

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

Tuesday, August 15, 2017, 6:30 P.M.

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

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

AMENDED 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 Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady; 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.

4.1. Environmental Protection Agency Superfund Activity Update

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

6. Consent Agenda.

6.1. Minutes. Minutes from the May 9, 2017, Work Session; May 9, 2017, Budget Session; May 16, 2017, Regular Council Meeting; June 6, 2017, Regular Council Meeting; June 13, 2017, Work Session; July 18, 2017 Regular Council Meeting; and July 28, 2017, Special Session.

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.

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8.1. Report of the BLM access and communication with adjacent property owners and direction to proceed with land survey and submission of application to BLM.

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

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9.1. Discuss and Consider Raising Staff Salary Range [CAARF submitted by CM Hamilton].

43

9.2. Council Ratification of the Volunteer of the Year 2016 Nominees.

47

9.3. Dewey-Humboldt Historical Society’s request to use Town property located at 12938 E. Main Street (Agua Fria Festival).

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9.4. Discussion and possible action to accept the letter of waiver of conflict of interest by the Town Attorney for the purpose of facilitating an exchange of real property with the Humboldt Unified School District.

10. Public Hearing Agenda.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, September 5, 2017, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, September 7, 2017, at 6:00 p.m.

Next Town Council Work Session: Tuesday, September 12, 2017, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Julie Gibson, 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 August, 2017, 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
SPECIAL BUDGET MEETING #2 MINUTES
MAY 9, 2017, 9:00 A.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MAY 9, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 9:12 a.m.
2. **Roll Call.** Town Councilmembers Jack Hamilton, John Hughes (arrived late at 9:50 a.m.), Amy Timmons arrived late at 9:17 p.m.), Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady; and Mayor Terry Nolan were present.
3. **Special Session for FY2017-18 Budget Deliberation.** Legal Action can be taken. Council deliberation and possible action to modify Preliminary Budget content.
 - 3.1. **Review of Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).**

MAGISTRATE COURT

Honorable Catherine Kelley, Town Magistrate begin the budget discussions. She had hoped that the new Councilmembers would be present to hear the Magistrate presentation. She shared that the Town has to have a Municipal Court, by contract with another entity, or to have their own. She reviewed the different ways they can handle Courts.

"What are the costs of the Court" legitimate and not legitimate. Judge Kelley has looked into ways to save funds. Magistrate services will always have costs, whether they are in-house or contracted out. She stated that she is frugal and runs her Court accordingly, which has been in-house for the past 7.5 years covering approximately 100 cases per month. She added that the current Justice of the Peace (JP) has not handled a consolidated Court and that the local people identify this as their Court location.

Some of the statistics regarding the other local entities that would have the burden of a shared Court are as follows: Mayer JP current caseload is approximately 7,000 cases per year; Prescott Valley is the same as Mayer (25,000 when traffic cameras were present); Prescott has approximately 17,000 caseload per year. If the neighboring Magistrate Offices took over Dewey- Humboldt cases they would need extra resources, equipment and have to store records.

Page 5 of Judge Kelley's handout shows the cost comparison when the Court was in Mayer (FY2006-FY2009) and when it became part of Dewey-Humboldt (FY2010). During the first year, that the Court was in-house there was an increase of approximately \$17,387. However, the following year showed a decrease of \$18,512. Additionally it is noted that wages and IGA contract costs could possibly increase. Also, shown on page 5 is the cost analysis of moving to another location. The costs for a Public Defender is not known at this time but is on an as-needed basis (approximately \$250 but budgeted for \$4,000).

Councilmember Hamilton asked what the prosecuting attorney does, in addition to our Court. Judge Kelley stated that there are a couple of independent prosecuting attorneys and ours is a prosecutor at Camp Verde. The simple cost analysis of \$81,000 is for the Court to exist, this could be anywhere, however, if the Court is in-house the revenue makes

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the difference. Judge Kelley pointed out the revenue from last year was extraordinary and the FY2013-FY2014 revenue is more realistic.

The citations written by the Sheriff's Department average approximately 300-500 per year. During 2010, there was a change in the enforcement philosophy and citations drop to one per month during that time. The stability in the past three years has shown with some fluctuation at about 20 citations per month. Citations are written for those that are doing something obviously wrong, notating records to show how many times a person is warned or given finite resources tickets. On average, 25-30% of the people stopped are ticketed.

Councilmember Timmons asked how much the cost is for a finite resource ticket. Judge Kelley explained that the cost was about \$50, but Town Council adopted fees that are added on to every traffic ticket and criminal offense. For Court costs, \$81 is added on, plus an addition 83% for Court fees by the state. The lowest price for a ticket is \$200 and is the same as for driving school. If the Council decides to change the \$81 fee, it will change the revenues. Judge Kelley stated that all other jurisdictions have those fees. A \$175 warrant fee can be avoided by providing communication with the Court, which the person is informed of up front.

Judge Kelley informed the Council that the revenues could not be controlled if the Court is moved. The Town of Dewey-Humboldt enforcement philosophy allows for monthly payments as low as \$5-\$10. Mayor Nolan asked about the Town's direct revenues. Judge Kelley shared that the total is personnel costs and nuts and bolts. Revenue is about \$131,000 and approximately \$64,000 of that amount is kept by the Town, so the difference is between revenue and cost. It was explained that a portion of that money goes directly to the state.

Councilmember Hamilton stated with an IGA, the Town is not in control of any increases, but would have to pay for the IGA. He added that he would like a police department to have control of the police services.

Councilmember Wendt agreed, it would be better in-house for more control and better accounting. Judge Kelley also agrees with keeping the Court in-house.

Councilmember Timmons shared that she had attended Judge Kelley's Court and appreciated the energy in the Courtroom and the way the cases are handled. Councilmember Hamilton stated that he appreciates Judge Kelley's approach to her cases in working with the citizens.

Judge Kelley stated that this Court can be responsive on a local level and that legal costs would go up if an IGA were in place. She informed the Council that the Magistrate must be an Attorney and that Judge Rummer in Mayer is not an attorney. If an IGA were in place there would need to be a revision to the ordinance to allow this change. Since 2011, Court costs have been fairly flat.

Councilmember Hamilton asked her advice on codes to see how they would affect her Court. Judge Kelley willingly agreed to come in to speak with the Council as she views it from the enforcement side. She added that she lives here and is always happy to help the Town. In response to Councilmember Hamilton's question Judge Kelley stated that she has no problem being able to waive the Town fines if the problem has been remedied.

Councilmember Wendt cautioned about developing ordinances to make sure they are not biased against the public to create hardships and be careful not be overzealous.

Councilmember Timmons asked how the Town hired Judge Kelley. Judge Kelley shared that she was interviewed by the Town Council and was hired (there were eight candidates for that position). Council, with reappointment on a two or four-year schedule, appoints the Judge. Councilmember Hughes stated the Justice of the Peace are elected and that there are 13 lower Court Judges in the County.

Judge Kelley shared that she would provide the statistical pages with comparisons added to Council.

PUBLIC WORKS

Public Works Director, Ed Hanks, Council reviewed the list of roads and mileage for the next fiscal year maintenance. Additionally the dirt road grading for the spring and fall seasons are maintained at Level 1 in spring and Level 2 & 3 in the fall. All road maintenance is on a five-year rotation plan. Level 1 is grading only, Level 2 is more intense to remove ripping and getting exposed rocks out. Councilmember Wendt asked why the estimate for Beverly Hills Drive was so high. Director Hanks stated that it includes $\frac{3}{4}$ miles at Level 2 grading and adding additional materials since the road is wider and also on a hill. He added that the cost is \$3,000 per mile and that road is being re-profiled. Mayor Nolan asked if any of the soil was being sampled. Director Hanks shared that it was not being done on the dirt roads, but will be on the dirt prior to chipping. Paving is at a depth of 6-8 inches and chipsealing is at 3 inches for a solid road base.

Councilmember Hamilton asked about continued maintenance on Old Black Canyon Highway and why it is not on the list for next year. Director Hanks said that they would be finishing the hot patching this year. The 1-mile chip seal process was originally set to be scheduled but didn't get added. Some roads may need to be extended to next year. Mayor Nolan asked about the ditching work. Director Hanks shared that most ditches are stabilized and holding. Director Hanks stated that the highlighted (shaded) roads on the five-year Maintenance Plan/Schedule are roads that are already milled and are flatter roads. Councilmember Hamilton asked if the millings from the State work on Hwy 169 were available to the Town. Director Hanks mentioned that he would try to get them, but was not sure if they were grinding this year or not. Councilmember Timmons asked how the maintenance on the milled roads is completed. Director Hanks stated that on a Level 1 they use a blade and, if there is deterioration, more millings are used to fill in any potholes and voids.

Councilmember Hamilton asked about the capital equipment in the Highway User Revenue Fund (HURF) and also where the depreciation to replace equipment is shown in the budget. In the Public Works Account 20-431-7008, one-time road projects/equipment expense, there is itemized a Roller, Back Hoe and a Chipper. Town Manager, Yvonne Kimball, stated that depreciation is not on the budget sheet but is in the audit (assets) Equipment Depreciation Schedule. Councilmember Hamilton asked about the deficit in the HURF fund and what does that leave for reserve. Town Manager Kimball stated that there is currently \$300,000 in the HURF fund, and will be approximately \$200,000 after the equipment purchases. Councilmember Hamilton felt that this is not a true cost of the roads as no salaries are paid out of HURF and normally they would. He added that the Town is paying for those salaries with the General Fund. Councilmember Wendt asked if a non-departmental transfer could be made to the HURF account. Town Manager Kimball shared that that transfer was started last year into HURF rather than the General Fund. It is up to the Council's philosophy and HURF is not enough to pay for all the road expenses. The General Fund is doing well so the personnel costs were put there, so that the HURF could be used for maintenance projects and equipment. Council can direct which account

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can be used for equipment purchases, but HURF funds can only be used towards roads.
If the HURF reserves are higher, those funds have been used.

Councilmember Wendt identified that there is no engineering in the Capital Road Improvement item this year. Town Manager Kimball stated that that line item is added, if there was some work requiring Engineering. Some of the grants in CDBG and ADOT may have required Engineering, but the grant funding paid for that work. Councilmember Hamilton asked about the roadway maintenance as well. Director Hanks added that an Engineer is not necessarily needed with established roads and that he had never seen funds in that category since he has worked for the Town.

Councilmember Hamilton asked for clarification on what the funds in the Flood Control category were spent on. Director Hanks stated that drainage, low water crossings that need to be redone, Kachina Road, Hwy 69 to Pony culverts were deteriorating and too small. He is hoping with enough time to have the drainage and road repair done by in-house crews. Councilmember Hamilton asked about the search for new equipment and if deposits are required to hold the purchase. Director Hanks stated there are a few pieces of equipment in Phoenix that he is currently interested in. Councilmember Hughes asked if the equipment was a one-time road expense. Director Hanks stated they were, excluding the chipper, which was in the capital expense category.

Councilmember Hamilton asked if new personnel was being hired before the new Fiscal Year. Town Manager Kimball stated there is a possibility that it could happen. Director Hanks said that if there are funds remaining this year they could be used on the Old Black Canyon. He also shared that his department tries to balance the road miles maintained between the West and East sides of Town. Councilmember Wendt felt there appears to be an imbalance with the maintenance to the west side and mentioned chipsealing on Tonto. Director Hanks shared that Tonto was in this year's budget, however, the measurement is calculated on square mileage and Henderson is the widest road in Town. Councilmember Hamilton mentioned that all roads are on a six-year Road Maintenance Plan.

