humboldt traveler while traveling to engage in Town business.
 - 2.1. This policy ensures that Town employees and officials follow appropriate procedures when arranging for travel, lodging, and other reasonable expenses incurred as a result of traveling to conduct authorized Town business. This policy is also to ensure that payments made by the Town are for actual and necessary expenses incurred for Town business.
 - 2.2. The guidelines outlined within this policy are considered reasonable, and all Town of Dewey-Humboldt travelers (employees, contract staff, Town Council, Committee, Commission and Board Members) are expected to manage their travel expenditures according to this policy.
3. **TRAVEL EXPENDITURE POLICY.** Travel expenses are not only one of the most scrutinized expenses (public and private) that the Town of Dewey-Humboldt pays, but the IRS also heavily regulates them. The IRS allows that payments for business and training travel may be made without being taxed to the employee as long as the company maintains an "accountable plan." To be considered an "accountable plan," a business-expense reimbursement arrangement must meet three conditions:
 - 3.1. **BUSINESS CONNECTION** - Payments made under the plan must be for work-related expenses.
 - 3.2. **SUBSTANTIATION** - Travelers must substantiate, within a reasonable period of time, the amount, time, use, and business purpose of the allowance or expense payment.
 - 3.3. **RETURN OF EXCESS PAYMENTS** - Travelers must be required to return, within a reasonable period of time, any amounts that exceed their substantiated expenses.

These guidelines must be followed in order to retain the Town's "accountable plan" status with the IRS. Any allowances (lodging, ground transportation, etc.) advanced for a traveler must be supported by a Post Travel Reconciliation within 21 working days after return date of travel or the Town may initiate the process of converting all allowances provided into taxable compensation to the traveler.

- 3.4. All Town travel reconciliations will be routinely audited to ensure they follow proper Town of Dewey-Humboldt guidelines and IRS regulations (*not to mention they are subject to regular press inquiry*). Travel expenses submitted without receipts may not be reimbursed as an allowable business expense under an accountable plan (per IRS guidelines).
- 3.5. THE ADVANCE TRAINING/TRAVEL REQUEST (ATR) AND POST TRAVEL RECONCILIATION (PTR) Form is required for all Town travel - regardless of whether costs are paid by purchasing card. The purchasing card purchases are to be listed on the Travel form as Town pre-paid items.
- 3.6. BUSINESS TRAINING AND CONFERENCES EXPENSES are budgeted in account code 6020 "Training and Travel." Overnight Training/Business Travel Expenses is defined as all travel-related expenses when traveler cannot travel to, conduct Town business and return travel within a full work day, e.g., 10 hours

maximum. Travel and business that requires less time than this does not justify overnight stay and added travel expenditures for room, meals and transportation, unless the Town Manager specifically authorizes an exception. Registration and/or mileage expenses for "Same Day Training/Business Expenses" should also be charged to account 6020.

3.7. **PURCHASING CARD.** The Town Purchasing Card can be used to pay for airline tickets, registration fees for conferences and seminars, hotel lodging charges, restaurant meals, rental car, taxi or shuttle. The Town Purchasing Card cannot be used to pay for alcohol, tobacco, prohibited goods and services or non-Town employee expense (i.e. airfare, hotels, etc.). See AR 09-03 Credit Card Procedures for additional reference.

3.8. The ATR Form is required for all Town travel - regardless of whether costs are paid by purchasing card. The purchasing card purchases are to be listed on the Travel form as Town pre-paid items.

3.9. **INSURANCE.** To reduce the risk of injury, all travelers are to wear seat restraints at all times when riding in ground transportation. If a traveler is involved in an accident while traveling on Town business, first seek medical attention if so required. If possible, gather information about the incident such as names of persons involved and/or the police officer that was at the scene, and all that. Report the information to the Town Manager and your immediate supervisor at the earliest possible time.

3.9.1. If a traveler is involved in an accident while driving his/her personal auto on authorized Town business, the traveler should first contact his/her insurance agent to report the accident. Then contact the Town Manager (or Designee) with details regarding the incident.

3.9.2. Non-Town employees (guests) are not permitted to use/drive a Town rented vehicle. However, allowing guests to accompany a Town employee/contract staff in a rental or personal vehicle is permissible so long as the guests are part of the normal course of Town business.

3.10. **NON-REIMBURSABLE EXPENSES** include:

3.10.1. Trip or personal accident insurance policies.

3.10.2. Personal automobile insurance or maintenance.

3.10.3. Damage to a traveler's personal vehicle that was used while on Town business.

3.10.4. Personal medical expenses (should be submitted under traveler's own medical insurance).

3.10.5. Theft, loss, or damage to personal luggage or property (should be submitted under the traveler's own insurance coverage).

3.11. **CONFERENCE/SEMINAR REGISTRATION FEES.** The cost of registration shall be included on the ATR Form. If indicated on the form, Accounts Payable will send a Town check for registration fees directly to the sponsoring agency. Include a copy of the conference/registration form, and supporting documentation indicating the purpose/business nature of the trip (e.g., travel brochures, bulletins, etc.) with the Travel Request form.

Note: the registration cost must be included on the ATR Form, even if paid by purchasing card, so that the total cost of the trip can be determined.

