

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

Tuesday, October 2, 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 September 11, 2012 Work Session, and September 18, 2012 Regular 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.
- 15 **9.1. Resolution in support of repeal of HB 2826, Elections bill.** Recommended action by League of Cities and Towns Resolution committee, Greater Area Mayors Association (GAMA) and Mayor Nolan.
- 17 **9.2. Resolution in support of accelerated sunset of HB 2643.** Recommended action by League of Cities and Towns Resolution committee, Greater Area Mayors Association (GAMA) and Mayor Nolan.
- 19 **9.3. Resolution of support for State Parks.** Recommended action by League of Cities and Towns Resolution committee, Greater Area Mayors Association (GAMA) and Mayor Nolan.
- 21 **9.4. 2012 Council Retreat Detail Discussion.** Discussion and possible direction.
- 25 **9.5. Sale information on Schucks property (Parcel # 402-02-049B, E, F).** [CAARF Requested by CM Repan]
- 35 **9.6. Include under “Invocation” wording to invite any and all religions to give the invocation.** [CAARF Requested by Mayor Nolan]

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 Public Comment is **3** minutes per person. The audience is asked to please be courteous and silent while others are speaking.

12. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, October 16, 2012, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, October 4, 2012, at 6:00 p.m.

Next Town Council Work Session: Tuesday, October 9, 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 _____, 2011, at

_____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: _____, Town Clerk's Office.

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

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MINUTES
TUESDAY, SEPTEMBER 11, 2012, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 11, 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 2:01PM.

2. **Roll Call.**

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

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

3.1. Department of Revenue Local Transaction Privilege Tax Presentation.

The Department of Revenue gave a presentation. Ms. McGhee reviewed the Model City Tax Code and Local Transaction Privilege Tax.

Q1: Pros and cons of establishing a separate locally managed "D-H business license" program. **A1:** Locally managed business licenses are typically on an annual basis so the information is kept more current than at the state level; Town can withdraw a business license. **Q2:** How does Council or Town know that businesses are paying their taxes? **A2:** Finance has access to a report that DOR compiles and were trained on how to use and manage it. **Q3:** How does the enforcement process of local TPT submission/collection work? Who should D-H call to report a suspect non-conforming business? Potential penalties for TPT delinquency or non-conformity? Would D-H be notified of delinquency? **A3:** Penalty is 25% per month up to 25% for not filing return; penalty for not paying is ½% per month up to 25%. We encourage taxpayers to file and DOR has a payment program. DOR does not have a list of delinquencies but hopes to rectify that in the future. Contact DOR if there is a suspected non-conforming business. When there is a penalty, it is shared amongst those on the return (county, state, etc.). **Q4:** Who in the Town government are authorized to access TPT information such as which business has been reporting and submitting their TPT's, how much they are reporting and submitting? Could elected officials have access to the information? **A4:** The Mayor authorizes Finance to receive this information from DOR. Finance cannot share the information if the information they share can identify the taxpayer (ex. If there is one restaurant in town, the tax information is identifiable then; the information must be compiled of 10 or more business owners). **Q5:** Are periodical small scale sales subject to TPT's such as yard sales, homegrown produce sales? **A5:** yard sales are considered casual sales if selling personal items; if a person purchases items and sells them at a yard sale their intent is to be in business. **Q6:** How to ensure vendors pay sales tax when part of a festival, tent sale, etc.? **A6:** The promoter should be working with the DOR and anyone who is allowed to sell at the venue should be licensed so D-H can get the taxes. Promoter can go to AZtaxes.gov to verify that those license numbers are valid. **Q7:** Are D-H businesses whose customers are located outside D-H town limits subject to local TPT? **A7:** There is an exemption at the state level in the retail business class - if a customer comes into town and the D-H seller ships it out of state it is not

taxable; it is taxable at the local level. The customer must be out of state when the sale is initiated in order to be exempt at the local level. **Q8:** Are transactions handled by cash without invoices or receipts subject to state and local TPT? **A8:** Yes, there are various ways of obtaining those tax dollars; those people may have used cash but they did spend it so it is taxable. **Q9:** Is freight/postage/shipping and service charges taxable at local and state levels? **A9:** Only the actual shipping cost is an allowable deduction, anything over and above that is income. Shipping and handling is often seen combined; there is no exemption for handling so if they are lumped together they both become taxable. **Q10:** What business activities or goods are exempt from local and/or state TPT? What should business owners do if they find they have been paying taxes on items that are considered exempt? **A10:** They can file an amended return up to four years from the date originally filed, attach a reason for amendment and list items believed to be exempt; call DOR to verify the exemption before filing.

A short recess was taken while the Department of Revenue representatives exited the meeting.

3.2. FY 2012 Financial Statements Presentation. A presentation by Accountant, Deni Thompson.

Deni Thompson, Accountant, gave an overview of the draft FY12 financial statements provided by the auditors after their recently conducted audit. General Fund expenditures was 74% and HURF at 50.4% of the budget for last FY. In regards to the HURF budget last FY, there was additional surplus in that budget due to personnel vacancies and Kachina Road.

4. Special Session. Legal Action can be taken.

4.1. Centennial Monument Plaque Messages. Discussion and possible action to determine the message to appear on the plaque.

Town Manager Kimball stated that the August 14th Work Session, Council decided to partner with the Dewey-Humboldt Historical Society on a Centennial plaque and asked Council for direction on the message so Staff could proceed with the engraving. There was discussion.

David Nystrom suggested reviewing the final mockup before approving it.