Councilmember Wendt asked, if when new equipment is purchased, for hot patching, do we anticipate those budget numbers to go down. Director Hanks stated that currently about 80 tons of hot patch is used a year, with the new equipment, those same funds will increase that number to 120-130 tons equating to more repairs for same amount of budgeted funds. It was noted that an article in the June Newsletter will list the road repair locations and that the message board will be placed in advance regarding delays. Councilmembers Timmons requested an explanation regarding the list of roads and the map that changes yearly. Director Hanks stated that the list is used as a guideline, but allows for switching roads, if immediate repairs are needed.

Mayor Nolan asked when Dewey Road was scheduled to be paved. Director Hanks shared that it is on the plan to be re-chipped next year but only to the Town-owned sections. Director Hanks added that he would adjust the list for Old Black Canyon. Mayor Nolan asked Director Hanks what his pay grade is. Director Hanks stated that he was hired in at the Public Works Supervisor pay range.

Councilmember Hamilton identified that Council had previous discussions regarding forming some type of Neighborhood Outreach to help people with clean-up issues, perhaps \$1,000 should be budgeted, if this committee is formed. Mayor Nolan inquired whether Northern Arizona Council of Government (NACOG) provided any fund for elderly assistance. Town Manager Kimball shared that she had not heard of anything, but could

look into it. Councilmember Timmons asked how the committee would work. Councilmember Wendt explained that someone would identify the need for assistance. Councilmember Hamilton explained that, if the Town Council appoints a committee, it would then have to meet the Open Meeting Law criteria. Councilmember Wendt suggested that members of the community such as neighborhood watch groups could identify people that need assistance. Town Manager Kimball encouraged the Councilmembers to speak with citizens to see if the public is interested in that type of program. Councilmember Timmons felt that a neighborhood outreach type of committee in more general and not offensive to anyone, could be discussed in the newsletter, involve open-minded fair people and keep Council out of it. Town could assist with funds, but the committee would be citizens helping out citizens. Councilmember Wendt felt the committee could move quicker without being Town-appointed.

Town Manager Kimball shared that there is no CDBG funding in this upcoming budget year, but hopes that the following year will be funds available. She suggested that the NACOG Grant Administrator could provide a presentation to the Council, regarding items such as housing grants, the grant cycle and eligibility requirements. Councilmember Wendt thought that the Code Compliance Officer could provide some complaints where the individual is unable to bring their property into compliance. Councilmember Hamilton agreed with the suggestion to fund \$1,000 as a minimal amount and, if needed, that item could come back for revision. Town Manager Kimball proposed including something in the budget narrative to speak to supporting this type of committee in response to Councilmember Timmons' concerns.

Councilmember Hamilton suggested allowing the Town Manager the discretion of authorizing the feeding of volunteers, but to not set any hard rules. Town Manager Kimball suggested funds in the amount of \$2,000 for Outreach.

Councilmember Hamilton asked about a narrative for Town hall possibilities. Town Manager Kimball deferred to the Council and Councilmember Hamilton stated that he wants to see the search for acquiring a Town hall in the narrative.

Councilmember Wendt felt it should be brought up to the voters to decide.

Councilmember Timmons also shared that it could be a question on the next scheduled election.

Councilmember Hamilton reminded everyone that you could do a survey but not an initiative. The Council was elected to make those decisions and, if someone does not like their decision, then it can go on as a referendum. The public can put an initiative on the ballot, but not the Council, and it required approximately 400 signatures.

Councilmember Hughes shared that it has been a long time and Council needs to do something, to set funds aside to deal with the Town hall. Building the Town's foundation getting the infrastructure started is very important. He feels that it is the Town Manager's job to figure out how to get it started. Town Manager Kimball and the Council were in consensus to add that in the narrative.

Mayor Nolan asked if the IT funding was sufficient. Town Manager Kimball said it was. Councilmember Timmons asked about the current contractor and the terms of their contract.

Mayor Nolan suggested adding in stipends for Council. Councilmember Hamilton suggested not placing anything on the line item or in the budget until Council votes. Town Manager Kimball explained that there is currently a salary and wages line item for Council

Town Council Special Budget Meeting Minutes, May 9, 2017 and Management, but at this time it includes only the Town Manager. Mayor Nolan felt it was beneficial as some Council Members take time off from work to attend meetings. Councilmember Timmons felt it would not matter unless the Town was trying to encourage candidates to run for office. Councilmember Hamilton disapproves of stipends for Councilmembers.

Town Manager Kimball reviewed the items discussed already. The HURF change needs to be ironed out and \$2,000 to be added to Community Outreach. Councilmember Hamilton asked if a Council action was needed to authorize this Outreach Committee. Town Manager Kimball shared that it is currently a Council Committee for Clean-Town but, if Council directs, it could be another committee. Councilmember Timmons suggested funding that item now and figure out which committee later. Town Manager Kimball spoke to placing something on the agenda to get Council direction. Councilmember Hamilton suggests they authorize the Town Manager to form the committee and they can do that at the next meeting. Councilmember Timmons stated they would work out a CAARF with the Town Manager.

Mayor Nolan left the dais from 11:42 - 11:45 a.m.

Councilmember Hughes asked if the refund on page 7 was for the Keenans. Town Manager Kimball stated that an account was generated through the software for Building Department fee refunds.

Mayor Nolan asked if the line item for the Attorney was the same or less. Town Manager Kimball stated it was decrease by \$5,000, estimated at 20 hours monthly at \$200 per hour. Councilmember Timmons asked how the attorney is selected. Town Manager Kimball responded that a Request for Proposal (RFP) procurement process is followed, it is posted and qualified firms submit their proposal. This was done just last year and Council chose to select the same firm with a term of one-year with automatic renewal. The process is the same but terms can be different.

Councilmember Hamilton explained that firms could be let go. The legal team reviews documents to avoid problems and he feels that it is money well spent. Councilmember Timmons agrees with the need for legal advice, but when the response is "not sure", she loses confidence in the Attorney and does not feel that she is here for the Town but for her own benefit. Councilmember Hamilton explained the difference between an opinion and legal advice and that research costs more than an opinion due to time spent. She is one of the select few that work in Municipal law. Getting legal advice up front, helps avoid Court time, which is very expensive. Councilmember Wendt mentioned that attorneys are generally specialized and others may have more qualifications that can be considered, if a change is needed. Councilmember Hamilton stated that Attorney Susan Goodwin changed law firms and that was why they selected her at this time. Attorney Bill Simms was excellent but only had a few more years of practice. Other candidates did not have the same level of experience. When asked how many candidates there were, Town Manager Kimball shared that there were four candidates/firms, but one dropped out.

Mayor Nolan recessed the meeting at 11:57 a.m. for a lunch break.

The meeting reconvened at 12:44 p.m.

Public Comment

Nancy Wright spoke of issues she has noticed with the meeting video freezing up during the live feed and it should be considered using the comments portion of Granicus for

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feedback from those not attending the meeting. She added that the Town Attorney is the only one who does not charge mileage and that should be considered in the future.

Councilmember Hamilton supported that the Granicus issue be researched. Town Clerk, Judy Morgan, stated she would check into the freezing live and buffering or archived videos.

In review, Town Manager Kimball identified that the Old Black Canyon oversight has been fixed and \$8,000 has been added to that line item with the level of service column having been adjusted accordingly. Finance Manager Mickey Moore, will move \$8,000 from unallocated funds to add for the road, rather than taking it from other areas of work. The streets will be rescheduled and the map redone. There is a \$5,000 increase to Flood Control funds to take care of the extra work needed. Line 5 will be reduced by \$1,000. She asked if the Council was interested in a presentation from NACOG regarding their program and how it relates to the Town. Mayor Nolan stated yes, especially for the new Councilmembers. Town Manager Kimball stated the narrative would be ready for the Council as soon as possible.

3.2 Discussion on whether to revise FY17-18 Budget Calendar. [Whether to hold May 23, 2017, (3rd) Special Budget Session, as scheduled.

Mayor Nolan asked the Council if they felt they would need another Budget Meeting. Town Manager Kimball stated, if there were no need for another session, then she would finish up the narrative and provide a draft prior to the June 6, 2017, Regular Council Meeting for review. The tentative budget adoption is set for the June 7, 2017. Councilmember Timmons asked if they would be able to discuss the budget at the next Work Session. Town Manager Kimball stated that June 6th they would be able to review the draft, the June 13th Work Session allowed for modifications and June 20th for final adoption. Councilmember Wendt asked if the June 23rd Special Budget meeting was cancelled since it would not be needed. The cancellation of the June 23, 2017, Budget Session was confirmed.

4. Adjourn.

The meeting was adjourned at 12:57 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
MAY 9, 2017, 2:00 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MAY 9, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 2:01 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Victoria Wendt, Vice Mayor McBrady (arrived late at 2:07 p.m.) and Mayor Terry Nolan were present. Council Member Doug Treadway was absent.
3. **Study Session.** No legal action to be taken.

3.1. Discussion of Public Body Code of Ethics; options for possible replacement of repealed Code Section Chapter 35. [As directed at March 7th meeting, and continued from April 11, 2017 Work Session]

Mayor Nolan introduced the agenda item and referred to the attachments, Ordinance No.11-88; Chino Valley, AZ Code of Ethics; and Show Low City Council Norms of Operation and Code of Ethics, these attachments were provided by Councilmember Wendt and Councilmember Treadway. Mayor Nolan requested Councilmember Wendt to speak on this item.

Councilmember Wendt spoke of Councilmember Treadway having asked to extend this issue out. As Councilmember Treadway was not present, she asked Councilmember Hamilton for his input on this subject.

Councilmember Hamilton spoke of the Council having the same problem they have always had. There are two issues, one is how to get this issue non-political and the second is the lack of consequences in the proposed version. He spoke of the proposed code not being enforceable and having no consequences.

Vice Mayor McBrady arrived late to the meeting at 2:07 p.m.

There was extensive Council discussion regarding the previous Code of Ethics, which was recently repealed, and the proposal of reinstating a version of Ordinance No. 11-88, as well as possible modifications. Councilmember Hughes; Councilmember Timmons; Councilmember Wendt; Vice-Mayor McBrady and Mayor Nolan were in support of considering reinstating the previous Ordinance No. 11-88 dated August 9, 2011, without revision. Councilmember Hamilton spoke of concerns with the lack of complaint process and enforceability of this proposed version.

Town Manager Kimball spoke of the options available to Council. A new Code of Ethics could be adopted through a Code, Resolution or Policy. She clarified that an Ordinance is more stringent than a resolution or policy. She stated that a draft Ordinance could be prepared and brought back to Council.

There was Council discussion as to whether an Ordinance or Resolution would be the best course. Mayor Nolan recommended a Resolution rather than an Ordinance.

Councilmember Hamilton asked if the Resolution would be reviewed by the attorney and asked to have the term, "Approved as to Form", clarified for new Council Members. TM Kimball confirmed that the Town Attorney would review the proposed resolution.

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

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

No special sessions were scheduled.

5. **Adjourn**. The meeting was adjourned at 3:43 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
MAY 16, 2017, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MAY 16, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:30 pm.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Councilmember Hamilton.
 - 2.2. **Invocation.** Given by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt, and Mayor Terry Nolan were present. Vice Mayor McBrady was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Mayor Nolan and Councilmember Hughes attended a banquet for the Prescott Republican Women's Association on May 15, 2017, where ten scholarships were awarded. He noted that it was a nice event. Mayor Nolan attended a fundraiser event this afternoon for the Big Brothers/Big Sisters organization. APS was a sponsor of this event.
5. **Town Manager's Report.** Update on Current Events.

