

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

Tuesday, August 21, 2012, 6:30 P.M.

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

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

AGENDA

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

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Invocation.

3. Roll Call. Town Council Members David Hiles, Mark McBrady, Dennis Repan, Denise Rogers, Nancy Wright; Vice Mayor John Dibble; and Mayor Terry Nolan.

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

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

5. Town Manager's Report. Update on Current Events.

6. Consent Agenda.

6.1. Minutes. Minutes from the August 7, 2012 Regular Council Meeting and August 14, 2012 Special Study Session Meeting.

7. Comments from the Public (on non-agendized items only). The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. A **3** minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

8. **Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.
9. **Discussion Agenda – New Business.** Discussion and Possible Action on matters not previously presented to the Council.
- Page 15 **9.1. Public Safety quarterly report.** By Magistrate Judge Kelley and Lieutenant Newnum.
- 23 **9.2. Open Space and Trails Committee Progress Update.**
- 25 **9.3. Request for Travel and Meals.** [Mayor Nolan CAARF Request] Mayor requesting to attend Innovation Summit.
- 29 **9.4. Reduce Council meetings from three meetings a month to two meetings a month.** Consider amending Town Code 30.101 Regular Meetings and/or 30.102 Study Sessions. [Mayor Nolan CAARF request]
- 31 **9.5. Discussion of proposed Joint Council and P & Z Meeting.** [CM Repan CAARF request]
- 10. Public Hearing Agenda.**

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Comments from the Public. The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Comments from the Public is **20** minutes. No time limit is imposed on individuals within this total. The audience is asked to please be courteous and silent while others are speaking.

12. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, Sept 4, 2012, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, Sept 6, 2012, at 6:00 p.m.

Next Town Council Work Session: Tuesday, Sept 11, 2012, 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 _____, 2012, 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
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, AUGUST 7, 2012, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, AUGUST 7, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:30 p.m. Mayor Nolan presided.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
 - 2.2. **Invocation.** Given by Councilmember Wright.
3. **Roll Call.** Town Council Members David Hiles, Mark McBrady, Denise Rogers, Nancy Wright; Vice Mayor John Dibble; and Mayor Terry Nolan were present. Councilmember Dennis Repan was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.** Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

Mayor Nolan announced and congratulated Planning and Zoning Commissioner Arlene Alen's recent leadership award, Manager of the Year, through Lockheed Martin. She received this award for her volunteerism through the Neighbor to Neighbor program.

5. **Town Manager's Report.** Update on Current Events.
None.
6. **Consent Agenda.**
 - 6.1. **Minutes.** Minutes from the July 10, 2012 Special Study Session and July 17, 2012 Regular Meeting.
Vice Mayor Dibble made a motion to approve as presented, the minutes from the July 10, 2012 special study session and July 17, 2012 regular meeting, seconded by Councilmember Wright. It was approved unanimously.

7. **Comments from the Public (on non-agendized items only).**

Chris Berry spoke on Mortimer Family Farms sign code violation; lifting the moratorium on the sign code; signage in rights-of-way; P&Z agreeing to hold more meetings for special circumstances and the sign code modification being one of those reasons. He suggested handling sign code violations in a way other than enforcement of the current sign code.

Town Manager, Yvonne Kimball responded by stating how and when the moratorium on the sign code was lifted, the Planning and Zoning commissioners were notified at the July 5th meeting, and explained the sign code violations with Mortimer Farms being an operational issue and one she has discussed with the Mortimers.

Jerry Brady spoke on the ownership of Old Black Canyon (OBC) Highway; the County conveying the jurisdiction over the rights-of-way but not the ownership when the town incorporated; a comprehensive plan update; fire roads for national defense secondary roads; and not being able to abandon OBC Hwy if development is planned.

Jack Hamilton spoke on contacting the ombudsman's office regarding responding to criticism during public comment, explaining the Mayor was correct that he could respond from the dais; he announced his official resignation from the GRAC and stated it was a dead committee; identified where the town code needs to be updated so the Council may serve as the Board of Adjustment; agreed with lifting the sign code moratorium; the Council swearing an oath to uphold all laws-state, federal and local, and any councilmembers who have not paid town fines should resign from the council.

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

8.1. Dewey-Humboldt Historical Society Boiler Display Location Report. Discussion and possible action.

Town Manager Kimball gave an overview, explaining they reaffirmed the original assessment that the boiler is partially in the town's right-of-way (ROW) and that she will request they move the boiler unless the Council says otherwise. She recommended if the Council does not request the boiler be moved they consider a lease agreement with the Historical Society, laying out the terms and conditions for the boiler to remain in the ROW.

Councilmember Rogers stated it was a staff issue not a council issue and a survey needs to be done to determine the ROW location.