Councilmember Wright made a motion to use the format on page 6, instead of "We Remember the Past", use option #4, "A Community with a Past, a Town with a Future", seconded by Councilmember Rogers. A vote was not taken on this motion.

There was discussion about the connotation of "a past" and whether more time was needed to make a decision.

Councilmember Hiles made a motion to use the page 6 layout, after Dewey-Humboldt, include the phrase "Gateway to Historic Mining Districts"; eliminate incorporated December 2004; final saying "Honoring the Past with a Vision for the Future", seconded by Vice Mayor Dibble. The motion passed unanimously.

David Nystrom reminded Council to remember what is on the reverse side instead of repeating the same information.

4.2. Continued Discussion of Resolution 12-103. [CAARF Requested by CM Repan].

Discussion and possible action.

Councilmember McBrady recused himself from the discussion.

Councilmember Repan spoke on the timeline of the discussion of purchasing property for Town Hall beginning with the February 21st Regular Council Meeting where a discussion was had regarding different possibilities for a Town Hall and/or a park; May 15th there was discussion during the budget study sessions about funding to do so; August 14th Regular Meeting a motion was made to direct staff to develop a resolution for the current property; September 4th Regular Meeting the resolution was not passed. He spoke on his desire to continue this discussion in some form in order to make progress and correct the wording in the resolution if necessary.

There was discussion about looking at additional properties, changing wording in the resolution, whether the resolution binds the Town to this one property, resolution's intent is in preparation for a purchase, using resolution as a boilerplate for properties that may come up in the future, and the cost for legal descriptions and appraisals.

Councilmember Hiles made a motion to adopt this resolution, seconded by Councilmember Repan. There was discussion.

Mark McBrady spoke on the condition of the building; the Town saving money by purchasing the building; the resolution not binding the Town to purchase.

David Nystrom spoke against spending money for appraisals and staff time when the public does not support it; Town becoming a property owner adds considerable liability to the budget; Town government not prepared to undertake property ownership.

Jack Hamilton spoke on the uncertainty of the budget; Council's concern over spending money on an attorney compared to the cost of buying a building; such a decision will go to referendum.

The motion to adopt this resolution passed by a 6-1 vote with Councilmember Wright voting against.

There was discussion about whether the appraisal would be on the entire Humboldt Station or just the Town Hall section. The resolutions states "property generally located at..." allowing the Town to look at just the section it is interested in.

5. Comments from the Public.

Jack Hamilton spoke on Council not using its time wisely in Study Sessions; does not see why Dewey-Humboldt taxes food when most states do not; review HURF budget so Town does not end up with excess; in regards to the Town Hall purchase discussion whether Council is complying with Open Meeting Law; Councilmember McBrady conflict of interest with the Town Hall purchase.

Councilmember Repan responded to Mr. Hamilton's comment regarding the Town Hall purchase; he was looking at the consistency of the timeline and if Council was going to make a decision back in February, he was curious what changed in the process and nothing was hidden.

Mayor Nolan announced that today is Patriot Day and Prescott Valley has a Field of Flags in remembrance of 9/11 with a ceremony at 6PM this evening at Prescott Valley Town Hall.

6. Adjourn.

The meeting was adjourned at 4:00PM.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, SEPTEMBER 18, 2012, 6:30PM**

A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 18, 2012, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA.

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.** Led by Dee Parker.
 - 2.2. **Invocation.** Given by Councilmember Wright.
3. **Roll Call.** Town Council Members David Hiles, Mark McBrady (arrived late at 7:17 p.m.), Dennis Repan, Denise Rogers, Nancy Wright; Vice Mayor John Dibble; and Mayor Terry Nolan were present.
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 a recent race the Town Clerk ran; spoke on attending a meeting with the Central Yavapai Fire District (CYFD) regarding a call center, sharing suggestions he made; announced a meeting 9/19 with Prescott and Prescott Valley regarding Chino water which Vice Mayor Dibble will attend.

- 4.1. **Possible Interviews and Appointments of Commission and Committee Vacancies.**
Possible interviews and appointments to the following vacancies: 2 – P & Z, 2 – OSAT and 2 – EIAC.

Dian (Dee) Parker was interviewed for the Planning and Zoning Commission. She spoke on her background and interest in volunteering in that capacity.

Councilmember Hiles made a motion to appoint Dee Parker to the Planning and Zoning Commission, seconded by Vice Mayor Dibble. It was approved by a 6-0 vote in favor, Councilmember McBrady being absent for the vote.

- 4.2. **POW/MIA Recognition Proclamation.**

Mayor Nolan read the POW/MIA Recognition Day Proclamation. There was discussion about the new replacement POW/MIA flag being purchased and flying outside of Town Hall.

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

Town Manager Kimball spoke on research done and her findings regarding other municipalities' ownership of town halls-the standard is to own rather than lease; gave a progress report on the forms organization done by staff.

6. **Consent Agenda.**

- 6.1. **Minutes. Minutes for the September 4, 2012 Regular Council Meeting.**

Councilmember Rogers made a motion to approve as presented the Minutes for the September 4, 2012 Regular Council Meeting, seconded by Councilmember Repan. It was approved by a 6-0 vote in favor, Councilmember McBrady being absent for the vote.

7. **Comments from the Public (on non-agendized items only).** Mayor Nolan reminded the public that they are to be limited to three minutes.

Jerry Brady spoke on the second street survey; platting versus surveying and where to obtain the most accurate and current information on properties.

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.

None.

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

- 9.1. Ratification of On-Call Engineer/Planning Services Selection.** Discussion and possible action.