5.1. Volunteer of the Year program (newsletter announcement and program details).

Town Manager (TM) Kimball spoke of this project having been Council initiated in 2012. They have been recognizing, annually, the Volunteer of the Year since that time. There is an article in the Newsletter outlining details of the program. Anyone is encouraged to make recommendations for VOTY. Council appoints a citizen committee for review of the applications. Staff will continue the same process with Council's approval and bring the recommendations to Council.

TM Kimball presented a new plaque received from the FEMA organization. She acknowledged Public Works Director Ed Hanks and Building Official Don Roberts for their participation and work on this program.

TM Kimball announced that the Town chipseal project had begun and asked Director Hanks to speak on this issue.

Director Hanks spoke of the project starting this week, about 30 days earlier than normal. There were a couple resident concerns that were addressed immediately. He noted that the project would continue over the next week and it was noted on the Town website.

6. Consent Agenda.

6.1. Minutes. Minutes from the March 21, 2017 Regular Meeting and April 11, 2017 Work Session.

Councilmember Treadway noted a correction on the April 11, 2017, Work Session minutes, on Page 27 under Item 3.3. that the Councilmember noted should be CM Wendt and CM Hughes, not CM Timmons.

Councilmember Treadway made a motion to approve the Minutes from the March 21, 2017 Regular Meeting and April 11, 2017 Work Session, with the noted correction, seconded by Councilmember Timmons. The motion passed unanimously.

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

Jerry Brady spoke of President Trump having issued two Executive Orders, which will affect the Town's business. The first instructed EPA to discontinue external communications in regard to ground field remediation sites wherein funds have not already been disbursed. The second order directs the EPA to return the lead agency to the states and their local political subdivisions. D-H will become the lead agency for the two sites and will have to come up with various plans for funding. The second order takes effect in 30 days.

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.

No unfinished business.

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

9.1. Discussion and possible action by Council to re-adopt existing General Plan or forward to Planning and Zoning Commission for review and/or update. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF and spoke in support of Planning & Zoning Commission (P & Z) receiving direction to work on this and have an outside consultant to assist them with the General Plan process.

Councilmember Hamilton asked why a consultant was needed to help with this project. Mayor Nolan spoke of it being provided for in the budget and that a consultant could help come up with a viable plan. Councilmember Hamilton spoke of previous professional help having imposing their ideas; having set agendas; and not actually being helpful. He recommended allowing P & Z to work on this and see what they come up with first.

Councilmember Treadway spoke of not being against the Planning and Zoning Commission pursuing this, but he does not think he could do this himself. He is not averse to hiring a consultant. He is open to suggestions on the best way to proceed on this.

Councilmember Wendt spoke of understanding Councilmember's Hamilton viewpoint on preconceived ideas of consultants. This past summer she believes that Yavapai College had a class that conducted a project which included D-H's General Plan. She believes that Community Planner Brown may have assisted in this and there was a Professor who came and spoke to Council. She asked for CP Brown's input. CP Brown explained that this Professor was with NAU and was teaching a course and wanted to give some graduate students that he wanted to gain experience in actual municipal planning. CP Brown gave them the task to evaluate the state of the art methods of evaluating a General Plan. He recommends evaluating what you have and focusing on the areas that are not performing for an update. Three different takes/recommendations were received from this group. Councilmember Wendt read the material and met the Professor and she was impressed with the work. She recommended starting there first with P & Z, also noting that she learned a great deal from these college student's notes. CP Brown noted that an independent body would be a good recommendation. Objectivity is needed and he would have a hard time divorcing himself from his community involvement.

Public Comment

Jerry Brady spoke of his military background and the Intermodal Transportation Conference that Mayor Nolan attended. He noted that D-H has not provided any input

subsequent to this conference. He feels it is important for Council to do their own plan unless they would like Mr. Brady to write it.

Mayor Nolan made a motion to instruct Staff to work with P & Z on the new General Plan and trusts that Staff has the knowledge to work on this and come up with some very good ideas that P & Z will work on. The motion did not pass due to lack of a second.

Community Planner (CP) Brown asked for clarification on whether Mayor was indicating to readopt or update. Mayor Nolan replied, Update. CP Brown asked who would be working with Council to do the update. Mayor Nolan indicated that this should be left up to the Town Manager and Staff.

There was further Council discussion regarding the process and public involvement.

Town Manager Kimball asked Council to give a collective direction as to what they want P & Z to work on. There are two options: Readopt or Update. Do you want P & Z to work on the process of how to update it?

There was further Council discussion with Town Manager Kimball again asking for clarification on what Council's decision was. There was Council consensus to update the current General Plan, not readopt.

Mayor Nolan asked Town Clerk Gibson to restate his motion. The motion was to approve the Planning and Zoning Commission to work on updating the General Plan.

Councilmember Hamilton made a motion to have P & Z do a road map of the General Plan, where they will take public discussion, where they see possible changes, so we can see how we will get this accomplished over the next couple of years. Councilmember Treadway seconded the motion.

Community Planner Brown clarified that what Council would see from P & Z would be a strategy; once you hire consultants, they work with the community to develop that more detailed process and timeline. P & Z would propose a strategy of who to hire, where to advertise, things like that.

Mayor Nolan asked if there was a second to Councilmember Hamilton's motion. Councilmember Treadway asked Councilmember Hamilton if he was amending his motion. Mr. Hamilton was not amending his motion.

There was further Council discussion regarding the process of hiring consultants.

Public Comment

Jerry Brady referenced CM Hamilton's question to CP Brown. He then spoke of NAU recently cooperating with the American Society of Civil Engineers in conducting the first engineering audit of Yavapai County in 15 years and shared the results of the study with Dewey-Humboldt scoring poorly. He explained the process to receive available funding pursuant to these study results.

Councilmember Hamilton restated his motion: To task P & Z to come back with a plan on their process to update the General Plan, seconded by Councilmember Treadway. The motion passed unanimously.

9.2. Discussion and Possible action on whether to amend Ordinance 30.017 Compensation, Bond & Financial Disclosure Statement to allow compensation for Mayor and Council. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF and noted that this would not pertain to the current Council; it would pertain to the next elected Council. Mayor asked for comments.

Councilmember Treadway spoke of having mixed emotions but summarized that while he appreciated the Mayor's consideration, he was not in favor of a Council compensation.

Mayor Nolan spoke of his recommendation being a stipend rather than a salary. This would prevent people on the Council running for other positions and retaining their position even if they lost. They would have to resign their Council position to run for Mayor. This created problems in the past. He believes it is necessary to adopt this.

Councilmember Hamilton confirmed that he thought the main reason Mayor was bringing this forward was because Mayor did not like it when other Council Members have run against him in the past. He agrees with Councilmember Treadway that Council is serving on behalf of public interest. He would recommend this go to a referendum so that Council cannot change it in the future, it would be locked in.

Mayor Nolan spoke of Councilmember Hamilton wanting to spend \$12,000 for a vote when stipends would not cost the community \$12,000. CM Hamilton said the referendum would be on with the next general election, it would not cost a lot of money, and allow the community to vote on the issue.

Councilmember Wendt spoke of her family always having been involved in public service but not expecting compensation for it. She does not support imposing a stipend.

Councilmember Timmons spoke of not being in favor of a stipend. Volunteering is in your heart and based on giving to the Community.

There was further Council discussion on the pros and cons of compensating Town Council.

Public Comment

Jerry Brady spoke of the Constitution of 1890, which was repealed in 1912, that allowed elected officials to receive stipends for attendance at public functions. This is not legally a wage under the IRS or State. It was designed to encourage a wider range of participation than would be possible, if you did not provide reimbursement.

Councilmember Hughes falls on both sides of this issue, but does not think the Town is ready for this at this time.

Mayor Nolan recommended moving on to the next agenda item.

9.3. Council consideration to enter into a land swap agreement with Humboldt Unified School District (HUSD) and provide direction to prepare necessary documents. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF and referred to a map on the overhead where he pointed out the property involved in this swap.

Director Hanks outlined on the map the lands involved and explained the reason behind the swap.

Mayor Nolan pointed out the property owned by the Town would be a good location for a school sign and that there would be an IGA, which would allow the sign posting. The property the Town would assume could be used for some recreational purpose.

Councilmember Wendt clarified that the Town would be trading two pieces of property for the area that the school is not using. She inquired about the liability of a potential skate park.

There was further Council discussion of the recreational use option of a skate park. There was Council consensus during this discussion to make the trade.

Councilmember Hamilton made a motion to approve the land swap agreement with Humboldt Unified School District (HUSD) and provide direction to prepare necessary documents, seconded by Councilmember Hughes.

Public Comment

Jerry Brady spoke of his conversation with the Humboldt Unified School District Maintenance Supervisor he became aware of another issue Council should be aware of. He spoke of the school bus parking lot's steep decline drainage and issues during the monsoon season and options available for bussing at that time in the case of flooding. This swap would also help in these emergency type situations. This is a good idea.

Mayor Nolan called for the vote, which was unanimous.

10. Public Hearing Agenda. None.

11. Adjourn. The meeting was adjourned at 7:42 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Administrative Assistant

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
JUNE 6, 2017, 6:30 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 6, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:31 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Led by Councilmember Hamilton.
 - 2.2. **Invocation.** Given by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

None
5. **Town Manager's Report.** Update on Current Events. No legal actions can be taken.

Town Manager Kimball reported to Council that the flagpole is bent and maintenance will take place next week.

5.1. Public Safety Quarterly Reports – 1st Quarter 2017.

5.1.1. Yavapai County Sheriff's Office report presented by Lt. Raiss.

Lt. Raiss gave an overview of the statistics with 800 calls for the Town, approximately were 526 citizen call-ins; 220 traffic stops with 70 tickets issued. There were 31 arrests including criminal speed; assault; drug-related; disorderly conduct; warrant arrests; etc. Under Animal Control statistics there was only one ticket issued; they are doing a lot of education and warnings. There have not been many complaints. Eight animals were transferred to the pound. He reviewed the calls per week. This does not fluctuate much and is level across the days of the week. The 2 a.m. to 6 a.m. service is provided to the Town, outside the contract. The calls are very low at that time. The Town's contract is 6 a.m. to 2 a.m. this is where the bulk of the calls are received. During those hours, 504 of the 526 citizen calls were received. The busiest time countywide is 10 a.m. to 2 p.m. and is staffed accordingly. There were 25 alarm calls due to alarm problems, which is quite a few, and conversations with the repetitive calls should be conducted. Typically, they are due to bad sensors, not necessarily a specific alarm company. These false alarms are typically residential, not as many commercial. Family fights were at seven. Councilmember Hamilton spoke of the correlation between assaults and family fights. There was a reportedly low burglary/theft rate and are typically crimes of opportunity i.e. unlocked cars, etc...

Councilmember Treadway asked about dog impounds and subsequent euthanasia. Lt. Raiss explained that the Yavapai Humane Society is a no-kill center. If the owner is not found, adoptions are arranged. The owners, if located, pay the fees.

Councilmember Timmons and Councilmember Hughes thanked Lt. Raiss for the Department's work commending the low numbers and his report.

Lt. Raiss spoke of a change in staff noting the new incoming Sergeant, John Johnson. He intended to be present at this meeting tonight, but was fielded out to another part of the County.