Councilmember Wright spoke on the history of that ROW, and finding it platted at 70 feet wide. She spoke on it being an enforcement issue for Outside Display (commercial), and read from that section of town code on requirements. She stated they are obligated to enforce the town's laws and if the Council doesn't like them they need to amend or remove them.

Councilmember Wright made a motion to give this issue back to Staff for their enforcement of the applicable laws (Town, State and Federal), seconded by Councilmember Hiles.

Vice Mayor Dibble spoke on the museum being an educational use rather than a commercial use.

Councilmember Hiles stated it was a task for staff to take care of and to seek legal counsel if necessary.

Public comment was taken on this item.

Jerry Brady spoke on a comprehensive plan and needing land use and transportation elements in the general plan to enforce this issue; the loss of a caboose to display; an historic overlay or district to address this issue; a subdivision plat not being a legal document and needing a survey; stated it was originally a 20' ROW with a 50' city lot.

Chris Berry spoke on staff asking for Council guidance on this issue; asked what the harm was in allowing the boiler to be displayed in the ROW; the unique features of the property; agreed with a lease agreement to use the area, especially since more historic artifacts are coming in the future; people working on declaring it an historic district; co-insuring the town for liability; not enforcing the laws that are in the process of being changed; being unhappy about moving the boiler.

Town Manager Kimball clarified the harm: liability, being consistent with enforcement of laws and not setting precedence; lease being managed through Council; her

understanding on Outside Display being for commercial purposes when the museum is for educational purposes.

Councilmember McBrady spoke on finding a way to mitigate the town's liability in this issue, but allowing the boiler to remain where it is, and helping the D-H Historical Society.

Councilmember McBrady made a motion to allow the D-H Historical Society to keep the boiler where it is located and direct staff to look into what the liabilities are and to ask legal counsel the best way to proceed, seconded by Vice Mayor Dibble.

There was discussion on the difference between the two motions on the floor; on whether the museum is a commercial or educational use; helping the museum in addition to paying their rent for a year.

Public comment was taken.

Gerald Hoyer spoke on a conversation with the church pastor where he was told the church tried to purchase the 50' piece of property between the ROW and the building but were unable to as they could not get all the adjoining property owners to agree to it. He suggested they find out who owns that lot before proceeding with anything.

Jerry Brady spoke on utility encroachments; land use designation; finding an equitable long-term use for the museum.

Councilmember Rogers called the question. A vote was taken on calling the question and it passed by a 4-2 vote in favor, Councilmembers Hiles and Wright voting against.

A vote was taken on the second motion to keep the boiler where it is but direct staff to look further into liabilities and best way to proceed. It failed by a tie vote, Councilmembers Hiles, Wright and Mayor Nolan voting against.

A vote was taken on the first motion to give this back to staff to enforce the laws. It was approved by a 4-2 vote in favor, Councilmember McBrady and Vice Mayor Dibble voting against.

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

9.1. Potential future meeting subjects that require Council's attention. Review, Discussion and possible action.

Town Manager Kimball gave an overview of the 6 items listed on the Council Communication.

1. Transaction Privilege Tax (TPT) presentation will be on the September 11th work session.
2. Fair Housing Presentation scheduled for the August 14, 2012 work session.
3. Planning and Zoning Joint meeting request tentatively scheduled for August 21. Council discussion brought recommendation to move it to the September work session (9/11/12).
4. Development Fees discussion with the League of Cities and Towns: This will be pushed to the January or February work session.
5. US Dept. of Agriculture grant programs presentation: TM Kimball explained citizens have asked why they do not pursue grants through this program but the town is not eligible for most of their grants due to limited services the town offers. This

presentation would be to clarify that situation. Council decided they did not need to have a meeting on this.

There was discussion on setting limits on presenters and relaying that in advance of the meetings.

6. Council Retreat Topics: Council will meet for a small 2-3 hour retreat meeting in November. Suggested topics will be submitted by Council to the Town Manager and compiled for discussion and selection.

9.2. Vacancies on the Commission and Committees, and schedule for appointments.

Discussion and direction.

Mayor Nolan reviewed the information provided. Staff will continue to collect applications and bring them to the Council at the September 18th meeting, for interviewing and appointing.

9.3. Two Change Orders for CDBG Projects. Discussion and possible action.

TM Kimball reviewed the two change order areas on the map; surveys were conducted and determined eligible; the sidewalk project will come as a separate project since design is required.

Vice Mayor Dibble made a motion to approve 9.3 Two Change Orders for CDBG Projects, seconded by Mayor Nolan. It was approved unanimously.

9.4. Discussion, direction and/or action on potential grants from ADEQ's Brownfields Program or the Federal Resources for Sustainable Rural Communities. [CAARF Requested by CM Wright]

Councilmember Wright gave an overview on the seminar she attended regarding the Brownfield program. She explained the Superfund sites are not eligible for Brownfield grants but there might be other areas in town that are eligible for these grants and she wanted to get the word out on this program. There was discussion. No action taken.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jack Hamilton spoke on calling the question requires a 2/3 vote rather than a simple majority; suggested a retreat topic of long-term road maintenance problem and recommended obtain legal clarification on what can be done if roads are removed from the maintenance program.