3.12. **AIR TRAVEL.** Air coach transportation will be limited to an economy class commercial air carrier for out-of-state travel. All airfare bookings will be arranged by Finance after review of at least three comparable price quotes to substantiate that the traveler obtained the most cost-effective rate to the Town that meets their business travel needs. In some cases, the lower airfare may require the traveler to endure a connecting flight or slightly longer layover between flights. When the lowest fare requires multiple connections or very lengthy layovers, it may make business sense to select an alternate to the lowest fare. The decision for selecting the most appropriate and cost-effective option shall be made with input from Finance, traveler, and management.

3.12.1. The price quotes may be obtained through web-based travel services or directly from the travel providers (for example: Orbitz, Travelocity, Expedia, etc. and Southwest Airlines). Criteria for flight selection should be based on the lowest available commercial airfare, taking into consideration cost, expediency, and the carrier. All three price comparisons must be attached to

the ATR Form when submitted to Finance. Note: If the travel destination is one of Southwest Airlines' posted destinations, one of the required three quotes must be from Southwest Airlines. If the traveler declines the lowest available fare, additional justification may be requested by Finance to support the alternate choice and will be attached to the ATR Form.

3.12.2. Travelers are expected to have their trips authorized early so that airfare arrangements can be made at least 21 days prior to travel to take advantage of less expensive flight options. Waiting until the last minute becomes extremely costly to the Town. Airfare arrangements made less than 21 days in advance shall have documentation explaining as to the business necessity for last minute travel arrangements that will be attached to the ATR Form.

3.12.3. When a traveler makes personal stops enroute to a business destination, the traveler will only charge the Town up to the cost of a round trip coach ticket from Phoenix to the business destination. Travelers shall obtain documentation supporting the cost of the round trip coach ticket from Phoenix to the business destination point at the time the ticket, including personal stops enroute is purchased. The documentation supporting the amount that is reimbursable to the traveler shall be submitted as part of the travel reconciliation. All additional non-business cost must be paid by the traveler.

3.12.4. Use of other modes of transportation (bus, rail, rental car, Town vehicle, and personal vehicle) may be required based on circumstances of travel that render air transportation uneconomical or Impractical. It is recommended that the number of Council Members and/or Town management staff traveling on the same flight be limited to three, in the event of a serious accident.

Note: The cost of the airline tickets must be included on the ATR form, even though they are paid by purchasing card, so that the total cost of the trip can be determined.

3.13. LODGING. When possible, in most instances, traveler shall stay in the hotel where the event is taking place. This will reduce the need for a rental car, daily parking expense for the rental car, or other ground transportation expense. All hotel arrangements shall be made by Finance. There may be instances where the room rate offered by the conference is lower than what can be obtained on the internet or through need for additional ground transportation expense for an offsite hotel. Travelers should always inquire about government room discount rates and the event's discount rate.

3.13.1. Hotels usually request a credit card number to reserve the first night's stay and one night's charge may be required. During the reservation process, Finance will request a Credit Card Authorization Form (CCA) from the hotel. It is important to note that the CCA form be faxed to the hotel with a direct call to confirm receipt 1 week in advance of arrival. Any time sooner runs the risk of the form being "misplaced" by the hotel staff. Valid charges are to be specified on the CCA form and they include lodging, tax, parking, internet connection and local calls *only*. Movies, room service and personal items are not to be approved under any circumstances.

3.13.2. The "paid" lodging receipts must accompany the ATR Form whether the receipt amount matches the requested amount or not. Any meal or room service charges on the hotel bill, not paid directly by the traveler, shall be denied. ***Note: The cost of the hotel must still be included on the ATR Form, even if paid by purchasing card, so that the total cost of the trip can be determined.***

3.14. MEALS & INCIDENTALS. Itemized receipts can be submitted for all reasonable meals and Incidentals incurred while traveling (no alcohol, tobacco, reading material, personal items, etc.). Receipts for laundry will only be reimbursed if the trip required the traveler to stay overnight for more than 4 consecutive days. All expenses must be actual and clearly substantiated prior to reimbursement. Documented evidence, e.g., a itemized receipt, is required before reimbursement will be made.

3.14.1. Meal and incidental expense reimbursement is only allowed when it is necessary to stay overnight to conduct Town business. Travelers attending half-day or one-day training or conferences at which the traveler expects to return to work within a normal workday, (e.g., 10 hours) will not be reimbursed or advanced.

Note: the cost of the meals and incidentals must still be included on the ATR Form, even if paid by purchasing card, so that the total cost of the trip can be determined.

3.15. GROUND TRANSPORTATION. It is the traveler's responsibility to use the most economical means available for ground transportation and parking in order to maintain control over their departmental travel budget. In most cases, it is more reasonable to take a taxi, public transportation, or hotel transportation instead of renting a car.

3.15.1. Mileage from the traveler's normal place of work to the airport is considered an appropriate ground transportation charge. The mileage must be noted on the ATR Form and will be reimbursed at the standard mileage rate. Mileage from home to airport is not reimbursed.

3.15.2. When air, bus, or rail transportation is used, expenses for local transportation, such as taxicab and bus fare, will be allowed whenever such transportation is necessary to conduct Town business. Travelers should check ahead to see if a shuttle service is available for airport pick-up to conference or seminar locations. It is the traveler's responsibility to use the most economical means available for transportation and parking in order to maintain control over their departmental travel budget. Typical Shuttle service to Sky Harbor Airport currently charges \$34 one way and \$56 round trip per person with multiple pick-up and drop-off locations. Transportation and parking at Sky Harbor should not ordinarily exceed the cost of using the shuttle service.