5.1.2. Central Arizona Fire & Medical Authority report presented by Rick Chase.

Fire Marshall (FM) Rick Chase gave an overview of his quarterly report. He noted that his district now covers a larger area, which caused an increase to the numbers. EMS calls for the D-H area the First Quarter were 77; this number compared to the district remains low and over time is consistent and steady. There was one fire in the Blue Hills area in March. FM Chase spoke of the Stage 1 Fire Restrictions being in place at this time, as well as other districts in the region. Town Manager Kimball indicated that she would see that restrictions are posted.

Councilmember Timmons spoke of a program called Rural Metro where people paid an annual fee that provided coverage although they were out of the district. FM Chase spoke of people outside their district being able to contract with them, wherein, they pay the rate that is equal to a taxpayer within the district and obtain coverage. He also shared that Lifeline Ambulance has the same type of program for ambulance runs. FM Chase then spoke on the Public Service Calls coming in at 16 for the quarter.

Councilmember Hamilton asked for a definition of a Police Assist. FM Chase gave an example of traffic accidents or domestic calls, as a backup, wherein the Police are the First Responders and the CAFMA are assisting.

Only one hazmat/illegal burning-type call. FM Chase was not sure on the specifics of this call. FM Chase also noted that they would assist people in changing out smoke alarm batteries, if requested. He noted 11 Good Intent calls during the first quarter, i.e. false alarms, controlled burning, etc. Total dispatches during the First Quarter were at 106 compared to 2,712 for the district.

FM Chase spoke on a project of getting a water source in the Upper Blue Hills area. It will be a slow process but work is progressing on acquiring a piece of property. He noted that Councilmember Wendt and the Town have been a big help on this project. They are planning on a 20K gallon water tank with the approval of neighbors.

Mayor Nolan asked if the tax rate was going to raise. FM Chase did acknowledge that he did believe there would be a small raise, but did not know the exact number, but believed it to be low on a state average.

5.1.3. Magistrate Court report presented by Judge Catherine Kelley.

Judge Kelley gave her quarterly report and explained the reason for the difference in the Court's numbers and the Sheriff's numbers; it is based on when paperwork is filed. There were 11 criminal citations with 440 public contacts. About 50% of individuals paying on fines are actually doing so online.

Judge Kelley shared a story of a homeless man who was arrested on a driving offense. He had two dogs in the car with him who were taken by police to the Humane Society. The Humane Society generally neuter and chip the animal and provide care for them. This man went to pick up his dogs and was charged only \$10 for both dogs. This man was also a veteran, which may have been taken into account.

There was one "almost" Code Enforcement Hearing. Things were worked out when everyone appeared together in Court and there was all-around communication, therefore, the actual hearing was not necessary.

Judge Kelley spoke of a nationwide trend for Judges to be more aware of not keeping someone in jail for the wrong reasons and having a closer look at whether someone truly needs to be incarcerated. Councilmember Wendt asked where people are

incarcerated if they are arrested in the D-H area. Judge Kelley answered either Prescott or Camp Verde.

5.2. Firewise Board Activities Report and request for Council direction on notifying the residents of upcoming events. Report given by Vickie Wendt.

Ms. Wendt gave an overview of the Firewise Board. She noted that after the April 19th meeting wherein the Council approved approaching the BLM on the right-of-way, she and another Firewise member went door to door, they were able to locate a person who was willing to consider giving an easement and she put him in touch with Fire Marshall Chase. Ms. Wendt spoke of their discussion of fundraising ideas to support CAFMA in materials to get the water access in the Blue Hills. She spoke of the recent Newsletter not having any Firewise information or updates and does not think that should be the case and would like monthly articles. She spoke of the grant process for the Firewise grant money and is awaiting the Town's Memorandum of Understanding from PAWUIC. She also mentioned the upcoming Volunteer of the Year banquet and the possibility of tagging on a Firewise ice cream social event. She spoke of a possible project in collaboration with the local Boy Scout Troop in assisting with the distribution and placement of reflective address numbers. Ms. Wendt noted that this fall after Firewise season is over there are three spots reserved with PAWUIC for volunteer Firewise abatement training. There are two volunteers that have stepped forward, leaving one opening for the training, which is held in Prescott. Firewise is working in conjunction with the Town's Fall Clean-up September 6 – 9th, a program for yard clippings and brush. They will also participate in the Agua Fria Festival and have a booth there for education of the community in Firewise.

Councilmember Hamilton asked for an update on the Memorandum of Understanding regarding the BLM project. Town Manager Kimball said this issue is moving forward and scheduled on the June 20, 2017 Council Meeting.

There was discussion about how to expand and speed up the abatement grant program. Ms. Wendt spoke of needing Town assistance on some of the projects. She spoke of the timeline involved with the abatement grant program and that, if the funds are not used, they will be lost. She did speak of more funds being available next year.

Town Manager Kimball addressed some of Ms. Wendt's concerns. TM Kimball supported that Firewise was never officially a program with designated Town-staffing. This is a community-driven program and when Town staff receives information from the Committee it will be published in the Newsletter. She also explained about the deadlines regarding the Newsletter publication and mailing. An ongoing Newsletter article is doable, with Council's approval.

Councilmember Timmons asked if Ms. Wendt could provide the monthly Newsletter article. Councilmember Wendt spoke of needing other volunteers to step up, as well. She also indicated that it would be difficult for her to provide an article that was not politically influenced. She noted that a three-inch column provided by Community Planner Steven Brown who is aware and heavily involved would be helpful. She spoke of the Firewise Committee using the Council Chambers for their meetings, as it lends credibility. She wants to continue to use the Chambers; she would like a Staff member to continue to play a small role by taking notes and the Newsletter involvement. She noted it does take some Town Staff hours, but it is not overwhelming.

Councilmember Hamilton spoke of this beginning to appear a conflict, as she wants Town-involvement through resources and staff. Council at the inception decided it was going to

be a community organization. Which is it going to be? The half-in, half-out is not going to work.

Councilmember Timmons inquired about the Newsletter deadlines. Town Clerk Morgan noted that it is generally the 15th of the month, but the calendar sometimes shortens this time frame.

Ms. Wendt stated she is against making Firewise a Town committee, as it would tie her hands. She can get more done and more quickly as a citizen committee. She advised CM Hamilton against trying to wean the Firewise committee off the Town and the support of the Staff. It would be a big mistake. She spoke of supporting CAFMA as being much more important than putting a road down Old Black Canyon Highway.

Town Manager Kimball asked Council direction about writing upcoming articles for the Newsletter. They need to know what to say. She spoke of not being aware that Staff was expected to do that. Firewise committee, as far as the June issue, did not communicate this. TM Kimball said that Staff are here to do what Council wants them to do. She mentioned Mayor Nolan's CAARF that Ms. Wendt be appointed as a Town Council liaison. She noted the importance of the Firewise committee to community safety. She noted, if Ms. Wendt were appointed as liaison, she could come and inform the Council on a regular basis.

Councilmember Timmons spoke of preparing an article and getting it to the Newsletter editor by Friday. She inquired as to the additional cost of adding pages. Town Manager reminded the Mayor that the Newsletter cost is not the subject matter of this agenda item. She noted that a Newsletter article should come from the committee, not a Council Member. With Council direction, TM Kimball, can have an article added for Firewise.

There was further Council discussion regarding the perceived demand of a Staff member's hours to help the Firewise committee with the grant and other projects; the viewpoint that you have to treat all community organizations fairly and the need for a process, to help clarify guidelines for Staff; using snippets of Council meeting minutes to be used for Newsletter ads; the reason that paid ads are not received for the Newsletter and that it is wrong if you are paying to get your viewpoint printed; the difference between Town committees and community committees; and more caution regarding using Town staff to support a community organization.

Ms. Wendt spoke of being told in October 2016, when she began the Firewise journey that she was told there would be Town support. She cannot do this herself and summarized that maybe someone else would be better suited, such as Councilmember Hamilton, to take it over and see if he could do the job as well and take care of that, in a Town committee. She spoke of the ultimate goal of the committee and she expects to continue to receive the support she was promised last October.

Councilmember Timmons again spoke of getting the information needed for an article and taking this to the Newsletter editor. CM Timmons spoke of the other Firewise volunteers assisting who are Town citizens.

Councilmember Hamilton spoke of the Firewise Committee needing to eventually become independent and the conflict that is present. He spoke of not having a problem with the initial Town support, but the Town needs to set guidelines.

Ms. Wendt spoke of Firewise being a nine-month old committee that still needs staff support. There may be a need for one to two years of assistance. She appreciates Councilmember Timmons offering to write this up, but she does not know the particulars

Town Council Regular Meeting Minutes, June 6, 2017 of the grant. You need to have someone who knows the details, such as CP Brown and TM Kimball. Ms. Wendt said that she is not a writer, her skill is implementation. The processes will be developed as they go along.

Councilmember Hughes asked if Firewise was mentioned previously in the Newsletter, this was confirmed. He said simple, it was there before and it can be there in the future. He recommended moving on with the agenda.

Mayor Nolan spoke of this getting off-topic and if it requires further discussion, it needs to be put on a CAARF for another meeting.

6. Consent Agenda.

6.1. Minutes. Minutes from the April 4, 2017 Regular Council Meeting, April 11, 2017 Special Meeting, and April 18, 2018 Regular Council Meeting.

Councilmember Treadway made a motion to approve the minutes from April 4, 2017 Regular Council Meeting, April 11, 2017 Special Meeting, and April 18, 2018 Regular Council Meeting, seconded by Councilmember Hughes.

Vice Mayor McBrady noted that the heading of the April 4, 2017, meeting had two errors. Town Clerk Morgan said the changes would be made administratively.

The motion, with the mentioned corrections, was passed unanimously.

7. Comments from the Public (on non-agendized items only). None

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. Presentation on the Town's new website and possible direction for going live.

Town Manager Kimball gave an overview of this agenda item. The old website was out of date per state requirements and needed an update. Temporary Staff Debbie Oberle cleaned up the new website and made it presentable.

Ms. Oberle introduced herself and noted that she was a D-H resident. She gave an overview of the different sections of the new website and explained that it is not live yet, but will be shortly. Ms. Oberle inquired if there were any questions.

Councilmember Wendt asked if there could be Firewise information provided under the Community Events or Emergency Service sections. Ms. Oberle said this could be accomplished with Council directive.

Councilmember Hamilton asked who on Staff is responsible for the website. Ms. Oberle said that she has been responsible for the basic shell, but the Town Council information will fall to the Town Clerk. Anyone on Staff can update, if needed. TM Kimball explained that many Staff members have been trained on the website but going forward the Town Clerk will be webmaster

Ms. Oberle explained that the old website is still up; Council needs to decide when to go live. TM Kimball explained how to view the website at this time.

Councilmember Timmons inquired if this could be viewed by an app on cellphone. Ms. Oberle clarified that it is geared for that.

Councilmember Hamilton asked if the Council could have access under "Boards/Commissions". Ms. Oberle showed the different ways to access Council information.

Town Manager Kimball informed Council that the new website would go live within a few days.

Councilmember Hamilton made a motion to bring the new website live as soon as staff can do it, seconded by Councilmember Wendt.

Councilmember Wendt asked again if Firewise information could be added to the site. There was Council consensus for this to occur.

Councilmember Timmons asked if the Town was working on having a Facebook page. Will it be one that people can comment on? Ms. Oberle clarified they are working on it, but the Town will retain the right to remove any back and forth that gets out of line. There will be a disclaimer to this effect. There was further discussion regarding the editing capabilities and how this would be accomplished and staff time required to monitor this.

Ms. Oberle explained the logistics of this and cited some other local Facebook pages and their procedures.