TM Kimball responded that the Old Black Canyon Highway legal report will be on the next, August 14th meeting and posting "non-maintained" might not alleviate liability.

Chris Berry spoke on recommending to the P&Z Commission the need to raise the priority of the sign code to get it done; museum status is not a commercial use but an educational group as monies are not for profit and go back into educational efforts.

12. Adjourn.

The meeting was adjourned at 8:18 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MEETING MINUTES
TUESDAY, AUGUST 14, 2012, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, AUGUST 14, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:02 p.m. Mayor Nolan presided.

2. **Roll Call.**

2.1. Town Council. Town Council Members David Hiles, Mark McBrady, Dennis Repan, Denise Rogers, Nancy Wright; and Mayor Terry Nolan were present. Vice Mayor John Dibble was absent.

3. **Study Agenda.** No legal action to be taken.

3.1. Southwest Fair Housing Council Presentation on Free Services. A presentation by Jo Ann Reyes.

Ms. Reyes gave a presentation on the services offered: free education and assistance on housing discrimination. Council agreed to allow placement of materials on their services at town hall.

Mayor Nolan asked about a problem with lending agencies not loaning within Dewey-Humboldt due to the Superfund site. Ms. Reyes responded she will look into it.

3.2. Intent to bid out the Pavement Preservation Project. Discussion and possible direction.

Town Manager Kimball gave an overview on the work to be done and Public Works Supervisor, Ed Hanks was in attendance to answer questions. There was discussion on minor corrections to the contract and clarification on bonds and payment terms.

Public comment was taken on this item. Jack Hamilton asked about money set aside for chip sealing in the budget and when that work is to occur.

TM Kimball explained this is step one of a two-step process with the second step to occur in the spring.

3.3. Old Black Canyon Highway right-of-way acquisition, ownership and maintenance issues. Report and discussion.

Mayor Nolan made a motion to waive the Client/Counsel Privilege on the Town Attorney opinion regarding this. Town Attorney Phyllis Smiley explained it would not need to be waived to have discussion. The motion failed for lack of a second.

Ms. Smiley explained the next step is to do a title search through a title company, and she is currently collecting quotes for this. She spoke on the history of this research and stated the previously received quit claims were not adequate to deed to the town. There was discussion on: liability for the road; concerns if maintenance is stopped; whether to spend more money on this issue; abandoning the road; town's conservatorship of the property; whether roadway is in the right-of-way or not.

Public comment was taken on this issue.

Dean Cameron spoke on his attorney's response regarding the liability for the property owners if someone is hurt along their section of the road and a title search indicating they own the property.

Jerry Brady spoke on the town never acquiring ownership of the roads except for some subdivisions; Old Black Canyon's history as a supply route for Fort Whipple; a permanent lien easement and paying back the federal investment on the road.

Jack Hamilton stated he would not accept the roadway if the town wanted to abandon it; suggested putting this on a future agenda to make that determination.

Walt Statler spoke on being willing to build a gate at the bridge to close the road but would want something in writing that the property owners do not hold liability if someone is injured.

Councilmember Repan asked Mr. Cameron if his attorney made a suggestion of what to do.

Dean Cameron stated it was suggested the road be closed then address the issue of reimbursement for taxes paid over the years.

Phyllis Smiley stated that if a property owner is paying taxes on publicly owned land then they are entitled to reimbursement.

Council decided that once more quotes for title searching are received it will go on a future agenda for a decision.

4. **Special Session.** Legal Action can be taken.

4.1. **Centennial Monument discussion.** Discussion and possible action (continued from July 3, 2012 Council meeting).

Town Manager Kimball gave an overview explaining that no decision was reached previously and it was directed for it to come back to the council. There was discussion on the location of the monument and the desired location at Humboldt Station.

Public comment was taken on this item.

Skip Rains asked about it being on private property and possibly deeding the property to the town where the monument would be placed. He also suggested placing the monument at the museum location.

There was discussion on whether to partner with the Historical Society on this monument.

Gerald Hoyer spoke on the decision to place a monument at this location as a way to tell a story of the area, and offering to share the monument to save money.

Jerry Brady spoke on the National Parks Service providing monuments and sites for these plaques; GIS/GPS mapped documents for mining districts; history based tourism, combining interests and assets with the Dewey-Humboldt Historical Society (DHHS).

Doris Lake spoke on supporting the actions of the people trying to make this a tourist attraction.

Councilmember Rogers suggested placing the other two plaques at the Butte Street Park and on the corner of 69 and 169 Highways.