Town Manager Kimball gave an overview on how many responses were received and how the short list was selected. Two members of the selection team were present at the meeting (Jack Hamilton and Barry Smiley). The three firms selected were AZTEC, CivilTec and SWI.

Mr. Aldridge with SWI was in attendance and spoke to the Council on his background in his field. He also mentioned their office is just 20 minutes away.

Mayor Nolan made a motion to accept these three Engineering firms (AZTEC, CivilTec and SWI) as On-Call Engineering Services for the Town, seconded by Councilmember Hiles.

Councilmember Repan asked for details on how the selection process occurred.

Selection Team member Barry Smiley spoke to the Council on his background, determining what the town's needs are and matching the best firms to the town's needs. All proposals came from reputable and qualified firms, but a few stood out as more suited to addressing Dewey-Humboldt's needs. He recommended the town still interview those firms selected. Councilmember Repan responded that this explanation satisfied his question as having in depth knowledge and they did a good job.

A vote was taken on the motion which passed by a 6-0 vote in favor, Councilmember McBrady being absent for the vote.

- 9.2. Selection of FY12/13 Pavement Preservation Project Contractor.** Discussion and possible action.

Town Manager Kimball spoke on receiving 3 bids for the Pavement Preservation Project with the lowest responsible bidder being Earth Resources. Staff is recommending awarding the contract to Earth Resources. Councilmember Wright asked about using the surplus funds (as the bid came in lower than projected) to do more roads. TM Kimball explained there were other projects coming up where those monies could be used.

Councilmember Repan made a motion to award the 2012 Pavement Preservation Contract to Earth Resources, seconded by Councilmember Hiles.

Public comment was taken on this item.

Jack Hamilton spoke on how much road work was being done and his concerns for not doing enough roads to maintain the roads.

Jerry Brady spoke on a 30 year plan (PARA Transportation Plan) from ADOT for construction and maintenance on the town's roads. He spoke on being in a floodplain and problems with the roads holding up with the maintenance being done.

The motion passed by 6-0 vote in favor, Councilmember McBrady being absent.

9.3. FEMA National Flood Insurance Program-Community Rating System Verification Visit.

Town Manager Kimball gave an overview.

Councilmember Repan made a motion to authorize the Mayor to execute this document, seconded by Vice Mayor Dibble.

Public comment was taken on this item.

Jerry Brady spoke on the insurance companies and FEMA working on verify problems with this area regarding flood hazard zones to rate for insurance.

Councilmember McBrady arrived at 7:17 p.m.

Councilmember Roger spoke on updating the town's address on the document to properly reflect the mailing address and correct the zip code. Councilmember Repan amended his motion to include the amendments to the document as stated, the second agreed to the amendment.

The motion was approved by a unanimous vote.

9.4. Release of Privileged Council/Client Memo from Town Attorney regarding Prayers at Council Meetings. [CAARF CM Repan Request].

Councilmember Repan made a motion to approve releasing the memo available to the public for use by the council, seconded by Councilmember Hiles. It was approved unanimously.

9.5. Discussion and Possible Action on not Paying for the Town Attorney Opinion on Prayer/Invocations at Council Meetings. [CAARF CM Wright Request].

Councilmember Wright gave an overview of why she is asking the town not pay the town attorney for this opinion. There was discussion on whether it was appropriate to receive this opinion and whether this is an administrative issue that would be better handled through the Town Manager rather than the Council.

Public comment was taken on this item.

Jerry Brady spoke on the Town Attorney's actions being appropriate to provide the town a heads-up.

David Nystrom spoke in support of being provided this information if the information could affect how the town carries on its business.

Councilmember Wright explained that she didn't feel it should have come to them until the 9th circuit court agreed with the ruling.

Councilmember Hiles made a motion to let the Town Manager handle the matter, seconded by Councilmember Repan. It was approved by a 6-1 vote in favor, Councilmember Wright voting against.

9.6. Consideration of Distributing Agendas Electronically and Issuing iPads or Similar Devices to the Mayor and Council. [CAARF VM Dibble Request].

Vice Mayor Dibble explained he brought this up as it was discussed at the conference and he wanted to give the council time to consider whether to do this in the next budget, for the next council. He gave an overview on how the process could be handled and some estimated costs for equipment. There was discussion on Open Meeting Law concerns and whether going paperless would be a cost savings and possible complaints/impacts for doing so.

Public comment was taken on this item.

Jerry Brady spoke on the Boeing Scan 8 system and recommended using it.

David Nystrom suggested those Councilmembers with iPads already use them at meetings for a trial period to see if it will work for them. Consider the public and whether it will work for them.

Jack Hamilton spoke in support of the printed packets and stated he didn't want to have to print his own packet but wants the town to continue printing packets for the public.

9.7. Discussion and Possible Action on having Town Hall Open on Friday Afternoons.
[CAARF CM Wright Request].

Councilmember Wright gave an overview on her request. Original purpose for closing on Friday afternoons was to support staff while short-staffed and during a down economy.

There was discussion on other municipalities and whether they are closed on Fridays. Councilmember Repan stated this was an administrative issue and the Town Manager should make the decision if she sees fit. There was discussion on this.

Public comment was taken on this item.

Jack Hamilton spoke on Council researching issues prior to meetings and on his feeling that it is Council's decision to make rather than the Town Manager's.

Councilmember Hiles responded to the comment by saying he has confidence in the Town Manager to make the right decision and reminded everyone that staff is still in the office on Fridays all day, and are not taking the afternoon off.