Town Manager Kimball spoke of researching how to maintain a Facebook page and monitor the postings; this is why it has not been implemented yet, due to the need for careful research. Ms. Oberle provided more information about the editing capabilities and monitoring. TM Kimball reminded Mayor Nolan that the evolvement of this discussion was not agendized.

Councilmember Treadway left the dais at 8:27 p.m.

Town Clerk reminded Mayor Nolan there was a motion on the floor. Mayor Nolan called for the vote. Councilmember Treadway returned to the dais at 8:29 p.m. and cast his vote as well. The motion passed unanimously.

8.2. Town Code Section 31.17 Appointments for Boards, Committees and Commission. Removing Background Check, modifying interview wording and discussion of application submittal deadline options.

Mayor Nolan asked Town Clerk to give an overview on this item.

Town Clerk Morgan spoke of this being discussed at the April 11, 2017, and what she heard was that Council wanted to delete the current background and interview wording from the Town code, to think about additional language regarding cut-off for the applications and also rather than the Chair conducting interviews on his own in advance of the Council meeting would actually participate at the interview that the Council does at a Council meeting. Those were the three revisions she looked at and she presented a draft with the first revision; presented Code language where the third revision was already covered, however, she was not sure how they wanted to handle the application deadline. She provided options to Council and asked for direction.

Councilmember Timmons asked if it had to be in Code or if Staff could set a reasonable deadline. Town Clerk spoke of the Meeting Agenda and Packet process and the normal guidelines or did Council want to allow last minute applicants to be brought forth.

Mayor Nolan spoke of believing that an application should meet the same deadline as agenda items, the Tuesday before the next meeting. Councilmember Hughes agreed with Mayor Nolan. Town Clerk spoke of whether you have this in Code or in the Newsletter ongoing, or have this as a set agenda item. She described some confusing scenarios.

Councilmember Hughes did not envision future problems. Council eliminated the vetting process and last minute applications should no longer be an issue.

Councilmember Timmons spoke of the issue being created because someone resigned the day before the meeting during a previous situation.

Councilmember Hamilton noted that when this situation arose last time, the issue was that the applicant's name was not included in the packet, with the other applicants.

Councilmember Treadway spoke of not being in favor of last minute applicants. He is in favor of a deadline, such as when the agenda submission closes.

Councilmember Hamilton spoke of this being three parts and made a motion to approve the draft Ordinance 31.17 Appointments that removes the first part regarding the background check. Councilmember Hughes clarified that this was not three parts, but one, and not ready for action. Town Manger Kimball confirmed this, and that the Attorney had not reviewed this yet, and it was not ready for action. She cited that Council could give direction to bring the Ordinance back for action at another time. Councilmember Hamilton's motion did not receive a second.

Councilmember Hamilton made a second motion that Staff bring this back, we do not need to address the other problem, just address this problem and if the other becomes a problem, we will address it at another time, seconded by Councilmember Timmons.

Councilmember Wendt clarified that they are going to be approving the removal of the background checks but hold on the decision of a possible deadline. Councilmember Hamilton confirmed this. Councilmember Hughes spoke of needing clearer direction so this does not have to be talked about for two years. Town Clerk said there could be direction for no deadline or setting a deadline.

Mayor Nolan noted there was a motion on the floor to direct staff to bring this back in an Ordinance, get it to the attorney, and bring it back. Mayor called for the vote and the motion carried unanimously.

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

9.1. Council adoption of the Fiscal Year 2017-2018 Tentative Budget.

Mayor Nolan introduced the agenda item and asked for any questions. Councilmember Hamilton questioned the date under a certain item. Town Manager Kimball acknowledged the correction as noted.

Councilmember Hamilton asked if there was money in the budget for a consultant for the General Plan project. TM Kimball noted that it was included on Page 51 under 10-465-5001 in the amount of \$28K.

Councilmember Hamilton made a motion to approve the tentative budget, seconded by Councilmember Wendt. The motion passed unanimously.

TM Kimball noted a new estimate for HURF. She will make those adjustments. The IGAs for the Library and the Lease should be finalized by the next meeting. The final adoptions will be scheduled for the July 18, 2017, meeting and will give time to make final updates and provide the State sheet.

Councilmember Hamilton spoke of speaking with Director Hanks and that he thought the equipment would come in approximately \$25K less than previously estimated.

Mayor Nolan called for the vote and the motion carried unanimously.

9.2. To have council appoint Ms. Wendt as official council liaison to the Firewise Board.

[CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview of his CAARF. He recommends that Ms. Wendt be appointed to continue overseeing the Firewise activities and he thinks it makes sense to have Council appoint her officially with the expectation of the liaison to report Firewise activities regularly to Council and to request financial or staff support at the time of the reports.

Councilmember Timmons made a motion to appoint Councilmember Wendt as the liaison to the Firewise Board and Council Representative, seconded by Vice Mayor McBrady.

Councilmember Hamilton spoke of when the Town was formed there were a lot of committees formed such as Planning & Zoning, Environmental, Water, etc... Everything but P & Z had a Council-liaison and it did not work. The committee looked to the liaison to lead it and it was not a free-flowing thing, and it just did not work well. He believes they passed an Ordinance that they would not have liaisons for Town committees. Firewise is not a Town committee, so this does not apply, but what is happening is Ms. Wendt is proposing would make this a semi-Town committee. He feels it confuses the issue of what is a Town-run vs. Community-run organization.

Councilmember Timmons said as a community member as well as a Council member she wants to be apprised of any safety or Firewise issues. She wants to assign space in one meeting per month where Ms. Wendt can update Council. In turn, Staff could alleviate any issues if there is something they need to know, or may put information in the Newsletter or on the website. CM Timmons was confused about CM Hamilton's issue with this.

Councilmember Hamilton said there should not be a liaison at all. If Ms. Wendt needs to update Council, she can turn a CAARF in anytime to get it on the agenda where it can be discussed. She cannot give direction to Town Staff, but she can talk to them about Firewise, just like anyone else talks with the Town Manager. He does not want the impression that this is a Town committee. This is the community's Firewise committee, not the Town's. Town is only there to support them. She can turn in a CAARF two or three times a month. The Town will continue their support but at some time, they have to get on their own.

Councilmember Wendt spoke of quarterly reports being sufficient. She then spoke to Councilmember Hamilton that this appointment would legitimize her when she attends other functions in the Emergency Response community, it would legitimize the community and her role.

Councilmember Timmons spoke of not agreeing with that, as Ms. Wendt serves as a community member on Firewise, not a Council Member, so she is not sure this situation requires legitimization. She is more concerned that Councilmember Hamilton does not feel that Council Members should be volunteering their time as Dewey-Humboldt residents for the better good of the community. She can see both points but is having a bit of an argument for both and is not sure, where you would draw the line.

Councilmember Hamilton appreciates Council participation in community events. He noted that the community always sees you as a Council Member, whether you disclaim it or not. You can say you are off the record, but the community does not always see it that way.

Councilmember Wendt extends an invitation to each of her fellow Council Members to go with her door to door. There are 97 doorknockers to be placed and she extended an invitation to other Council Members to assist her.

Councilmember Treadway spoke to the liaison not representing Council. Ms. Wendt agreed that she would represent herself as an individual. She is clear at all functions about this. Whether she is PAWUIC, a state function, or a simple Firewise meeting she ensures that they understand she is not acting as a Council Member. All this does is legitimize her that when she goes places she is the liaison representing this Council.

Mayor Nolan explained his purpose for his CAARF. Appointing Ms. Wendt as liaison would give her the power and authority to discuss the issues she wants with Staff for an extended period of time. It is beneficial for Staff to know they can discuss issues with Ms. Wendt and utilize the Staff's time effectively. This is the appropriate way to go about this.

Councilmember Timmons asked if the Firewise volunteers are allowed to speak with Town Staff. TM Kimball addressed a town code that says Council Members cannot take up more than an hour of Staff's time. CM Timmons confirmed that Ms. Wendt is coming in as a Firewise member, not as a Council Member. This was confusing to CM Timmons. Town Manager Kimball clarified the wording on Mayor Nolan's CAARF. CM Timmons asked if there would be time constraints on the time that Ms. Wendt could use up regarding Firewise.

Councilmember Hamilton spoke of this proposed liaison position having more power than the Town committees do. They do not have the power to do this. He believes more power is being given to a non-Town committee, than a Town committee.

Councilmember Timmons asked for clarification on the difference between a liaison and a committee chair. CM Hamilton explained that usually recommendations are forwarded to the entire Council. There is not a liaison appointed to Town committees. CM Timmons asked if Ms. Wendt were not a liaison, but turned in a quarterly report on a CAARF would that be okay. CM Hamilton confirmed this. She noted that Ms. Wendt says she wants to be legitimized, but then said that when she goes she does not represent the Council. If Ms. Wendt represents the Council, then in a way the Council is running Firewise. CM Hamilton does not see an upside to this.

Vice Mayor McBrady spoke of Staff helping all the committees. He noted the importance of the Firewise committee. He sees this as just elevating Firewise to being an important group. He recommended that Staff take minutes for the Firewise meetings.

Councilmember Timmons asked if she could make a motion. Town Clerk Morgan restated the motion that was on the floor: To approve appointing Ms. Wendt as official Council liaison to the Firewise board.

Ms. Wendt spoke of the time she has volunteered to Firewise. She will continue regardless if she is appointed liaison or not. In order to get the job done she needs Town Staff time, not a lot of it, but she needs the authority to get the job done.

A roll call vote was taken and failed by a 4-3 margin, with Councilmember Hamilton, Councilmember Hughes, Councilmember Timmons and Councilmember Treadway voting against.

Councilmember Timmons made a motion to invite Ms. Wendt to make a quarterly report regarding Firewise for the Council to stay informed. Councilmember Hamilton recommended amending the motion that whoever is in charge of Firewise make the report.

Councilmember Hughes clarified that whoever is in charge of Firewise will give the report, seconding the amended motion.

Councilmember Timmons clarified her motion as: To appoint the lead person on the Firewise Committee to give a quarterly report on keeping the Town Council informed. Town Manager Kimball asked Councilmember Timmons if this would include financial and staffing support. Councilmember Timmons re-amended her motion to include financial support. Town Manager Kimball asked for clarification. Town Clerk Judy Morgan restated the motion: To invite the lead Firewise Committee representative to make a quarterly report on Firewise for the Council to stay informed, as well as requesting financial and staffing requests of the Town, seconded by Councilmember Hughes. The motion passed unanimously.

Councilmember Hughes explained his reason for voting against the initial motion, sharing that he thought the outcome of this needed to be held in check and could have had an impact on any other committee that comes along. He spoke of his appreciation for Ms. Wendt's efforts in regard to Firewise.

Councilmember Timmons spoke of having issue with the initial motion's wording.

Ms. Wendt stressed that she needs Staff assistance. Sometimes there are three or four members present at Firewise meetings and last month there were 19. She cannot do this by herself.

Councilmember Timmons spoke of all now being in agreement.

Ms. Wendt spoke of needing legal assistance hours for a fundraiser event.

10. Public Hearing Agenda. None.

11. Adjourn. The meeting was adjourned at 9:24 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION MINUTES
JUNE 13, 2017, 6:30 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 13, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 6:32 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor Mark McBrady, and Mayor Terry Nolan were present. Vice Mayor McBrady was absent.
3. **Study Session.** No legal action to be taken.

3.1. Presentation by Debby Pomeroy to propose potential changes to Town Code Title IX, Chapter 90 Animals and possibly other related sections of code.
[CAARF/Presentation request approved by Council on 5/2/17]

Mayor Nolan introduced this item and gave an overview of Councilmember Wendt's CAARF including Ms. Pomeroy's credentials.