Councilmember Rogers made a motion to partner with the Historical Society on this one monument at Humboldt Station, seconded by Councilmember McBrady. There was

discussion on how the plaque monument would be oriented. Gerald Hoyer spoke on the steps the town will still need to take: select wording, send it for carving, mount it on the monument structure.

Town Manager Kimball suggested the Historical Society could pick up the cost of the project since the Town is paying for their museum rent.

Jerry Brady stated his support for the town partnering with the Historical Society; the museum establishing a general plan; the town not having a home rule charter; constraints on land uses for properties not surveyed; War Department performed accurate surveys on much of the town.

Skip Rains asked for a lease to place the signs from the Humboldt Station property owner, Mark McBrady.

Chris Berry spoke on not worrying so much about saving money; too much time and resources spent to get things done.

The motion passed by a unanimous vote.

Town Manager Kimball clarified the town will split the cost for the monument with the DHHS and the wording issue will be brought back at a future council meeting.

4.2. Accountability Contracts review and discussion. Implementing Council decisions on donations to the Little League and the D-H Historical Society.

Town Manager Kimball first reviewed the contract and scope of work for the D-H Little League and stated the D-HLL is in agreement with it. There was discussion on whether to pay for part of the uniforms, since the field rent was less than what was approved to be paid.

Councilmember Rogers identified wording in the contract that needed to be changed "public monies receiving" should be "town giving". This will be updated.

Councilmember Hiles made a motion to approve paying \$2220 for the field rent and to include the town on the liability insurance, seconded by Councilmember Wright. It was approved unanimously.

Town Manager Kimball reviewed the contract and scope of work for the D-H Historical Society. She spoke on requiring certain things since the town is paying their rent: open and operate the museum; free admission for citizens; 3 days a week/minimum 6 hours open to public; deadline to open doors December 31, 2012.

Gerald Hoyer spoke on having their official opening already and having special community events with free admission but donations requested. He spoke on water damage which will slow them down on preparing the museum. Councilmember McBrady suggested that during the time of repairs they should not have to pay rent.

Public comment was taken on this item.

Skip Rains spoke on the repairs taking place and the restrooms for the public being out of operation.

Catherine Hoyer spoke on the scope demands not being anything they wrote up; donations for admission; needing the town's input; hours of operation being reasonable.

Chris Berry stated the intention was to get the doors open as soon as possible.

Councilmember Repan wanted to know when they expect to open the doors for regular business.

Jack Hamilton spoke on agreeing to pay the first 6 months of rent and once obligations are met then paying the next 6 months.

Jerry Brady spoke on supplementing the D-HHS income from the special use permits allowing them to open on a temporary basis, and being open on various days for various purposes, using Jerome as an example.

Councilmember Hiles made a motion to approve the accountability contract with the D-H Historical Society, seconded by Councilmember Rogers.

Skip Rains spoke on not being able to open to the public until water damage is repaired and working with the school to determine what days to have the museum open so it is functional for them.

There was discussion on how and when payments would be processed. TM Kimball explained the D-HHS would invoice the town, and the D-HHS would need to be in compliance with local, state and federal laws. Payments would be made to the D-HHS rather than the church. She explained the boiler could be in violation which would delay payment.

A vote was taken on the motion and it passed by a unanimous vote.

4.3. Consideration of purchasing current town hall property. [CAARF Requested by CM Repan]

Councilmember McBrady excused himself from this agenda item discussion and stepped down from the dais.

Councilmember Repan explained why he requested this discussion, keep the discussion going and to make progress. He would like to see the town build equity rather than leasing. Property owner, Mark McBrady provided three options for breaking the property up for sale.

Town Attorney Phyllis Smiley stated the next step would be for the Council to approve a resolution authorizing the acquisition, which would allow staff to do what it needs to do and to obtain a title report.

Mark McBrady was asked if he was interested in pursuing this sale and he stated he was. He explained A1 would include the dirt lot across from the post office which could be fenced and used for storing equipment. The bank is currently doing a certified appraisal and environmental report on the property, which he will make available to the town.

There was discussion on how binding the resolution is. The purchase contract would still go to the Council for approval, so the Council would not be bound to purchase if the negotiations fell through. TA Smiley stated they need to find out the condition of the property and the town should have their own appraisal done.

Public comment was taken on this item.

Jack Hamilton spoke against moving forward with this at this time, suggesting they wait until next year so they would have more options.

Jerry Brady spoke on the museum and the town hall needing permanent facilities and suggested one could be built as part of the remediation on the superfund sites.

Councilmember Hiles stepped away from the dais at 4:27 for two minutes and returned at 4:29 p.m.

Chris Berry spoke on looking at the availability of funds before moving forward; and the town getting their own independent appraisal and title search on the property.

There was discussion on which parts of the property the town would be interested in purchasing. Mayor Nolan made a motion to approve directing staff to develop a resolution to look at his property as a permanent home for this town, looking at all three options (A1, A2 and A3), seconded by Councilmember Repan.