Councilmember Hiles made a motion to leave this up to the Town Manager to make the decision, seconded by Vice Mayor Dibble (VM Dibble responding to Mr. Hamilton's criticism about research, stating he was not approached by anyone complaining about this and had only heard Mr. Hamilton's one complaint).

Councilmember Repan agreed the Council had the right to make the decision but felt it best to trust the Town Manager on this one.

Jerry Brady spoke on Yavapai County being closed on Fridays and suggested the town follow the lead of the federal government on how business can be conducted online and by phone.

Mayor Nolan spoke on the effectiveness since implementation and agreed it should be the Town Manager's decision. Town Manager Kimball spoke in support of how well it has been working and how staff uses the time efficiently and effectively, and that town hall is still open 40 hours a week.

The motion passed by a 6-1 vote in favor, Councilmember Wright voting against.

9.8. Discussion and Possible Action on Requiring the Owner of the Humboldt Center to go through the Proper Procedure to Split the Property Prior to Expending any Town Funds on an Appraisal or Title Search. [CAARF CM Wright Request].

Councilmember McBrady recused himself from the agenda item and left the dais at 8:00 p.m.

Councilmember Wright gave an overview her request. When she realized the property was not already split she wanted to have that done before proceeding with an appraisal.

Councilmember Wright made a motion to not proceed with the appraisal until the property has been split, seconded by Councilmember Rogers.

Councilmember Repan spoke on due diligence and considering this before proceeding, but still having the Town Manager manage this process. There was discussion on whether they could proceed with an appraisal without splitting the property or not.

Property owner Mark McBrady spoke to the council on the process to split a property being a hardship and preferring to appraise without splitting using proposed property lines. Councilmember Wright called a point of order stating that Mr. McBrady had a conflict of interest and should not be talking. Mayor Nolan stated it was not a conflict of interest. Mr. McBrady responded he was not making a decision but explaining himself.

Public comment was taken on this item.

Jerry Brady spoke on research that can be done with the Dept. of the Interior; different needs determining whether surveys, trusts, deeds or plats are needed.

David Nystrom suggested analyzing the needs of the town before selecting a property to purchase; having the owner decide a selling price prior to negotiation and having the appraisal done prior to closing.

Mayor Nolan responded that the seller has had an appraisal, but it is the Council that requested an additional appraisal be done.

Jack Hamilton spoke on making a determination on how much of the property the council is interested in before having it appraised.

Councilmember Repan spoke on also considering other properties if this one is not in the position to be sold.

Councilmember Wright reiterated that the seller would need to follow town code to split his property. Councilmember Rogers explained the Council has looked at other properties but none of them would work. She withdrew her second on the motion based on being able to appraise the property without coordinates. The motion failed for lack of a second.

Councilmember McBrady returned to the dais.

9.9. 2013 Rural Economic Development Grant Program. [CAARF Mayor Nolan Request].

Mayor Nolan made the recommendation that the town support Mortimer's turning in the grant proposal from the first of the year again for reconsideration. There was discussion on which grant opportunity that was (the greenhouse proposal). The deadline to submit is October 1st. The council discussed if there were any other businesses who might want to apply for the grant and whether this suggestion included verifying if the Mortimer's are still interested in their earlier business proposal.

Councilmember Hiles made a motion to approve contacting the Mortimers and if they are in agreement to resubmit their January proposal for the Rural Economic Development Grant, seconded by Councilmember Wright.

Public comment was taken on this item.

Jerry Brady explained a business would get a higher rating if submitted through the town; REDI certified program used for Prescott Valley's development; the designation of Yavapai County as rural; pursuing that grant money but needing a development plan; the technical training and assistance grant.

David Nystrom spoke in favor of submitting Mortimer's proposal if they are interested; putting the information out to other local business to see if they want to apply.

The motion passed by a unanimous vote.

10. Public Hearing Agenda. None.

11. Comments from the Public.

Jerry Brady spoke on the Federal Organic Act for assignment of resources to municipal government; surveying the properties within Dewey-Humboldt, since most platted but not surveyed; federal and state requirements for grant monies.

Bart Brush asked about getting an explanation on the attorney's opinion (agenda item 9.4).

Mayor Nolan and Town Manager Kimball explained he can make a public records request for that opinion.

12. Adjourn.

The meeting was adjourned at 8:35 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

A RESOLUTION OF THE [CITY/TOWN] COUNCIL OF THE [CITY/TOWN] OF [NAME],
ARIZONA, SUPPORTING THE REPEAL OF ARIZONA HOUSE BILL 2826

WHEREAS, Arizona cities and towns with populations of fewer than one hundred and seventy-five thousand persons are currently authorized to hold regular elections, including local candidate elections on any of the four consolidated election dates set forth in Arizona Revised Statutes Section 16-204.B; and

WHEREAS, House Bill 2826 requires that, beginning in 2014, all regular elections, including local candidate elections may be held only in the Fall election cycle of even-numbered years; and

WHEREAS, many cities and towns with populations of fewer than one hundred and seventy-five thousand persons have established election cycles that provide for the election of local candidates during a Spring election cycle, or in the Fall of odd-numbered years; and

WHEREAS, House Bill 2826 will significantly disrupt the current election cycles in those cities and towns with populations of fewer than one hundred and seventy-five thousand persons where candidates are elected during a Spring election cycle, or in the Fall of odd-numbered years, and cause the terms of many incumbent elected officials to be artificially extended for as long as eighteen months or more beyond the terms for which they were duly elected; and