Councilmember Wendt explained the purpose of her CAARF as having been approached (by citizens) and Council has been dealing with the Animal Ordinances for over two years and there is a lot of confusion in this. She selected Ms. Pomeroy based on her expertise, especially, pertaining to dogs. They have revised the ordinances to separate the livestock from the dogs.

Ms. Pomeroy spoke of other communities that are pursuing the separation of livestock and dogs. For example, Chino Valley has to call the Livestock Inspectors for any issues of this nature, if it is wildlife they have to call Fish & Game. This is the main reason for pulling this apart. She also spoke of the dog barking issue in reference to the existing animal ordinance. She spoke of wanting to put in a time limit, such as five minutes of barking before a neighbor can complain. Ms. Pomeroy cited a news clipping dated March 15, 2017, from the Daily Courier regarding dog barking. She spoke of other communities having time limits and she would like Council to consider putting a time limit in their ordinance. A second news clipping dated February 22, 2017, was in reference to entering property on a "reasonable belief" or "warrantless search". She spoke of consulting two Town Attorneys on whether this power should be given to Animal Control or to the Town. The Attorneys told her absolutely not, "give them that power and they will take advantage of it". She referred to this being a part of the D-H ordinance and that Council should consider removing it from the dog ordinance. Ms. Pomeroy then spoke of the standard of care provision, and that possibly, in the future Council may want to consider a nuisance order for livestock but this does not need to be included in the dog ordinance, it only make more work for Animal Control.

There was extensive Council discussion regarding the proposed revisions with Council members sharing their viewpoints on the issues and the ordinances.

Public Comment

Leigh Cluff spoke of the dog barking situation and different situations that arise.

Councilmember Hamilton stated that Council was repeating themselves. He recommended that this be moved to a future Work Session where Staff would bring back

the Code with what is proposed compared to the existing language and also bring back the proposed Large Animal Ordinance, so that it can be worked on at the same time.

Public Comment

Nancy Wright spoke of a previous neighbor/animal situation wherein neighbor resolution was the first resolution method attempted and it was successful. She then spoke of animal abuse and that the Animal Ordinances should have consequences for that.

Mayor Nolan advised that Council consensus was to bring this back along with the large animal ordinance and the domesticated animals. Councilmember Wendt clarified domesticated animals other than dogs and cats, like Prescott Valley's ordinance 6-02-030.

TM Kimball confirmed that she would consult the Town Attorney on this. She asked Council when they wanted this to come back and it was determined August or September. TM Kimball clarified that Staff could make the codifications and then have the Attorney review it.

Councilmember Hamilton did not feel it was ready for Attorney review yet.

Councilmember Wendt asked about a version that was already being worked on. TM Kimball indicated that was not ready or she would have brought it to Council.

There was further Council discussion about livestock ordinances and the County's involvement.

Public Comment

Leigh Cluff spoke of living in the area 32 years, (referring to a previous comment) and that she does not recall Young's Farm having cows, maybe Mortimer Farms, and that needs to be corrected. She then spoke of a previous situation of a starving horse and the County being called out and nothing being done. The neighbor should have been fined.

There was further Council discussion to schedule the next session on this issue. It was determined to reschedule this to August 8, 2017, at 6:30 p.m.

4. Special Session. Legal action can be taken.

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

No special sessions were scheduled.

5. Adjourn.

The meeting was adjourned at 7:40 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
JULY 18, 2017, 6:30 P.M.**

A STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JULY 18, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:33 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Given by Councilmember Hamilton.
 - 2.2. **Invocation.** Led by Councilmember Timmons.
3. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady; 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 made a statement of regret to the Carl Marsee family for the unexpected passing of Carl on July 15, 2017, and cited his dedication to the D-H Historical Society and community volunteerism.

4.1. 60th Anniversary Year of the Modern Arizona Rangers Proclamation.

Mayor Nolan read and presented the proclamation to representatives of the Modern Arizona Rangers Proclamation extending his appreciation to the organization.

5. **Town Manager's Report.** Update on Current Events. No legal actions can be taken. Council may ask town staff to review an operational matter at this time, or may ask that a matter be put on a future agenda for actions or further discussion. Possible matters and projects are related to Town general administration, Finance, Public Works, Community Development.
 - 5.1. **Permits Report (January 1, 2017 to June 30, 2017)**

Town Manager Kimball stated that the report was attached to the packet. The Building Official, Don Roberts, was unable to attend due to medical leave. She stated that there were 9 Single Family Residential Permits, 7 Manufactured Home Permits and several Over the Counter permits.

Town Manager Kimball gave an update on the Interim Town Manager recruitment process noting there have been 14 applications submitted at this time.

6. Consent Agenda.

- 6.1. **Minutes.** Minutes from the June 20, 2017, Regular Council Meeting; June 28, 2017, Special Council Meeting; July 5, 2017, Special Council Meeting and July 7, 2017, Special Council Meeting.

Mayor Nolan asked for any additions or corrections to the minutes being submitted for approval. Councilmember Treadway noted a correction on the June 20, 2017, Regular Council Meeting Minutes on page 6 regarding the Code of Ethics being passed by a 6-2 vote, which should have been a 5-2 vote.

Councilmember Hamilton made a motion to pass the minutes with the correction noted for the approve June 20, 2017, Regular Council Meeting; June 28, 2017, Special Council

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

Tom Watson spoke of the Responders performing a great job during the Goodwin Fire. He addressed that for 18 years he has been trying to communicate to the County, Fire Department, Sheriff Department, Town Council to get Rocky Hill Road fixed to make it clear that it is not a through road. He has watched the Fire Department struggle with this several times. GPS and GIS do not reflect this and it needs action.

Sandy Geiger presented a copy of her Public Comment to the Town Clerk and read the same to the Council regarding her request of their consideration to contact Brian Beck in regard to his proposal to the Town dated May 1, 2017, as well as the EPA Superfund "unfinished business". Mr. Beck proposes zip code changes for the remaining Superfund sites that are not cleaned up. Ms. Geiger noted that Mr. Beck is a wonderful resource for the community on this matter.

Leigh Cluff thanked the Town for quickly getting a sign up at Cranberry and Smoki. Ms. Cluff also spoke needing to bring the attention of Council that she recently learned that many people had a difficult time getting out of the Blue Hills area during the recent fire with 30-90 minute traffic backups.

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. Road maintenance

9.1.1. Discussion of private roads and maintenance and acquisition options and possible formulation of Maintenance and Acquisition Policy.

Town Manager (TM) Kimball explained this would be a team effort with Susan Goodwin, Town Attorney; Ed Hanks, Public Works Director; and Richard Eldridge, Town Engineer participating. Many times when Council has had this discussion, the rural road standards and the private road transition are key topics. Attorney Goodwin looked at options for Council on the private road issue and she looked into options of leasing or dedication. TM Kimball asked Attorney Goodwin to go over the options.

Attorney Goodwin spoke of maintenance of roads and private roads, which the public cannot spend money on the maintenance of private roads. The Town has tools, such as obtaining sufficient rights over the roads that would avoid the gift clause issue. Mr. Earl Goodwin made a presentation focused on leasing roads. There has also been talk of obtaining easements or possible condemnation. She believes the process Council has been most interested in is obtaining dedications. One involves money and one does not, a condemnation involves a court course. One of the most viable options is leasing. It would need to be a long-term lease, which justifies the expenditure of public money. It satisfies the gift clause, the cons are that it has to be long-term, but at the end of the lease term the improvements no longer belong to the Town. The property owner does not have the use of it, but still has to pay the taxes. The second viable option is a roadway easement, which

is more common than leasing. The Town has the right to use it as a road, it is usually perpetual, but could have a term. The term would need to be long in order to justify spending public monies on it. The third option is dedication of roadways; this usually involves the owner signing a Warranty Deed with an attached legal description, which is recorded. This is the usual way of acquiring rights of ways, permanent ownership to the Town, the property owner does not pay tax on it, but you need to be sure there are no encumbrances such as a mortgage, etc... Usually a lender will give a partial release of lien and the Town would need to obtain title insurance to prevent defective title. Lastly, condemnation is a longer process and formalized. The property owner does not necessarily want to sell, but it is for a public road or benefit. An appraisal is conducted and an offer is made, if the Owner accepts the offer you go through normal escrow, if the Owner does not accept the offer, than the Town can file a complaint in the Superior Court. The Court will decide the value and what is to be paid. Getting a legal description for the properties in questions has always been a challenge.

There was extensive Council discussion regarding these processes described by Attorney Goodwin and matters such as liability, survey costs, town expenses, etc.

Public Comment

Sal Leto spoke of a fire truck that tried to go one-half mile up Powerline Road and having to turn around costing about 20 minutes, as it is not maintained. He spoke of paying to have the road maintained, if necessary. He said Council has said, "You shouldn't have built the house there", but that is not the answer. He asked what could be done with the easements on the road. Mr. Leto then described the road for Attorney Goodwin. Attorney Goodwin explained the legal definition of easements and that they are for specific purposes generally dedicated to APS. There is not authority for the Town to maintain or grade and does not think the easement provides for ingress and egress. Mr. Leto cited that the original design called for a road that was never placed and the County says that D-H took 30 feet for an easement. Attorney Goodwin explained that she did not have the necessary documents to research this, but assumed it is the standard power line language. Mr. Leto cited that you cannot get fire or medical attention and he is told it is his tough luck. He cited homeowners as looking for a solution, even if they have to pay. Attorney Goodwin spoke of road easements being issued that are not public easements, just for ingress and egress, but could not confirm this without documentation. Mr. Leto cited county records showing roads. He researched this and said there were supposed to be roads, but it was not followed through on. The County said they would do it. The people (developers) left and took off. Mr. Leto stated that it should be D-H's responsibility to put the roads in.

Tom Watson spoke of Rocky Hill Road having a public easement. He maintains the road and the Town would have to take it. He will not allow it to be used for emergencies. He spoke of necessary work to Prescott Dells Road caused by the developer. He said, "You can't just have it when it is convenient", speaking of the road use and that they would have to fight all the homeowners.

Leigh Cluff spoke of Rocky Hill Road connecting to Martha Way and that there is a problem with responders going down Powerline Road.

Tom Watson pointed out Rocky Hill Road the proposed easement around it through BLM land on the overhead map. He noted he will give the property to the Town but he is not going to maintain it.

Leigh Cluff pointed out an area on the overhead map at Piute and Smoki roads wherein if there were a fire on Cranberry no one would be getting out. She recommends the Prescott Dells Ranch Road easement.

Vice Mayor McBrady spoke of the long-standing road issues. He recommended taking over Rocky Hill Road and maintaining it. Find the emergent roads and get a lease, waiver or easement, buy equipment and maintain it. He noted the Town can help and the main thing should be roads. Sal Leto spoke of loving what Vice Mayor McBrady said. Just maintain it three times a year and they will sign a waiver that says the Town is not responsible. Vice Mayor McBrady spoke of that method probably not being legal. He would like to see a Town with enough staff and equipment to maintain every road. Start the improvements giving them the most important roads for Firewise purposes. He noted the need to hire a new Town Manager that is be road-wise, able to write grants for roads and know how to run a road crew.

Attorney Goodwin noted that there is a possibility of the Town maintaining the roads three times a year and the Owners would pay. This would avoid the gift clause, but is usually not done because it puts the Town in competition with private contractors.