There was discussion on moving the Sheriff's office down into the A2 section along with the Court.

The motion passed by a 4-1 vote, Councilmember Wright voting against, Councilmember McBrady not voting as he recused himself.

4.4. Discussion, direction and action on Ordinance No. 11-88. [CAARF Requested by CM Wright]

Councilmember McBrady returned to the dais. Councilmember Wright gave an overview of why she requested this agenda item. When the code of ethics was amended the new ethics code was not codified. During CM Wrights research she was told by the Town Clerk that the reason for not codifying it was it was more of a policy and therefore was placed in the policies and procedures for public bodies. Those parts of the code which were extinguished by the ordinance were codified.

TA Smiley was asked if it should be in the town code or kept as a policy. She responded ethics are typically policy rather than law, a moral duty rather than a legal duty.

Public comment was taken on this item.

Jerry Brady spoke on AZ Corporation Commission, and AZ Supreme Court training on related issues. These are provided through local colleges and Yavapai County Superior Court, with funding available for training. He recommended having Jack Hamilton or a Councilmember to attend.

Jack Hamilton spoke on keeping it a policy issue as if it is violated they can't do anything about it since they are elected officials. He asked what recourse the public has if it is violated.

TA Smiley explained the public can do a recall if violated, Council can't remove each other but the public has the decision to remove from office.

Councilmember McBrady made a motion to approve retaining the code of ethics as a policy, not as a code, seconded by Mayor Nolan. It was approved by a 5-1 vote in favor, Councilmember Wright voting against.

TM Kimball explained they will have everyone listed on the code of ethics sign it.

4.5. Discussion, direction and/or action on adopting all rules and procedures necessary or convenient for the conduct of business by the Board of Adjustment. [CAARF Requested by CM Wright]

Councilmember Wright gave an overview of the request, explaining the independent Board of Adjustment (BOA) chose their rules and procedures for the conduct of business. She felt the Council needs to do the same now that they will serve in that

Town Council Special Study Session, August 14, 2012
capacity. There was discussion on whether this is necessary, when to review the rules, and how to adopt the rules, using the state law guidelines and procedures.

Public comment was taken on this item.

Jack Hamilton spoke on the prior BOA adopting the County rules with minor modifications, but not in state law. He spoke on ex-parte communications and conflict of interest serving as Council and BOA and needing to address this problem.

Jerry Brady spoke on ethical violations historically in the Yavapai region and the creation of the gift clause. He spoke on ethical considerations needing to be defined.

TA Smiley was asked if Mr. Hamilton was correct. Ms. Smiley responded it depends on the circumstances as there is a potential for conflict. It is the duty of the board to disclose that (ex-parte) communication as part of the hearing. She explained that the town attorney can prepare a cheat sheet to help the board during a case, providing an outline of procedures and reminder about ex-parte and findings required by BOA to grant a variance or appeal. No action was taken on this item at this time.

5. Comments from the Public.

Jerry Brady spoke on land use articles/records not being maintained in local archives and legal rights to the Agua Fria River claims.

Jack Hamilton complimented the contractor doing the CDBG project. He asked that the quit claim deeds be given back to the property owners for the Old Black Canyon Highway.

6. Adjourn.

The meeting was adjourned at 5:11 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

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Yavapai County Sheriff's Office

Dewey-Humboldt Quarterly
Report
2nd Quarter 2012
April, May, June

2nd Quarter Overview

During the months of April - June 2012, Southern Area Command responded to 278 calls for service and 320 deputy-initiated calls for a total of 598 calls in the town of Dewey-Humboldt.

- 243 Traffic Stops
- 55 Traffic Citations

- 2 DUI Arrests
- 3 Family Fight Arrests
- 5 Wanted Person Arrests
- 2 Child Abuse Arrests
- Total Arrests: 31
 - Including Arrests & Criminal Citations