3.15.3. To reduce the risk of injury, all travelers are to wear seat belt restraints at all times, when riding in ground transportation. If a traveler is involved in an accident while traveling on Town business, first seek medical attention if so required. If possible, gather information about the incident (e.g., names of persons involved and/or the police officer that was at the scene, etc.) as possible. Report the information to the Town Manager and your immediate supervisor at the earliest possible time.

3.16. PERSONAL AUTO USAGE. Travelers will be reimbursed for authorized use of their personal vehicle for Town business. The mileage reimbursement rate per mile will be updated periodically in accordance with the approved IRS guidelines www.irs.gov. The origination and destination addresses of the trip and the number of miles must be indicated on the ATR Form.

3.16.1. Though a personal vehicle may be used in lieu of air travel, mileage reimbursement shall not exceed the cost of refundable round trip air transportation (economy class) for a reservation made at least 21 days in advance of the trip. Miles traveled must be included in the *Estimated Travel Costs* portion of the ATR Form when the rate times the number of miles driven is being reimbursed. If airfare is the lesser, state that fact and request the amount of the airfare. Include a copy of an airfare quote (at least 21 days in advance) to substantiate the dollars requested.

3.16.2. Mileage will be reimbursed only for the miles in excess of the traveler's normal commute to Town offices, e.g., IRS regulations provide for reimbursement from work site to work site not including miles from home to work. Tolls and parking fees are considered reimbursable if incurred while driving for Town business (excluding to and from work).

3.16.3. If a traveler is involved in an accident while driving his/her personal auto on authorized Town travel, the employee's insurance coverage shall be deemed primary. The employee must first contact his or her own insurance agent to report the accident. Then contact the Town Manager with details regarding the incident.

3.17. RENTAL CARS. Travelers shall inquire about all ground transportation and use the most economical in figuring comparative costs. For example: the costs for shuttles, buses or taxis, are almost always less than rental cars. Information should be obtained about available ground transportation and costs from the organizations sponsoring the conference or training. It is expected that the traveler will take steps to ensure the Town gets the best possible rate. Travelers shall maintain documentation supporting the need for a rental car and that the chosen car rental was procured using the best possible rate to the Town. Travelers should base the quote on a standard or economy car model and obtain the following information in order to accurately estimate the total rental car cost. Travelers must ask about these items, otherwise, it is likely that the traveler will be given the base rental rate only which will not give a true estimate of costs.

3.17.1. The base 24-hour rental rate.

- 3.17.2. Availability of grace periods (many agencies will allow up to 59 minutes grace, or no charge for use beyond the 24-hour period).
- 3.17.3. Hourly pro rata cost beyond the 24-hour period.
- 3.17.4. Mileage costs, if any.
- 3.17.5. Applicable tax.
- 3.17.6. Any special or discount rates available.
- 3.17.7. The Town maintains the appropriate domestic car insurance coverage for its traveling employees. Therefore, you should decline all insurance when entering into a car rental agreement for business use in the US or Canada.
- 3.17.8. Travelers should fill up the gas before returning the car to avoid the high gasoline service charge assessed by the rental company. In some instances, the rental car agency offers their gas at a discounted price that is obviously lower than the market price. Traveler discretion is advised in all cases and the rental car receipt should be documented accordingly.

Note: the cost of the chosen transportation method must be included on the ATR Form, even if paid by purchasing card, so that the total cost of the trip can be determined.

- 3.18. TELEPHONE CALLS. During travel, all business-related telephone calls will be reimbursed. Documented evidence, e.g., a itemized statement, is required before reimbursement will be made.
- 3.19. NETWORK LAPTOP COMPUTER USAGE. Hotel charges for telephone lines to accommodate computer network usage can be very expensive and use should be limited to carrying out Town business which is absolutely necessary while travelling. Note: Travelers must take extra care to safeguard computer equipment and data when travelling.
- 3.20. TIPS. Reasonable and customary tips are reimbursable when incurred in the conduct of Town business. Tips are to be written in on the bottom of the receipt (i.e. hotel, taxi, restaurant, etc.) thereby becoming a part of the total of the particular expense category. The following are suggested guidelines for the most common tip occurrences:
 - 3.20.1. Restaurant tips should be 15%-20% depending on level of service.
 - 3.20.2. Tips for handling luggage should not exceed \$1 per piece of luggage.
 - 3.20.3. Room service tips are usually included in the bill.
 - 3.20.4. Taxi/shuttle driver tips should be 10%-15%. These tips are included as a ground transportation expense and can be reimbursed upon return as necessary.

Note: Local customs and circumstances should determine actual expenditure. For example, when traveling outside of the U.S. tips are typically included in the restaurant bill.

- 3.21. LAUNDRY SERVICE. Laundry and valet costs are reimbursable only if the duration of the trip is (a) longer than 4 consecutive days (does not include personal travel days), or (b) the traveler is unexpectedly required to extend a trip beyond its intended duration. When the above criteria are met, laundry expenses shall not exceed a reasonable amount.
- 3.22. GARAGE AND PARKING FEES. It is the traveler's responsibility to use the most economical means available for transportation and parking in order to maintain control over their departmental travel budget. Travelers should also consider the airports less expensive long-term parking for a trip that will last more than one day. Typical Shuttle service to Sky Harbor Airport currently charges \$34 one way and \$56 round trip per person with multiple pick-up and drop-off locations. Transportation and parking at Sky Harbor should not ordinarily exceed the cost of using the shuttle service. Check the per-day parking rate at the chosen hotel. These rates can be quite expensive and possibly above and beyond other ground transportation services that can be utilized each day.