Tom Watson spoke that his neighbors on Rocky Hill Road are willing to sign off their rights to the road. The Town needs a second access to Blue Hills; this is the simplest way to give access. Vice Mayor McBrady spoke of Rocky Hill Road being a good start and then they could move on to the BLM easements. Mr. Watson spoke of maintaining the road and taking the liability for that. He again spoke of all the neighbors feeling as he does.

Councilmember Treadway left the dais at 7:46 p.m. and returned at 7:48 p.m.

Councilmember Wendt spoke of her CAARF to implement a looping system in the Blue Hills are and noted on the map her three proposals.

Tom Watson said it would be flip situation if you use Prescott Dells Ranch Road. Councilmember Wendt notes she has agencies looking to determine which are the three best options for access to move people out of the Blue Hills area.

Councilmember Hamilton spoke of whole town being surrounded by fire hazard. Other parts of town have dirt lone lane roads with Blue Hills having several paved two-way roads. He noted the Town needs to be treated fairly or you will split the Town in half. The Town cannot afford to take all roads on; there are 50 miles of private dirt roads. This all sounds good but could have many ramifications. He hopes that Public Works Director Hanks will give them a process.

There were further Council comments on the road issues.

Sal Leto spoke of having gotten signatures to petition to have his road taken over but was not aware at the time that it had to be up to a certain standard or he would not have bothered.

Public Works Director Hanks spoke of needing to get the standards worked out as to who is going to bring the road to standard and who will pay for the survey.

Knowing the Town's legal options, none of those options is viable under the current policy. There was discussion with Council on standards and the need to establish policy and procedure for safety standards then work on the maintenance standards.

Leigh Cluff spoke of appreciating Councilmember Timmons comments about egress options in the Foothills area. If others in the area want something done with their roads, they need to be here complaining. She thinks the looping system is a great idea in the Blue Hills.

Tom Watson spoke of owning his road; it was determined by a Judge and Council Officials. The road is his property but he has to let the public use it.

There was Council discussion about property taxes and that not being favored by the community.

Richard Aldridge, Town Engineer, spoke of the Town having a lot of competing interest. The Attorney can come up with language to transfer the ownership. He and Director Hanks can come up with minimum standards for the roads. He liked CM Wendt's idea of getting emergency authorities involved to guide for picking the right roads for access, but as CM Hamilton pointed out, who gets the first dollars. Prioritization is the huge things use an outside non-political agency. He spoke of other areas of Town possibly being landlocked in the case of fire, as well.

There was further Council discussion and comments regarding the road priorities and processes, as well as the need to get this process started. Director Hanks was asked if the resolution policy still works or if it needs revision.

Director Hanks cited that the current policy is a resident-driven policy, where they get the road brought up to standards. He believes that the Town needs to come up with a rural road standard defining the standards the roads will need to meet. Council may want to consider the Town paying half the survey. Right now it is a paved road standard, he is speaking of taking it down to a rural road standard.

Councilmember Hamilton would like to give direction to Director Hanks to bring back to Council a resolution with these revisions that he stated, so they can look at it again.

9.1.2. Discussion of rural road standards.

9.2. Direct staff to recommend a priority list containing up to three roads for creating an emergency access looping system in the Blue Hills area. [CAARF requested by CM Wendt]

Mayor Nolan asked Councilmember Wendt cover her CAARF.

Councilmember Wendt spoke of Staff working with the County Emergency Management Office, Central Yavapai Fire & Medical, the Sheriff office and the D-H Firewise Board to come up with recommendations of the top three roads that the Emergency Services feels need to be seriously considered. Look at these as priority. She has spoken with dozens of residents who have called her with their concerns.

Councilmember Wendt made a motion that Staff begin a dialogue and work with our County Emergency Management Office, Central Yavapai Fire & Medical, the Sheriff's office and the D-H Firewise Board to establish a priority list of the top three alternate

emergency access roads, seconded by Councilmember Treadway. The motion passed unanimously.

9.3. Council authorization of purchase of an equipment trailer for the Public Works Department uses.

Mayor Nolan introduced the item noting that the quote for the flatbed equipment trailer was \$6,820.64 and this was a necessary purchase to haul some of the new Public Works equipment.

Director Hanks noted this is a tilt trailer set up for the roller. The stationery deck on the front will attach and hold the fuel barrel and tac oil. It could also be used for the excavator and tractor, but will primarily be used for the roller. The quote from Hubbard Trailer Sales was a bit more expensive but they are just down the road for parts and service.

Councilmember Hamilton made a motion to approve the purchase of the trailer, seconded by Councilmember Hughes.

Councilmember Hughes spoke of the high quality of the chosen trailer over the other 2 proposals.

Mayor Nolan called for a vote. The motion passed unanimously.

Mayor Nolan closed the Regular Council Meeting at 8:33 p.m.

10. Public Hearing Agenda.

10.1 Public hearing for FY 2017-2018 Final Budget and Resolution 17-127 to adopt the FY 2017-18 Final Budget in the amount of \$4,043,016. Possible adoption, rejection or modification.

Mayor Nolan opened the Public Hearing at 8:33 p.m.

Mayor Nolan introduced the agenda item for the Final Budget. The budget was published in the newspaper and all legal requirements have been met.

Mayor Nolan called for public comment. There was none.

Mayor Nolan closed this Public Hearing at 8:35 p.m. and reopened the Regular Council Meeting.

Councilmember Hamilton made a motion to approve Resolution 17-127 to adopt the FY 2017-18 Final Budget, seconded by Councilmember Timmons. The motion passed unanimously.

Mayor Nolan closed the Regular Council Meeting at 8:37 p.m.

10.2 Z-17-170089 Revision of Plat, Lot 55, Blue Hills Arm, Assessor's Parcel Number (APN) 402-03-204 (955 S. Wicklow Place, Dewey-Humboldt). Possible approval, rejection or modification of the Revision of Plat Application.

Mayor Nolan opened the Public Hearing at 8:38 p.m. and introduced the agenda item regarding the plat revision asking Community Planner (CP) Steven Brown to give an overview of this issue.

CP Brown stated that this matter received Planning & Zoning Commission approval. They had Public Hearings and advertised as required. Neighbors within 300 feet were notified of the request.

There was Council discussion regarding notifications, zoning requirements and if the property owner would give another 10 feet on the roadway.

Thomas Malette explained to Council that his property line is already 20 feet in the road. He could give a little more but maybe not 10 feet. He understands that would open the corner a little.

CP Brown cited this is an important issue, roads travel where convenient, not necessarily in the rights of way.

There was discussion regarding APS equipment and roads encroaching private properties.

Councilmember Wendt welcomed the Malettes to the area.

CP Brown noted that he would review the minutes of this matter for the intent and pass on the direction.

Mayor Nolan closed the Public Hearing at 8:45 p.m. and reopened the Regular Council Meeting.

Vice Mayor McBrady made a motion to accept the revised plot plan, seconded by Councilmember Hughes. The motion carried unanimously.

11. Adjourn. The meeting was adjourned at 8:48 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL MEETING MINUTES
JULY 28, 2017, 8:00 A.M.**

A SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON FRIDAY, JULY 28, 2017, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Vice Mayor McBrady called the meeting to order at 8:00 a.m.
2. **Roll Call.** Town Council Members Jack Hamilton, John Hughes, Amy Timmons, Doug Treadway, Victoria Wendt; Vice Mayor Mark McBrady were present. Councilmember Amy Timmons and Mayor Terry Nolan were absent.
3. **Special Session:** Legal action to be taken. Public Comments on agenda item can be taken.
 - 3.1. **Discussion of Interim Town Manager recruitment - discussion of applications and selection of a short list for further consideration.**

Vice Mayor McBrady asked if there was any discussion before they recessed to Executive Session.

Councilmember Hamilton spoke of being surprised at the number of qualified applicants. Since some of the applicants were well qualified, he wondered if Council wanted to pursue any of them for permanent Town Manager. He would prefer to hire someone as an interim, if it did not work out, and then go with another list or outside firm.

Councilmember Treadway agreed with Councilmember Hamilton and that there were a couple people who could hit the ground running and do a good job. They may find someone that meets all the expectations.

Councilmember Wendt thanked all the applicants, they were all wonderful, however, some were extremely qualified and possibly could work out long term.

Vice Mayor McBrady spoke of the initial process being to choose an Interim Town Manager. One thing was advertised and if you change the goal now that was not fair to those who were looking for permanent work. He feels that anyone could still apply for the permanent position later.

Councilmember Hughes spoke of agreeing with Vice Mayor McBrady that anyone could put their application in for the permanent position. If someone is qualified as interim and Council gets along with them, he won't kick them to the curb, he would give them a chance. Proceed with the initial plan and review the interim applications.

Councilmember Hamilton spoke of the additional advertisement for a permanent manager. He does not think this money should be spent right now. If you are sticking to that plan, you need to get advertisement out within a week or two. He prefers to see how the interim works out, and then advertise for the long term, if necessary.

Councilmember Treadway spoke of the recruiting-type process and questioned if the interim could apply and be considered should an agency be hired.

Mayor Nolan phoned into the meeting at 8:10 a.m.

Councilmember Treadway restated his question.

Town Attorney Smiley pointed out that the agenda only addressed the interim process and they should back up and not address the permanent process at this time. She confirmed that the interim could apply even if an agency was employed to fill the permanent position.

Vice Mayor McBrady spoke of agreeing with Attorney Smiley to discuss the Interim Town Manager position only. He inquired how to get down to a reasonable number of interviewees.

Town Manager Kimball described using a tally sheet to come up with a short list of three or four applicants. There was Council discussion regarding the process of elimination.

Councilmember Hamilton made a motion to enter Executive Session, seconded by Councilmember Hughes. The motion carried unanimously.

Mayor Nolan spoke by phone that he wanted to share three names of candidates and was asked to wait until Executive Session.

Vice Mayor McBrady closed the Special Meeting at 8:23 a.m.

3.1.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03

(A)(1) Discussion or consideration of employment or appointment and salary of an interim town manager.

Council recessed to Executive Session at 8:25 a.m.

Mayor Nolan ended his conference call at 8:29 a.m.

3.1.2. Reconvene Regular Meeting.

Council reconvened into Open Session at 9:25 a.m.

A second Roll Call reflected that Councilmember Timmons was now present having arrived during Executive Session at 8:36 a.m.

3.2. Discussion and direction on the next steps of the Interim Town Manager recruitment process-next steps.

Councilmember Hamilton gave direction to Town Manager Kimball to schedule interviews with the chosen applicants as soon as possible. He spoke of taping the interviews so any absent Council Members can listen to it if they cannot attend a meeting. This needs to be on a fast track and those absent can listen later.

Vice Mayor McBrady asked if a meeting could be scheduled now. TM Kimball confirmed this.

Councilmember Timmons noted that she has the tightest schedule but would like to attend the interviews. She acknowledged the need for promptness. She mentioned that she understands the Mayor may be unavailable for some of the meetings.

There was discussion of the Mayor's schedule, different possible meeting times and posting requirements. There was Council consensus to hold the interview meetings on Wednesday, August 2, 2017, at 7:00 a.m. and Monday, August 7, 2017, at 8:00 a.m. and Thursday, August 10, 2017 at 8:00 a.m. There was discussion regarding the interview questions and TM Kimball would provide this to the Council from a reference she had.

There was further Council discussion with the Town Attorney regarding salary and incidental expenses and the actual hiring process. The negotiations can be addressed during the interview or in discussion later. The Town Attorney explained different scenarios for the hiring process. There was discussion regarding more details of the process.