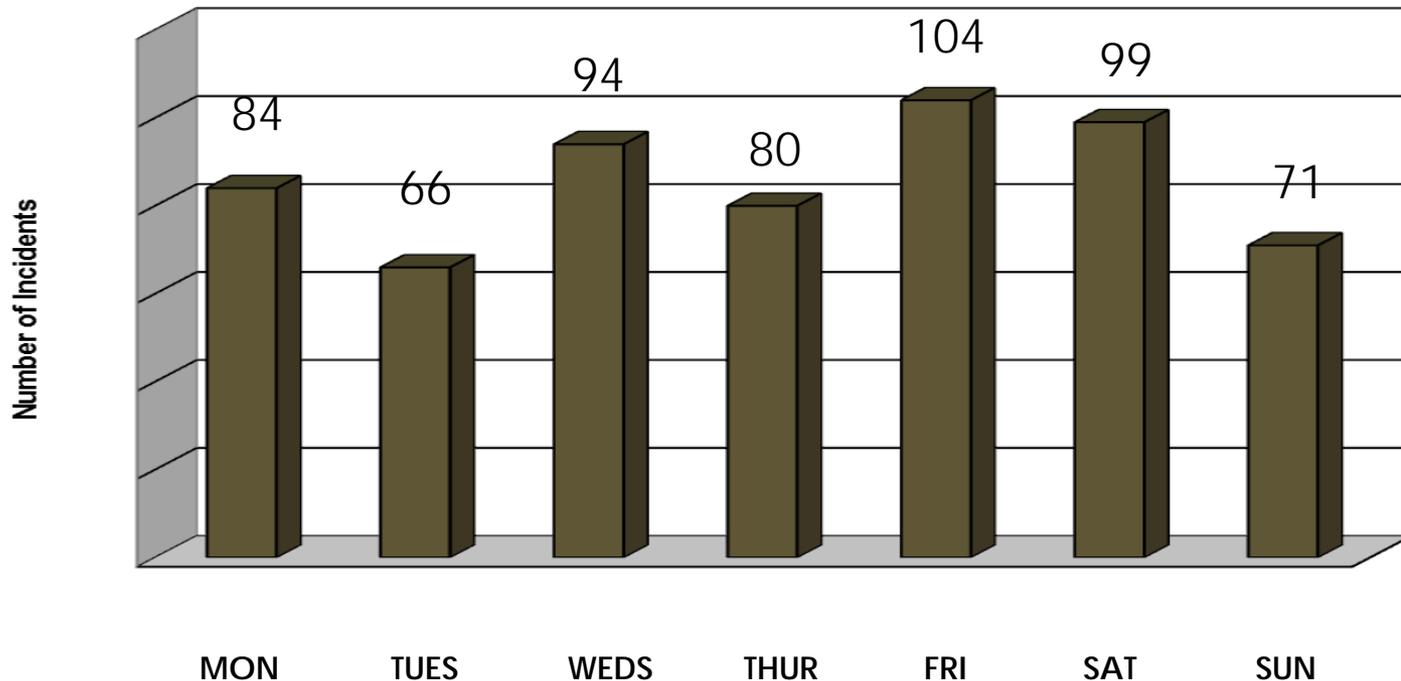
- Cases transferred to Criminal Investigations: 2
 - Assault
 - Sex Crimes

Criminal Investigations

- In 2012, eight (8) cases were transferred to Criminal Investigations Bureau
 - Auto Theft
 - Sex Crimes (x4)
 - Assault
 - Aggravated Assault
 - General Investigation
- Out of those cases, five (5) are no longer active:
 - Sex Crimes – Transferred to another agency for prosecution
 - Agg Assault – Transferred to another agency for prosecution
 - Sex Crimes – Closed, Submitted to CA for prosecution
 - Auto Theft – Transferred to another agency for prosecution
 - Sex Crimes – Closed, no prosecution
- Year to Date, six (6) cases are actively being investigated:
 - General Investigation (x2)
 - Assault
 - Auto Theft (x2)
 - Sex Crimes