Note: The cost of garage and parking fees must be included on the ATR Form, even if paid by purchasing card, so that the total cost of the trip can be determined.

- 3.23. PERSONAL TRAVEL. Travelers may arrange for an extra night stay over and/or a personal stop en route to a business destination, provided they reconcile and pay all additional expenses. All guest expenses are non-reimbursable and should not be included on any Town travel form.

- 3.24. POSTAGE. As needed for Town business.
- 3.25. MEALS PROVIDED FOR BUSINESS MEETINGS. In the course of Town of Dewey-Humboldt business, Upper Level Management travelers may be required to host affiliates or others for lunch, dinner, etc. Such occasions should not be extravagant or unreasonable and must meet a definite business purpose. A fully itemized receipt that documents the expense including the date, name and location of the meeting, and the name and company of those who attended the business function must support the occasion, as well as the Town of Dewey-Humboldt business need for the expense. All business meals incurred while hosting appropriate business affiliates are fully reimbursable as long as the cost is within reason. However, the purchase of alcoholic beverages will not be reimbursed and should not be included on the reconciliation form. Also see purchasing card section regarding use for meal expenses.
- 3.26. MISCELLANEOUS. Any other Town business related expense should be documented and may be reimbursed pending approval by the Town Manager and Finance as long as the expense is reasonable and complies with the Town's travel policy.
- 3.27. NON-REIMBURSABLE EXPENDITURES. The Town reserves the right to refuse to reimburse a traveler for (a) a charge that is not in accordance with the policy set forth herein; (b) a portion of the charge that exceeds the limit set forth in the policy; (c) any charges that are incurred that are not necessary for the conduct of the Town's business; and, (d) charges that are not substantiated by proper documentation and a fully itemized receipt. All expenses must be actual and clearly substantiated prior to reimbursement.

Note: There are certain common expenses that the Town believes are not necessary in the performance of the Town's business. A list of non-reimbursable items is below. This is not meant to be an all inclusive list:

- 3.27.1. Personal travel - Any personal expenses and all expenses related to inclusion of a guest while traveling during the trip. Non-business/personal air travel, auto rental, and hotel arrangements cannot be charged to your Town purchasing card. These expenses must be billed on a personal credit card or paid with personal funds and kept separate from Town travel.
- 3.27.2. Unauthorized attendance at conventions, meetings, or conferences.
- 3.27.3. Personal reading material including subscriptions for periodicals or magazines.
- 3.27.4. Fines or penalties for parking or traffic violations.
- 3.27.5. Hotel late charges for failure to notify and/or cancel reservations.
- 3.27.6. "Incidental Expenses" for tips and gratuities for baggage, maid, meals, etc., should be included as part of the post travel reconciliation along with lodging and ground transportation receipts. No additional allowance will be made for tips or gratuities.
- 3.27.7. Personal phone calls that exceed limitations as specified in this AR.
- 3.27.8. Personal entertainment (including hotel room movies and health club).
- 3.27.9. Alcohol.
- 3.27.10. Tobacco.
- 3.27.11. Cost of travelers checks.
- 3.27.12. Incidentals (barber, manicurist, or shoeshine, etc.)
- 3.27.13. Purchase of luggage, briefcases, etc.
- 3.27.14. Trip insurance policies.
- 3.27.15. Personal automobile insurance or maintenance.
- 3.27.16. Damage to a traveler's personal vehicle that was used on Town business.
- 3.27.17. Medical expenses (should be submitted under traveler's medical insurance).

- 3.27.18. Theft, loss, or damage to personal luggage or property (should be submitted under the appropriate Insurance).
- 3.27.19. Gifts, cards or donations.
- 3.27.20. Any expenses incurred by the traveler's family or guests.
- 3.27.21. Any expenses deemed to be excessive and/or not justified for Town business per the traveler's manager.
- 3.27.22. When Town employees are paid by outside companies to attend or speak while on Town-paid travel, those proceeds (compensation) received must be deducted from the travel expense amount paid by the Town or that the Town is requested to pay.
- 3.27.23. Town travelers may stay with a friend or relative while traveling; however, the Town will not reimburse for any payment to the friend or relative for lodging, meals, or transportation.
- 3.27.24. Expenses incurred as part of election campaign activities shall not be reimbursed.

Note: If it is later determined that expenses covered by prepayment to a sponsoring or service providing organization or by advance payment or reimbursement to a Town traveler do not comply with this policy, the value must be refunded by the benefiting Town employee.

3.28. **RESPONSIBILITIES.** All Town travelers must obtain an approved Training & Travel Request and Reconciliation Form prior to any travel arrangements. The Town Manager may sign his/her own Training & Travel Request and Reconciliation Form. All other travel request forms must be approved by the Town Manager and Finance.

3.28.1. Each Department Head is also responsible for ensuring travel requests submitted by their subordinates is consistent with Town policy and has met all the advance requirements of the regulation. Before the Employee request for training and/or travel has been approved, the traveler must prepare a **ATR Form**. Responsibility for review and pre-approval of the **ATR Form** is delegated to Directors and Managers within each department. It continues to be the primary responsibility of the Directors and Managers within each department to ensure validity of travel, and that all expenses are properly documented and correctly incurred within the guidelines of the Town travel expense policy. Management is also responsible for providing/communicating the Town's travel guidelines to all Town travelers.