WHEREAS, many cities and towns operate under alternative expenditure limitations that are approved by the voters of those cities and towns every four years on the same ballot as local candidate elections, in accordance with Article 9, Section 20 of the Arizona Constitution; and

WHEREAS, HB 2826 will prevent the cities and towns whose candidate elections are currently held at times other than the Fall election cycle of even-numbered years from timely renewing their alternative expenditure limitations, which could result in a substantial diminution and disruption of essential public services; and

WHEREAS, the election of local candidates and the timing and continuity of alternative expenditure limitation elections are matters of local concern; and

WHEREAS, House Bill 2826 is inimical to the concept of local control over matters of local concern;

NOW, THEREFORE, BE IT RESOLVED by the [City/Town] Council of the [City/Town] of [], Arizona, as follows:

1. That the [City/Town] of [], Arizona expressly disapproves of House Bill 2826 and its usurpation of local control over the timing of local candidate elections

as well as the timing and continuity of alternative expenditure limitation elections.

2. That the [City/Town] of [], Arizona supports and urges the repeal of House Bill 2826.

A RESOLUTION OF THE [CITY/TOWN] COUNCIL OF THE [CITY/TOWN] OF [NAME],
ARIZONA, SUPPORTING THE REPEAL, ACCELERATED SUNSET AND/OR
NONRENEWAL OF ARIZONA HOUSE BILL 2643

WHEREAS, House Bill 2643 requires cities and towns to establish a supplemental benefits plan for public safety employees that requires cities and towns to expend significant additional funds to compensate public safety employees who meet the eligibility criteria for enrollment in that plan at a time of reduced/declining municipal revenues; and

WHEREAS, the supplemental benefits plans that cities and towns are required to establish under House Bill 2643 provide eligible employees with substantially more total compensation than such employees will make when they return to work, and thus provide a disincentive to returning to work as soon as is reasonably possible; and

WHEREAS, House Bill 2643 requires cities and towns to treat injured public safety employees who are injured at work more favorably than other municipal employees who are injured at work, thus creating two classes of employees; and

WHEREAS, House Bill 2643 constitutes an unfunded mandate on local government;

NOW, THEREFORE, BE IT RESOLVED by the [City/Town] Council of the [City/Town] of [], Arizona, that the [City/Town] of [], Arizona expressly disapproves of House Bill 2643, and urges the Arizona Legislature to either repeal it, provide for an accelerated sunset date, or at a minimum, not renew it beyond its current sunset date of September 30, 2014.

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A RESOLUTION OF THE [CITY/TOWN] COUNCIL OF THE [CITY/TOWN] OF [NAME], ARIZONA, URGING THE ARIZONA LEGISLATURE TO RENEW ITS SUPPORT OF THE ARIZONA STATE PARKS SYSTEM

WHEREAS, Arizona's state parks contain unique and irreplaceable ecosystems, wildlife, and historic and natural resources, and constitute an essential part of what makes Arizona the extraordinary place it is, both for its residents and for visitors from around the country and around the world; and

WHEREAS, while the Arizona parks system requires approximately \$30 to \$34 million per year to operate, it generates more than \$266 million in annual economic activity and supports more than 3,000 jobs, primarily in Arizona's rural communities; and

WHEREAS, the Arizona Legislature provides no General Fund support for the state park system, and has in recent years diverted more than \$15 million in park revenues away from the system; and

WHEREAS, the gate/admission fees at Arizona State Parks are already among the highest in the United States; and

WHEREAS, the Arizona state park system is now in immediate peril due to a lack of sufficient funding for park operations, as well as deferred maintenance and capital improvement projects totaling approximately \$200 million; and

WHEREAS, nineteen of the State's 31 state parks and natural areas are open to the public only because other public and private individuals, groups and entities have stepped forward to provide short-term, temporary support for park operations on seasonal and shortened schedules; and

WHEREAS, the State has an obligation to ensure that current and future generations of Arizonans are able to enjoy the natural splendor, historic heritage and outdoor recreational opportunities offered at Arizona's state parks and recreational areas;

NOW, THEREFORE, BE IT RESOLVED by the [City/Town] Council of the [City/Town] of [], Arizona, as follows:

That the Arizona State Legislature is urged to renew and restore its previous support for the Arizona state park system - including but not limited to the immediate and permanent termination of funding "sweeps"; a modest amount of General Fund support; restoration of the Heritage Grant program; and the institution of an optional, opt-out state park fee as part of the vehicle registration process - so that the parks of this state can remain open, properly maintained and safe, so as to preserve the recreational, cultural, historical and economic opportunities they provide to the state, its people, and its rural communities.

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

TOWN COUNCIL REGULAR MEETING

October 2, 2012– 6:30 pm Town Council Meeting Chambers

Agenda Item #9.4. 2012 Council Retreat Detail Discussion. Discussion and possible direction.

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: September 26, 2012

Summary: Attached are 2009 and 2010's council retreat agendas. For 2012's retreat, we will likely follow the same framework except that 2012's retreat will be a one-day event. Additionally, a few council members have provided me with their thoughts on this year's retreat. I plan to go over details of the retreat at the meeting. \$2000 was budgeted for the event.