2nd Quarter – Calls for Service

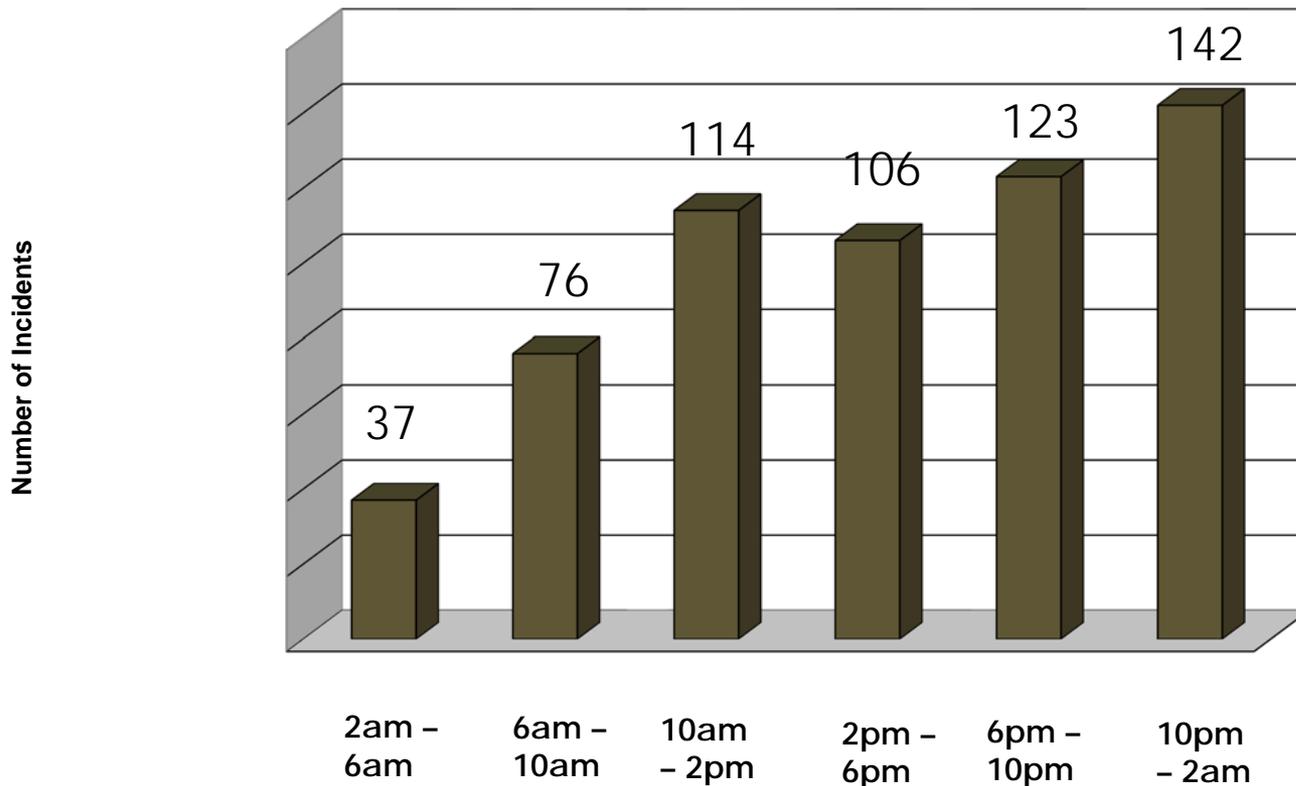
TOTAL CALLS By Day of the Week



2nd Quarter – Calls for Service

TOTAL CALLS

By Time of Day



Response Times

- April Response Time Average:
 - 15:29
- May Response Time Average:
 - 13:54
- June Response Time Average:
 - 9:23

Response Time Comparison

- 2nd Quarter Average

Deputy Response Time: 12:55

vs.

- 1st Quarter Average

Deputy Response Time: 10:32

Part 1 Crimes – 2nd Quarter 2012

	LESD*	SAC*	S108*	S108 vs LESD	S108 vs SAC
Murder & Non-Negligent Manslaughter	0	0	0	0.00%	0.00%
Forcible Rape	9	1	0	0.00%	0.00%
Robbery	1	0	0	0.00%	0.00%
Aggravated Assault	53	0	0	0.00%	0.00%
Burglary	125	23	3	2.40%	13.04%
Larceny-Theft	203	53	10	4.93%	18.87%
Motor Vehicle Theft	24	6	2	8.33%	33.33%
Arson	3	0	0	0.00%	0.00%
Total**	418	83	15	3.59%	18.07%

OSAT PROGRESS REPORT TO D-H TOWN COUNCIL AUGUST 21, 2012

From: Sandra Goodwin, Committee Chair

The Committee has one park project scheduled for an October completion and two trail projects in the exploration stage.

First, The Butte Street Park

This project has been the major focus of the committee for the past several months. Its planning and completion has hinged to some extent on the weather and the availability of town public works staff.

The Location

The Butte Street right-of-way plot was surveyed and it's application as a park was assessed in 2011. At that time the Council determined that this connector street would not be needed anytime in the near future and authorized development of a small community park

The Funding

In 2011 the Town Council committed \$10,000 for the park's initial development. Additionally, APS awarded the town a grant of \$4,000 that has been set aside for the purchase of benches, tables, drinking fountains, trash bins, signage, etc. APS also pledged four mature trees to the project.

The Status

Major slope and drainage grading has been completed, landscape materials purchased, bids for equipment are in progress and a grand opening date of October 16 has been tentatively calendared. This will be an historic occasion for this town and believe it to be only the beginning of such parks and such events.

Second, two trail projects

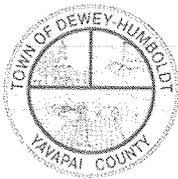
Both of these projects are in the very beginning exploration stage. Both involve present vacant land private property owners to permit the town use of their property as a trailhead. One property owner has already responded that he would be most supportive of the use and would allow use as a trailhead for only the cost of his property tax of \$100 per month or \$1200 a year and a sign asking users to clean up before they leave. We will be working on this during the remainder of this year.

Committee Membership

The committee presently has four executive members - Jason Allen, Kevin Leonard, Skip Gladue, myself and one vacancy. These members must live in Dewey-Humboldt and are appointed by the Council to serve two-year terms.

The Committee has one associate member - Carl Marsee. Associate members do not have a Dewey-Humboldt residency requirement and are appointed by the Executive Committee and have no term limit.

The Committee thanks the Council for their past and present support and we look forward to continue working with you on behalf of the citizens of this great little community.