3.28.2. An **ATR Form** for all staff must include the approval, review and signature of the Town Manager and Finance.

3.29. **PROGRAM/PROCESS CONTROLS.** Internal management controls and oversight include:

3.29.1. Requires advanced travel estimates and pre-approval from upper level management prior to travel arrangements. This approval must be obtained whether the trip is paid by Town funds or the meeting/conferences hosts or sponsors pay for the trip.

3.29.2. Requires approval of two levels of management above the traveler on the **ATR Form**. An approved form is required whether the trip is paid by Town funds or whether the meeting/conferences hosts or sponsors pay for the trip.

3.29.3. Requires timely submittal of travel reconciliation.

4. **TRAVEL PROCEDURES:**

4.1. **TRAVELER.**

4.1.1. Download and prepare an **ATR Form**, attach support for travel estimates, (e.g. Conference Brochure, registration form, maps, quotes.) The **ATR Form** must be submitted to Finance **no less than six weeks before the travel date, if airfare is involved** otherwise, three weeks.

4.1.2. Use estimates and other expense information (e.g. shuttle, mileage, meals estimates) to complete the **ATR Form**. Copies may be obtained on the Town S-drive in the Forms folder.

4.1.3. Obtain airfare price comparisons using Orbitz, Travelocity, or Expedia and Southwest Airlines or three separate airlines (with Southwest Airlines as one of the airlines) to secure the best possible cost to the Town (i.e., airfare, shuttles, etc.), see §3.11.

4.1.4. Once the Employee request ATR Form has been approved, travel arrangements shall be made (hotel, airfare, etc.) by Finance. Travel expenses, such as conference registration or hotel accommodations, can be paid directly to the vendor by Town check or purchasing card. Airfare accommodations can be paid directly by Town purchasing card. Be sure to include any expenses that have been pre-paid by purchasing card on the form. The traveler cannot sign his/her own travel request unless specifically authorized by §3.25 of this policy. The traveler's supervisor or manager who has signature authority for the charge center must sign the request.

4.1.5. While traveling, it is the traveler's responsibility to obtain *Itemized* receipts for *all* expenses incurred. Collect all receipts for lodging, cab fare, shuttle fare, business calls etc., and turn them in with your post-travel reconciliation.

4.1.6. Upon return from the trip, the Post Travel Reconciliation (PTR) portion of the travel form must be completed, approved (signed by supervisor/manager) and submitted within 21 working days after return date of travel. All receipts must be included as required, including receipts when purchasing card was used to arrange the training/travel (Finance). No expenses will be reimbursed without an Itemized receipt.

Important Note: If the Post Travel Reconciliation is not completed and submitted to Finance within the 21-day period or if receipts are not included, lodging and any ground transportation expenses may be denied and/or considered taxable wages and added to the traveler's payroll records.

4.1.7. Have the post travel reconciliation reviewed and approved by authorized management.

4.2. UPPER LEVEL MANAGEMENT / DEPARTMENT HEAD.

4.2.1. Review the form as it relates to the employee's training plan. Confirm that the proposed training meets the requirements for the position. Affirm that the training event is listed in the current budget, that the estimated amount is available in the employee's training budget and that the funds are available.

4.2.2. Review and verify the Request for Training and/or Travel Form for completeness per requirements in all sections.

4.2.3. Confirm that coverage for the employee absence will be possible.

4.2.4. Initial the form to indicate that you approve the training and have verified coverage for the dates and times proposed; forward to Finance.

4.2.5. Once the traveler returns, require the traveler to complete and submit the Post Travel Reconciliation portion of the travel form within the next few weeks after travel (the form must be in Finance no later than 21 working days after return date of travel) for your approval. Review all after trip expenses and ensure that all Town policies have been followed and that the appropriate documentation is enclosed. Approve the travel and expenses by signing in the post travel section and ensure that it reaches Finance within the time period allowed.

Important Note: If the Post Travel Reconciliation is not completed and submitted to Finance within the 21-day period or if receipts are not included, lodging and any ground transportation expenses may be considered taxable wages and added to the traveler's payroll records.

4.3. TOWN MANAGER AND FINANCE (SIGNATURE AUTHORITY).

4.3.1. Finance: Administer the Town travel process.

4.3.1.1. Confirm the data on the form and supporting documents.

4.3.1.2. Receive the Travel and Training Requests and the Post Travel Reconciliations. Ensure that all documentation is included and that Town policies have been followed. Checks will be printed per policy guidelines.

4.3.1.3. Verify the training event is listed in the employee's training plan.

- 4.3.1.4. Verify the training event is listed in the current budget, that the estimated amount is available in the employee's training budget and that the funds are available.
- 4.3.1.5. If all of the requirements are met, sign the form and forward to Town Manager for final approval.
- 4.3.1.6. Log the training event in the training and travel spreadsheet.
- 4.3.1.7. Review the training and travel spreadsheet and contact any traveler that has not returned their post travel reconciliation within the specified timeframe.
- 4.3.1.8. If any of the requirements are not met; indicate the missing information and/or discrepancy and return the form to the employee's supervisor/manager.
- 4.3.1.9. Upon receipt of post travel reconciliation; review the details, expenditures figures and verify receipt(s) details. If the reconciliation is complete sign off and forward to Town management for a second signature.
- 4.3.1.10. If any of the post travel requirements are not met; indicate the missing information and/or discrepancy and return the form to the employee's supervisor/manager.
- 4.3.1.11. Upon receipt of Town Manager's approval process the reimbursement request with the next accounts payable check run.