Budgeted: \$2000

Attachment: 2009 council retreat agenda, 2010 council retreat agenda
Town Council Regular Meeting

October 2, 2012

Page 21 of 35

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

**Friday, August 7, 2009, 8:00 a.m. to 5:00 p.m.
Saturday, August 8, 2009, 8:00 a.m. to 5:00 p.m.**

**COUNCIL SPECIAL MEETING
4255 S. Hwy 69**

**FX RANCH
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. 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.

NO LEGAL ACTION WILL OCCUR

1. Call To Order.

2. Roll Call. Town Council Members David Hiles, David Nystrom, Terry Nolan, Denise Rogers, Floyd Wright; Vice Mayor Nancy Wright; and Mayor Len Marinaccio.

3. Discussion Agenda.

3.1. Council Retreat.

Friday, August 7, 2009, 8:00 a.m. to 5:00 p.m.: Council to discuss Town Vision and policy agenda for FY2010-2011.

Saturday, August 8, 2009, 8:00 a.m. to 5:00 p.m.: Council to discuss Town Vision and policy agenda for FY2010-2011.

4. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, August 18, 2009, at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, September 10, 2009, at 6:00 p.m.

Next Town Council Work Session: Tuesday, August 11, 2009, at 3:00 p.m.

If you would like to receive Town Council agendas via email, please send your address to Town Clerk Judy Morgan at judymorgan@dhaz.gov or call 928-632-7362.

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 _____, 2009, 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.

**TOWN COUNCIL OF DEWEY-HUMBOLDT
SPECIAL "COUNCIL RETREAT" MEETING NOTICE**

**Friday, August 6, 2010, 6:00 p.m. to 8:00 p.m.
Saturday, August 7, 2010, 8:00 a.m. to 3:00 p.m.**

**COUNCIL SPECIAL MEETING
4255 S. Hwy 69**

**FX RANCH
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. 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.

1. Call To Order.

2. Roll Call. Town Council Members Mark McBrady, David Hiles, David Nystrom, Terry Nolan, Nancy Wright; Vice Mayor Denise Rogers; and Mayor Len Marinaccio.

3. Discussion Agenda.

3.1. Council Retreat.

3.1.1. Friday, August 6, 2010, 6:00 p.m. to 8:00 p.m.: Dinner and interaction with each other with a brief presentation to frame the discussion for Saturday and discuss the ground rules.

3.1.2. Saturday, August 7, 2010, 8:00 a.m. to 3:00 p.m.: Council discussion and possible action on Strategic Planning and Visioning for the Town.

Morning: Review input from interviews and identify 5-6 key strategic issues demanding Policy attention within a 3-5 year horizon. Identify 2010 action items and "next steps".

Afternoon: Continue discussion of identified key strategic issues and agree upon the next steps to be taken to achieve satisfactory results. Open discussion for other policy level items at Council's discretion.

4. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, August 17, 2010, at 6:30 p.m.

Next Planning & Zoning Commission Meeting: Thursday, September 9, 2010, at 6:00 p.m.

Next Town Council Work Session: Tuesday, August 10, 2010, at 3:00 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 _____, 2010, 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.

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FOR SALE
390 S Hwy 69, Dewey AZ 86327



\$1,000,000

Zoned: C3-1

MLS# 962174

**18,175 sq ft -6 buildings
on 3.81 acres**

Lease / purchase and Owner May Carry

6 buildings with offices, conference room, showrooms & open faced lumber storage totaling 18,715 sq ft on 3.81 acres with block fenced yard. Main building is 5,220 sq ft– 1,300 sq ft of additional upstairs space not shown on county records (buyer to verify). Also available are additional vacant lots on either side of buildings for a total of 9.47 acres.

Jack Fowler, CCIM
(928) 775-4227 or (928) 899-1378
jack@jfowler.com www.jfowler.com
8098 E Valley Rd. Suite 1, Prescott Valley AZ 86314

COMMERCIAL REAL ESTATE
IT'S WHAT WE DO

Retail space for Sale

390 S Hwy 69; Dewey, AZ 86327

Location: Hwy 69 past the Texaco to building on right; former Schuck and Sons Lumber

Site Description: Parcel # 402- 02-049F is 3.81 acres with 6 buildings

Property Description: 6 buildings with offices, conference room, showrooms & open faced lumber storage totaling 18,715 sq ft on 3.81 acres with block fenced yard. Main building is 5,220 sq ft– 1,300 sq ft of additional upstairs space not shown on county records (buyer to verify). Also available are vacant lots on either side of buildings for a total of 9.47 acres.

Uses: Suitable for Retail, Office, warehouse, storage yard, lumber and flex space.