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: 8/21/12

Date of Request: 8/13/12

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

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

Request for Travel + Meals

Purpose and Background Information (Detail of requested action):

Attend Innovation Summit

10/09/12

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other: None

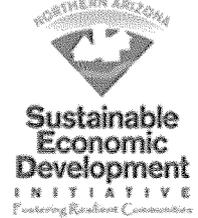
Contact Person: Mayor Terry Nolan

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.

**Because Entrepreneurship
doesn't just happen.**



BlueCross BlueShield



Sustainable Economic Development Initiative presents:

Innovation Summit

at NAU

Free **October 9, 2012**

Register at Innovationsummit.org
& download a Biz Starter Kit for FREE



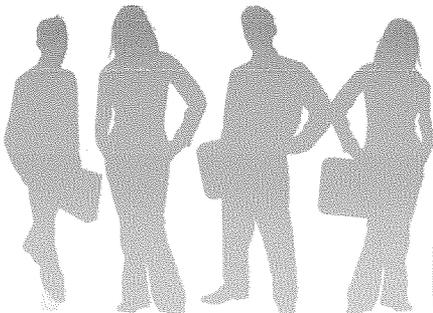
*Creating an Entrepreneurial Ecosystem of Support
for New and Existing Local Businesses.*

talk with 9am-12pm
Policymakers

learn at 2pm-5pm
Workshops

visit the 2pm-6pm
Resource Fair

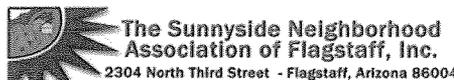
share while 5pm-6:30pm
Networking



Fuel the Conversation



Town Council Regular Meeting



Page 26 of 31 *increase your reach*

July 25, 2012

Terry Nolan, Mayor
PO Box 69
Humboldt, AZ 86329

Dear Mayor Nolan,

Elected Colleagues, this is addressed to you and your key internal staff that help to formulate economic development, land-use and financial regulatory and/or incentive programs.

Our Northern Arizona region demonstrated moderate growth in some, but not all areas during that last census period. This would be good news, except that a closer analysis of the census trends indicates most growth was in the older age ranges, with an actual decrease in the most productive workforce age group in their late twenties to early forties.

Decrease in this key workforce component is a potentially ominous trend in terms of the long term economic diversity and viability of the region. In a nutshell, many of our counties and towns are losing their "best and brightest" residents who are the very cornerstone of a successful and diversified future economy.

There is a lot of evidence that the most successful local and regional economies are based upon the notion of "growing your own"; that is, to have policies and economic infrastructure which will enable people with good ideas to start and successfully grow businesses and industries.

This is where you come in! Governmental entities create or maintain policies that can promote or inhibit successful local entrepreneurship. Do your zoning codes and ordinances make it easy or difficult create business? Do you have a robust and effective economic development authority that not only promotes the area, but makes important connections between financial resources and entrepreneurs? Have you looked at the typical "roadmap" to business growth and success and determined if you have the necessary matching policies and organizational culture to be a positive force in the process?

Successful government requires resources plus imagination. So does entrepreneurship.

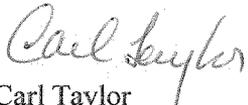
The upcoming Innovation Summit on October 9 will provide insight, tools and best practices for local government to be a dynamic and successful partner in creation of new business and industry.

Please identify those persons in your organization who create or manage policies that impact commercial success and bring them along. You (and they) will greatly benefit from a morning spent addressing the interface of government policy and business success.

Enclosed is a flyer and postcard with more information on the Innovation Summit, please visit the website for registration and latest news on the "Innovation Summit" opportunity.

Innovationsummit.org

With regards,


Carl Taylor
Chairman, Coconino County Board of Supervisors

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COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: [8/21/12].

Date of Request: [8/13/12].

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

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

Reduce Council meetings from three meetings a month to two meetings a month.

[__]. A request by Mayor [Nolan] to discuss [__].

Purpose and Background Information (Detail of requested action): [x]

Consider amending Town Code (30.101 Regular Meetings and/or 30.102 Study Session)

Staff Recommendation(s): [__].

Budgeted/Amount: \$[__].

Expected duration of discussion or report: [__]

List All Attachments: [__].

Type of Presentation: Oral.

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: [Mayor Nolan].

§ 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 3:00 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)



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COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: TBD

Date of Request: 8/14/2012

Type of Action: Routine/Consent Regular

Requesting: Action Report Only

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

DISCUSSION OF PROPOSED JOINT COUNCIL AND P & Z MEETING

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

During the last council meeting that set the date for the above item, no details as to specifics of the proposed meeting were discussed. I would like to understand the specific needs of P & Z, so that each council member can be adequately prepared for the combined meeting.

Staff Recommendation(s): _____

Budgeted Amount: N/A

List All Attachments: NONE

Type of Presentation: VERBAL

Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other: _____

Contact Person: CM REPAN

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