4.3.2. Town Manager; Review and approve or deny.

5. DEFINITIONS/GLOSSARY.

Accountable plan: A business-expense reimbursement which meets certain conditions set by the Internal Revenue Service.

Advanced Training/Travel Request (ATR) and Post Travel Reconciliation (PTR) Form: The ATR portion of this form is submitted to Finance, along with required documentation, at least six weeks prior to overnight travel. The ATR is utilized to approve the travel and to request payment of travel expenses. The PTR portion of this form is submitted to Accounts Payable, along with required documentation, within 21 working days after return date of travel. The PTR is utilized to approve all final travel expenses and reconcile all advance payments and totals.

Employee Request for Training and/or Travel Form: Form used to justify the need to attend conference and training that requires overnight travel by Town staff. Must include all associated costs and justifications. The form is required to be approved prior to making any travel arrangements.

Ground Transportation: Local forms of transportation (i.e., taxi, shuttle, bus, subway, etc.)

Incidental expenses: Includes, but is not limited to, expenses for laundry, maid service, baggage handling or other fees and tips for services. Incidentals do not include taxi fares or the cost of telephone calls, which should be included in ground transportation or lodging expenses.

Itemized receipt: A detailed receipt received for goods and services, which specifically lists each individual charge and exactly what was purchased, total of all charges, method of payment, and remaining balance (if any).

Travel: A trip to conduct official Town business, which cannot be completed within a full workday and usually requires an overnight stay.

Upper Level Management: Town Manager, Finance Director, Charter Officials, Elected Officials, Department Head or Administrator.

6. FORMS.

Advance Travel Request (ATR) and Post Travel Reconciliation (PTR); This combination form must be completed for all Town travel (account #6020). The completed ATR/PTR form signifies that travel is required to conduct Town business and all travel pre-pays/advances and post-trip reconciliations and reimbursements have been properly reviewed and authorized as required by IRS guidelines for

an Accountable Travel Plan. This form is the only form that will be accepted by Finance – all other forms will be returned to the requester.

The post travel reimbursement reconciliation (PTR part of the form) is submitted to Finance within 21 working days after return date of travel and must also be signed as stated above. The traveler may not sign approval for him/herself nor may a subordinate sign for approval.

All expenses relating to the travel must be recorded on the PTR form, whether Town check, personal check, Town purchasing card or cash paid the expenses. All reimbursements must be requested through this form. No travel reimbursements may be made through the Town's Petty Cash. The PTR form must be submitted after return from traveling regardless of whether or not any funds are due the traveler or the Town.

There can be no more than one traveler listed per form. Submit separate forms for additional travelers.

Expenses that are submitted without receipts may not be reimbursed, per IRS guidelines.

 TOWN OF DEWEY-HUMBOLDT TO BE DETERMINED	PG N^o TC15-01
All Public Bodies : Town Council, Board, Commission, and Committees	Effective Date: December 1, 2015
Subject: <i>Regional organization appointments</i>	

1. Purpose and Scope: To provide a procedure for Council or other public bodies to appoint representatives to regional organizations. Town staff representation at regional organizations is not subject to this policy.

2. Background:

The Town participates in the activities of several regional organizations, such as the Central Yavapai Metropolitan Planning Organization (CYMPO), the Northern Arizona Council of Governments (NACOG), the Greater Prescott Regional Economic Partnership (GPREP), the League of Cities and Towns, and others. It is important that the Town has representation at these regional organizations. Town Council usually appoints the Mayor or a Council Member to serve as Town's official representative at each organization.

3. Policy and Appointment procedures:

3.1 An appointment to a regional organization may be initiated by a request of the agency or a council decision to ensure the Town is properly represented at the organization. The Council appointee may or may not serve on a board, commission or committee within the regional organization.

Town Council, as of the effective date of this Policy, has appointed the Mayor and/or Council members to represent the Town at the following organizations:

- CYMPO – Executive Governing Board
- GPREP – Governing Board
- NACOG – Council
- Yavapai Regional Medical Center – Board of Electors
- GAMA (Greater Arizona Mayors' Association)
- Yavapai County Interagency Coordination Committee

The Town's representation to regional organizations is not limited to the above list and organizations may be added or deleted at the Council's discretion.

3.2 When the Town receives an invitation or a request for a public body member to represent the town at a regional organization, the matter shall be placed on a regular

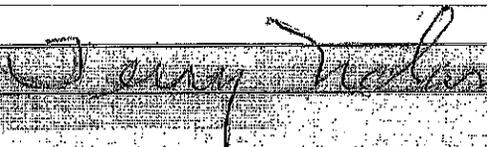
meeting agenda for the Council to make an appointment decision. Such decision may be made by motion unless otherwise required by the regional organization.

3.3 It is Council's policy that when a Representative to a regional organization is appointed, Council will also appoint an alternate representative to the same organization.

3.4 Once appointed, the appointee shall make every effort to represent the town properly and provide periodic reports to the Town Council. The appointee shall comply with applicable town codes and policies, including Town Code section 30.085 Representing an Official Town Position.

3.5 Council will review the Regional Organization appointee list to reappoint and/or continue the existing appointments at the second regular Council meeting in December of each year. If, for any reason, Council fails to do so, the appointees shall remain in their positions until new appointments have been made.

3.6 If a person appointed as a representative or alternate representative to a regional organization resigns or is unable to serve, the Town Council shall appoint a new representative and/or alternate at the next available Council meeting. The new representative may or may not be the alternate to the representative who resigned.