Zoning: C3-1

Utilities Available: Electricity 220
Natural Gas
Water Private Well
WWT-Septic

Offered at: \$1,000,000 for buildings on 3.81 acres

Terms: Cash
Cash to new loan
Lease/purchase
Owner may carry

Taxes 2011: \$18,958

390 S Hwy 69, Dewey, AZ

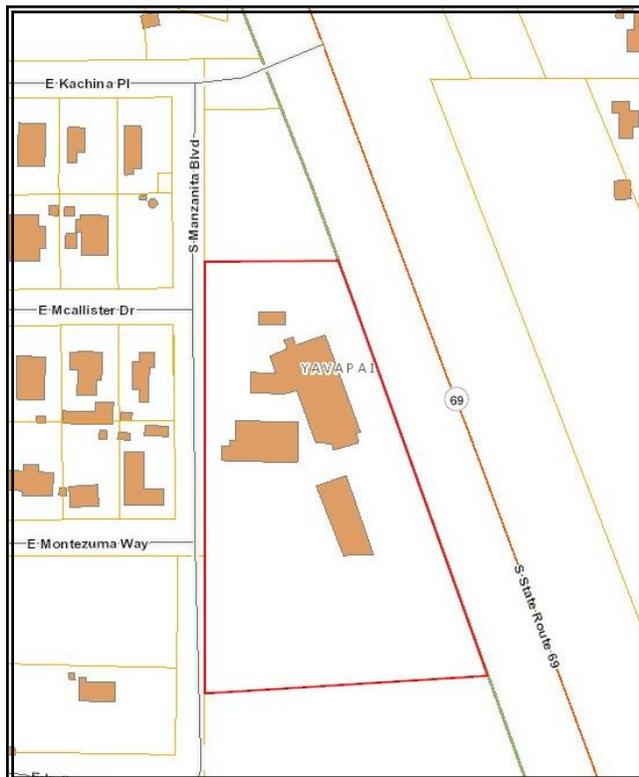
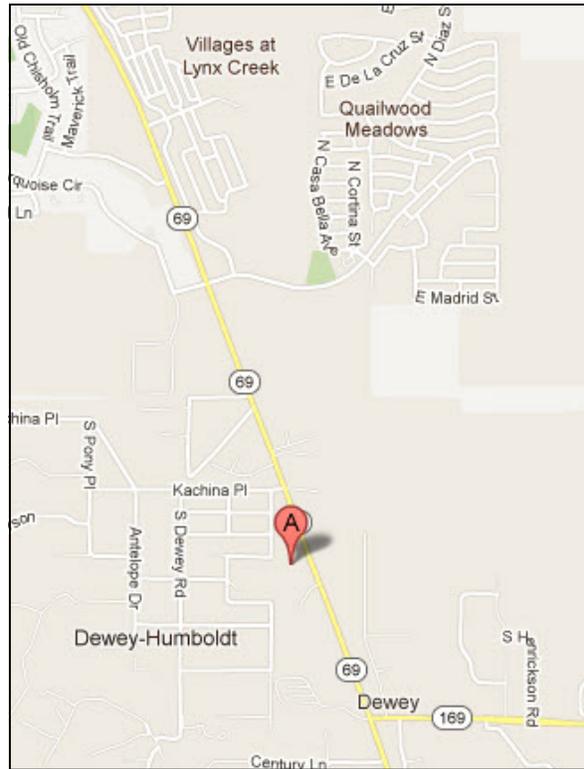
390 S Hwy 69

402-02-049F – 3.81 acres

6 buildings = 18,715 sq ft
Main building is 5,220 sq ft
Open faced lumber storage
Block fenced yard
Built in 1981+

Zoned : C3-1

Lots on either side
also available



FOR SALE

499 Manzanita Blvd, Dewey AZ 86327



\$860,476

\$4 sq ft

Zoned: C3-1

MLS# 962171

4.94 acre vacant lot

Hwy 69 visibility

Lease / purchase and Owner May Carry

4.94 acre flat vacant lot with Hwy 69 visibility.

Also available are two additional parcels

0.62 acre vacant lot at signalized corner and

3.81 acre lot with 6 buildings (formerly Schuck & sons)

Jack Fowler, CCIM

(928) 775-4227 or (928) 899-1378

jack@jfowler.com www.jfowler.com

8098 E Valley Rd. Suite 1, Prescott Valley AZ 86314

COMMERCIAL REAL ESTATE
IT'S WHAT WE DO

4.94 acre vacant lots for Sale

449 Manzanita Blvd; Dewey, AZ 86327

Location: Hwy 69 past the Texaco to building on right; lot next to former Schuck and Sons Lumber

Site Description: Parcel# 402-02-049E

Property Description: 4.94 acre flat vacant lot with Hwy 69 visibility.
Also available are 0.62 acre vacant lot at signalized corner and 3.81 acre lot with 6 buildings.

Uses: Suitable for Retail, Office, warehouse, storage yard, lumber and flex space.

Zoning: C3-1

Utilities Available: Electricity 220
Natural Gas
Water Private Well
WWT-Septic

Offered at: \$860,476
\$4 sq ft

Terms: Cash
Cash to new loan
Lease/purchase
Owner may carry

Taxes 2011: \$4,348

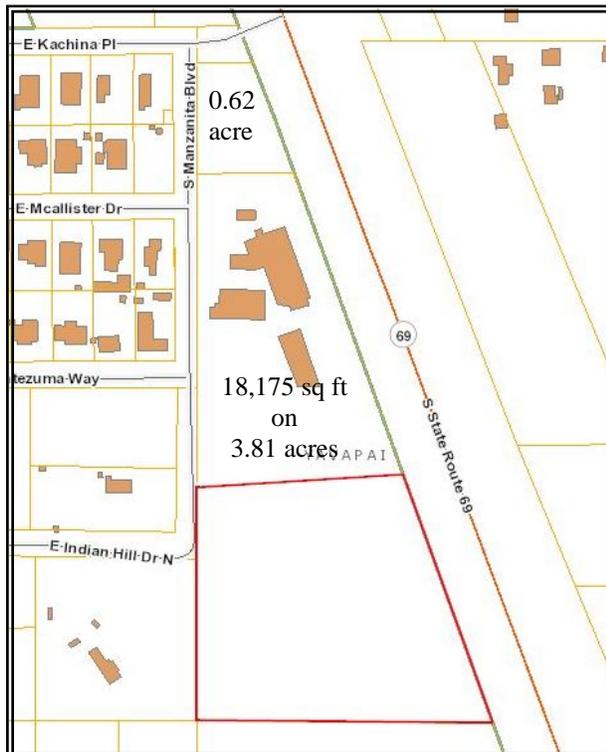
449 Manzanita Blvd, Dewey, AZ

Parcel# 402-02-049E

4.94 acres

Zoned : C3-1

2 additional parcels available





FOR SALE

275 Manzanita Blvd, Dewey AZ 86327



\$216,058

\$8 sq ft

Zoned: C3-1

MLS# 962169

0.62 acre corner lot
Signalized corner
Lease / purchase and Owner May Carry

0.62 acre flat vacant lot at signalized corner of Hwy 69 and Kachina Place.
Also available are two additional parcels
4.94 acre vacant lot and 3.81 acre with 6 buildings (formerly Schuck & Sons)

Jack Fowler, CCIM
(928) 775-4227 or (928) 899-1378
jack@jfowler.com www.jfowler.com
8098 E Valley Rd. Suite 1, Prescott Valley AZ 86314

COMMERCIAL REAL ESTATE
IT'S WHAT WE DO

0.62 vacant corner lot for Sale

275 Manzanita Blvd; Dewey, AZ 86327

Location: Hwy 69 past the Texaco to building on right; corner light at signalized corner

Site Description: Parcel# 402-02-049B

Property Description: 0.62 acre flat vacant lot at signalized corner of Hwy 69 and Kachina Place.
Also available are two additional parcels
4.94 acre vacant lot and 3.81 acre with 6 buildings (formerly Schuck & Sons)

Uses: Suitable for Retail, Office, warehouse, storage yard, lumber and flex space.

Zoning: C3-1

Utilities Available: Electricity 220
Natural Gas
Water Private Well
WWT-Septic

Offered at: \$216,058
\$8 sq ft

Terms: Cash
Cash to new loan
Lease/purchase
Owner may carry

Taxes 2011: \$1,288

275 Manzanita Blvd, Dewey, AZ

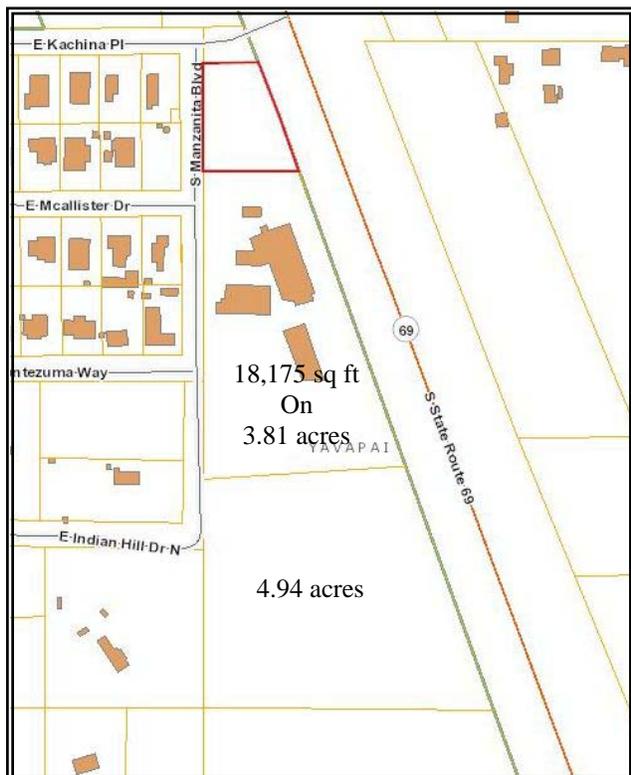
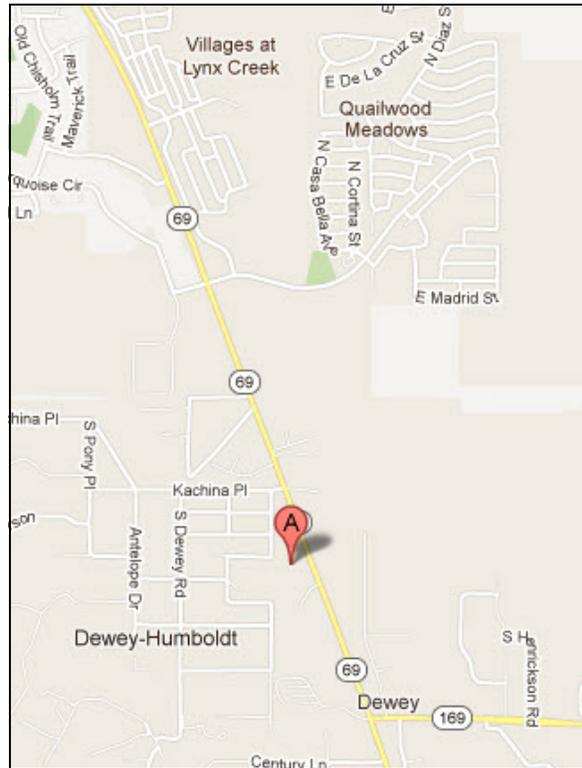
Parcel# 402-02-049B

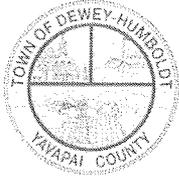
0.62 acres

Signalized corner lot

Zoned : C3-1

2 additional parcels available





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: Oct 2, 12

Date of Request: Sept 25, 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):

To include under "Invocation"
To request any & all Religious are invited
to come & give the invocation at the meetings.

Purpose and Background Information (Detail of requested action).

Due to memo from our Attorney,

Staff Recommendation(s): _____

Budgeted Amount: 0

List All Attachments: _____

Type of Presentation: _____

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

Contact Person: Terry Nolan, Mayor

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.