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

 TOWN OF DEWEY-HUMBOLDT TO BE DETERMINED	PG No TC16-01
All Public Bodies : Town Council, Board, Commission, and Committees	Effective Date: May 17, 2016
Subject: <i>service recognition</i>	

1. Purpose and Scope: The Town Council intends to recognize the contributions made by the council members and board/commission/committees and confer awards for extended period of services. The award will be of minimum cash value, yet represent an invaluable appreciation by the Town. This policy provides for the circumstances under which certain awards may be conferred to an individual.

2. Service awards types:

2.1 Award formats: A framed certificate or plaque or a memento of minimal cash value.

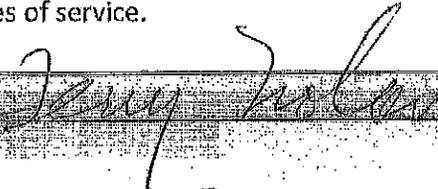
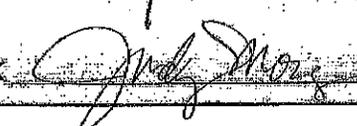
2.2 Council Member Recognition. Council may choose to recognize a council member's tenure and present an award to the Councilmember at the end of his or her term of office and/or when he/she leaves the office for other reasons. If being recognized, the council member's length of service will be denoted in the award.

2.3 Board, Commission, Committee Member Recognition. Council may choose to recognize a Board, Commission, or Committee member for his/her service when he/she leaves a board, commission or committee upon request by the Chair or another member of the same Board, Commission or Committee.

2.4 Other Recognition. Council, may from time to time, choose to recognize a public body member for outstanding service during the member's term in the office. This recognition is solely a discretion of the Council and initiated at the direction of the Council.

2.5 Service award may be presented at a council meeting.

2.6 In order for the Town Staff to arrange for an award presentation to a Council Member or a Board/Commission/Committee Member, a member of the respective public body will inform the Town Manager to initiate the recognition. If needed, the recipient can be contacted to verify the dates of service.

TERRY NOLAN, MAYOR	
ATTEST:	
JUDY MORGAN, TOWN CLERK	
Note:	

 TOWN OF DEWEY-HUMBOLDT	PG No TC16-02
All Public Bodies: Town Council, Board, Commission, and Committees	Policy Date: July 5, 2016
Subject: <i>Allowing Firearms on Municipal Premises as authorized by Resolution 07-35.</i>	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. 07-38

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 28th day of March, 2017.


Robert Greene
Mayor

ATTEST:

Debbie Gifford, MM
Town Clerk


Kington D. Jones
Town Attorney

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

 TOWN OF DEWEY-HUMBOLDT	PG No 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.

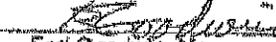
NOW THEREFORE, be it resolved by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that:

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.

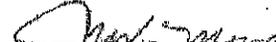
Section 2: Authorization to Prepare Documents. The Town Manager, Town Clerk, Town Attorney, and any other necessary persons are hereby authorized to prepare the agreements, forms and instruments contemplated to be used by the Town in implementing the provisions of the NIMS.

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

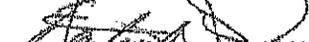
PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 2nd day of September 2008.

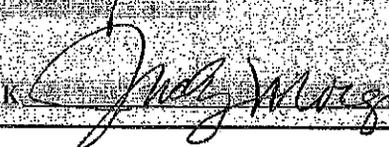

Earl Goodwin, Mayor

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 No 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 No: 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 12th day of November 2008.

ATTEST:

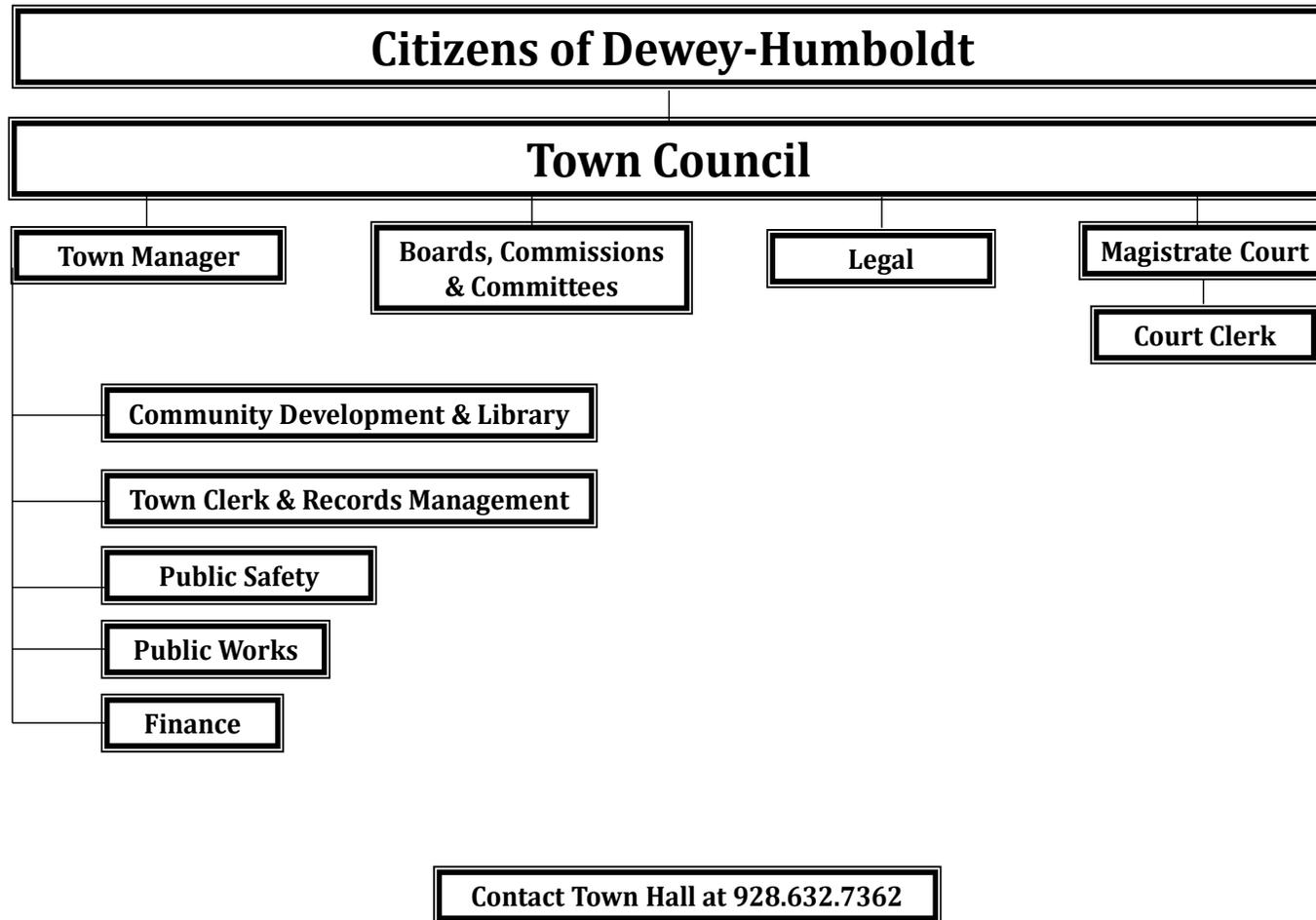
Judy Morgan, Town Clerk

Earl Goodwin, Mayor

APPROVED AS PER FORM:

Kenon Jones, Esq. Town Attorney

FERRY NOLAN, MAYOR	<i>Ferry Nolan</i>
ATTEST:	
JUDY MORGAN, TOWN CLERK	<i>Judy Morgan</i>
Notes:	



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Agenda Item 4.1.
Tentative Agenda List for 2016

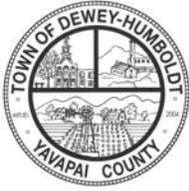
December 20, 2016 Regular Council

- ✦ Vice Mayor appointment. (based on the clarification with the council at the 12/15/2015 meeting- council)
- ✦ Re-appointment of Commissioners who's terms are due to expire January 2017. (JM)
- ✦ To place a permanent bulletin board off Kachina Pl. (CM Wendt CARRF pending)
- ✦ DH HS Aqua Fria Fest accounting report (per Festival accountability contract)
- ✦ Council regional organization appointments (PG no 15-01) *"Council will review the Regional Organization appointee list to reappoint and/or continue the existing appointments at the **second regular Council meeting in December of each year.**"*
- ✦ Review of 2017 Meeting Schedule and holiday conflicts. (JM/YK)

~jan. 17 meeting – report of the 8-6 work schedule. Also considering repeal the AR – flexible work schedule.

Deni's finance report 10/1/2016 – 12/31/2016 report – January study session
April 4 2017 council meeting – Mayer Meals on Wheels second bi-annual presentation (Deni contact)
April 18 2017 council meeting – DH HS business plan 2nd presentation (according to Accountability contract/ Deni contact)

Items contained within are tentative in nature. Official meeting agendas are subject to changes without further notices and will be published according to the Open Meeting Law and other applicable codes and regulations.



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

Tentative Meeting Items for 2017

January 3, 2017 Regular Council

- ✦ ~~Interview and possible appointment of BOA Applicants (Pending background check timeline-JM)~~
- ✦ ;.
- ✦ First Pw report – half year, budgeted projects update (extra \$ one time projects), routine projects per maintenance plans

January 5, 2017 Planning and Zoning

- ✦ Public hearing on Ordinance to establish BOA / public hearing and recommend council to adopt

January 10, 2017 Work Session Council

- ✦ July 1, 2016 to December 31, 2016 building permit report
- ✦ Code enforcement bi-annual report

January 17, 2017 Regular Council

- ✦ Antelope Way ROW abandonment ?????(Hambrick & Porter, continued from x 2016 and 2014- 2015 discussion meeting)
- ✦ Report on “extended hours”
- ✦ 10/1/2016 – 12/31/2016 financial report
- ✦ Ordinance to reinstate BOA, public hearing council and council adoption

February 7, 2017 Regular Council

- ✦ Report of private road transition policy research (Ed/Yvonne – county improvement district, maintenance district; S.G. – improvement district)
- ✦
- ✦

Upon BOA establishment, training of its roles and procedures and their responsibilities/
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February 9, 2017 Planning and Zoning

- ✦ tbd

February 14, 2017 Work Session Council

- ✦ tbd

February 21, 2017 Regular Council

Items contained within are tentative in nature. Exact meeting agendas are subject to changes without notice. Official agendas for scheduled meetings will be published according to the Open Meeting Law and other applicable codes and regulations. Please contact Town Clerk at 632-7362 if you have questions regarding meeting agendas.