Councilmember McBrady asked Town Manager Kimball what her last day would be. Town Manager Kimball explained that she is prepared to stay until Friday, August 18th. She expressed that she would like to put her family first, for one time, and begin vacation time

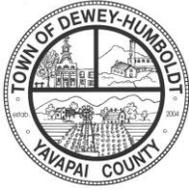
Town Council Special Meeting Minutes, July 28, 2017 on Friday, August 4, 2017. Councilmember Wendt said she did not think that would be possible. Town Manager Kimball expressed that she could take calls or be contacted but she would like to spend her last couple weeks with her family. There was Council comment that this was acceptable. Councilmember Wendt noted some big things coming up; the animal issue was on the agenda for August 8th. Town Manager Kimball said she would be happy to be here for that meeting on the 8th. She spoke again of her family's sacrifice and their support for six years. Councilmember Timmons asked Town Manager Kimball if she felt she needed to actually be here for the animal ordinance. Vice Mayor McBrady spoke of Councilmember Wendt wanting Town Manager Kimball at the meeting on the 8th. The Town Attorney confirmed that they would be attending future meetings during this interim process. Town Manager Kimball explained that this was not the way she planned to share this information. She spoke of her appreciation of Council over the years.

4. **Adjourn.** The meeting was adjourned at 9:49 a.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk



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

TOWN COUNCIL REGULAR MEETING

August 15, 2017 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item #8.1. Report on BLM Road Development

To: Mayor and Town Council Members

From: Steven Brown, Community Planner/Code Officer

Date submitted: August 9, 2017

Summary:

Report on the BLM access, communication with adjacent property owners and survey of private easements to be part of the overall emergency ingress/egress from the Blue Hills area.

Staff has continued working on various aspects of the data gathering and planning for the development of an emergency ingress to serve the Blue Hills area during emergency evacuation scenarios.

Staff has completed the Standard “Form 299 Application for Transportation and Utility Systems and Facilities On Federal Land”, which includes the Draft Plan of Development.

Staff has held meetings with five (5) of the six (6) private property owners, in an effort to secure their agreement to convert private access/roadway easements that make up Bandit Way and Read Star Mine Road, to allow the public to utilize them during emergency evacuations, and to link them across the BLM right-of-way requested.

To further explore this emergency ingress/egress, Staff is requesting permission to contract for a Record of Survey to be developed for the length of both Bandit Way and Read Star Mine Road, as well as the proposed right-of-way across the BLM property.

Recommendation:

It is recommended that the Council direct Staff to submit the application for ROW from the BLM, continue discussions with property owners and planning activities working towards the possible emergency ingress/egress to serve the Blue Hills area, and that Staff obtain a quote for the survey work to establish the physical locations of the easements for Bandit Way and Read Star Mine Road, as well as the proposed BLM right-of-way.

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

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: Regular Special Work Session

Meeting Date: 8/15/17

Date of Request: 8/2/17

Requesting: Action Discussion or Report Only

Type of Action: Routine/Consent Agenda Regular

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

DISCUSS AND CONSIDER RAISING STAFF SALARY RANGES

Purpose and Background Information (Detail of requested action).

SEE ATTACHED SHEET

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

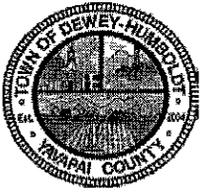
Special Equipment needed: Laptop Remote Microphone

Overhead Projector Other:

Contact Person: JACK HAMILTON

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.

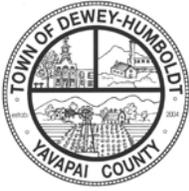
5.2. TM Transition report /attachment #5: salary ranges



TOWN OF DEWEY-HUMBOLDT SALARY RANGES *

POSITION	MINIMUM	MAXIMUM
Town Manager	\$51,429	\$72,000
Town Clerk	\$42,857	\$60,000
Admin Assistant	\$30,000	\$42,000
Senior Accountant	\$42,857	\$60,000
Accountant	\$38,571	\$54,000
Planner	\$47,143	\$66,000
Building Official	\$42,857	\$60,000
Public Works Supervisor	\$47,143	\$66,000
Public Works Equipment Operator	\$30,000	\$42,000

** EFFECTIVE JULY 1, 2011*



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

TOWN COUNCIL REGULAR MEETING

August 15, 2017 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item #9.2 Council Ratification of the VOTY 2016 Nominees.

To: Mayor and Town Council Members

From: Steven Brown, Community Planner/Code Officer

Date submitted: August 9, 2017

Summary:

Nominations for Volunteer of the Year closed on July 6, 2017, and we have received eight nominations for 2016. The nominations are as follows:

Nomination for Volunteer of the Year:

I, Terry Nolan, would like to nominate **John Woods** to be Volunteer of the Year for 2016. John has worked in the Historical Society Museum, setting up displays and serving in every capacity. He has given selflessly of his time and effort to the cause of Historic Preservation.

Nomination for Volunteer of the Year:

I would like to nominate **Leigh Cluff** to be Volunteer of the Year for 2016. Leigh has given selflessly of her time and effort to the Blue Hills/Foothills Firewise Board. Spearheading the effort to press for participation in the abatement grant program managed by the Prescott Area Wildland Urban Interface Commission (PAWUIC). Going door to door and approaching individuals at the Acme water riser, Leigh tirelessly promoted her neighbors and friends to understand the risk of wildfire, and to take advantage of available grant funds to bring about mitigation on their properties. This is an invaluable service to the Community as a whole.

Nomination for Volunteer of the Year:

I would like to nominate **Robert Baker** to be Volunteer of the Year for 2016. Robert has given selflessly of his time and effort to the Blue Hills/Foothills Firewise Board. Spearheading the effort to press the concern for the provision of a secondary, emergency access into and out of the Blue Hills area of Dewey-Humboldt, Robert has elevated the issue to the Council, and was instrumental in beginning the dialogue between the Town, Firewise Board and the Bureau of Land Management.

Nomination for Volunteer of the Year:

I, Leigh Cluff, would like to nominate **Vickie Wendt** to be Volunteer of the Year for 2016. Vickie has given selflessly of her time and effort to the Blue Hills/Foothills Firewise Board. Spearheading the effort to press for participation in the abatement grant program managed by the Prescott Area Wildland Urban Interface Commission (PAWUIC). Going door to door and approaching individuals at the Acme Water riser, Vickie tirelessly promoted her neighbors and friends to understand the risk of wildfire, and to take advantage of available grant funds to

bring about mitigation on their properties. This is an invaluable service to the Community as a whole.

Nomination for Volunteer of the Year:

I, Annette Teesacker, would like to nominate **Vickie Wendt** to be Volunteer of the Year for 2016. Vickie has given selflessly of her time and effort to the Blue Hills/Foothills Firewise Board .Spearheading the effort to press for participation in the abatement grant program managed by the Prescott Area Wildland Urban Interface Commission (PAWUIC). Going door to door and approaching individuals at the Acme Water riser, Vickie tirelessly promoted her neighbors and friends to understand the risk of wildfire, and to take advantage of available grant funds to bring about mitigation on their properties. This is an invaluable service to the Community as a whole.

Nomination for Volunteer of the Year:

I, Jim Ross, would like to nominate **Vickie Wendt** to be Volunteer of the Year for 2016. Vickie has given selflessly of her time and effort to the Blue Hills/Foothills Firewise Board. Spearheading the effort to press for participation in the abatement grant program managed by the Prescott Area Wildland Urban Interface Commission (PAWUIC). Going door to door and approaching individuals at the Acme Water riser, Vickie tirelessly promoted her neighbors and friends to understand the risk of wildfire, and to take advantage of available grant funds to bring about mitigation on their properties. This is an invaluable service to the Community as a whole.

Nomination for Volunteer of the Year:

I would like to nominate **Will Orr** to be Volunteer of the Year for 2016. Will has given selflessly of his time and effort to the Blue Hills/Foothills Firewise Board including providing the use of a chipper during the 2016 Fall Cleanup, as well as continually participating in the efforts of the Firewise Board to promote abatement. Will has been a continuous positive force driving the Firewise Board to undertake the certification process, and a cohesive force to motivate the rest of the Board.

Nomination for Volunteer of the Year:

I, Nancy Wright, nominate **Sandra Goodwin** for the Volunteer-of-the-Year Award. She is currently the chair of the Open Space and Trails Committee and has been, I believe, since its inception. She also is past Chair/President of the Friends of the Library. She worked diligently to get the trailhead completed. Sandra is a wonderful asset to our community and has given untold hours of her time to benefit Dewey-Humboldt.

Nomination for Volunteer of the Year:

I, Nancy Wright, nominate the library volunteers for Volunteer of the Year for 2016. Over the course of the year, they have all spent countless hours managing the stacks and helping library patrons. Their service has been a real benefit to the Library and to the community as a whole.

Nomination for Volunteer of the Year:

July 3, 2017

Dewey-Humboldt Volunteer of the Year 2016 Nomination

Nominee: **Bart Brush**, Humboldt

Volunteer Organization: Humboldt Elementary School

Submitted by: Sandy Geiger, Humboldt

As a gardener and teacher who recognize the value of outdoor, hands-on nature education, Bart Brush is responsible for the voluntary creation of Humboldt Elementary School's Garden, Native Habitat and Nature Trail as well as the planting of 12 native trees along the perimeter of the playground. This project was begun in the fall of 2012 when Bart was the music teacher at Humboldt and continued through his retirement from Humboldt in 2016 to the present. For 4 years, students would attend Garden Club during their lunch recess period and visit the garden and trail and participate in various activities such as terracing, building raised beds, preparing the soil, planting, irrigating, weeding, harvesting and eating! Bart volunteered his time to supervise Garden Club in addition to spending hundreds of hours constructing a work bench, work table, raised beds and a tool shed; planting native plants throughout the habitat areas, laying irrigation lines, carving out trails and generally continually maintaining and developing the areas. His efforts have attracted support funding and volunteers from the community, as well as related projects such as Highlands Center for Natural History School Yard Partnership, University of Arizona's Project Harvest (rainwater harvesting) and Slow Food support and tours. He has been a strong advocate for community access to the school playground area outside of school hours. Dewey-Humboldt is fortunate to have such a nice open space area for people to recreate and enjoy in the company of native plants and trees. Interested in imparting local history in the same hands-on format, Bart was also the volunteer creator and organizer of Pioneer Day 2013-2016 in collaboration with the Dewey Humboldt Historical Society. Grades 4-6 would spend the morning attending different pioneer activities involving gold panning, leather stamping, weaving, historical photo identification, blacksmithing, rocks and minerals identification, cowboy poetry, historical reenactment, music, Arizona Rangers and Rough Riders. Class 5 or 6 would go on a guided tour of old Humboldt ending at the Museum in the afternoon. Pioneer Day continued in 2017 with Bart's assistance. The Town is fortunate to have a variety of opportunities for young people to learn about Dewey-Humboldt's history.

Nomination for Volunteer of the Year:

I, Sue Palascio, would like to nominate **John Charles Young** for Volunteer of the Year for all his dedication to the Town of Dewey-Humboldt and for hours of volunteer work for the Dewey-Humboldt Museum and the history he researches for the Historical Society.

Recommendation:

The Committee convened for the purpose of selecting final Nominee(s) for the Volunteer of the Year for 2016 met on July 6, 2017, and, considering the number of nominations for members of the Firewise Board, recommended that Council award the **Firewise Board**, as a whole, for the honor this year.

The Committee also recommends that **Bart Brush** be awarded the Volunteer of the Year.

Finally, in recognition of his service to the Historical Society, it is recommended that **Carl Marsee** be honored posthumously.

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Dewey-Humboldt Historical Society

PO Box 85 Humboldt, Arizona 86329

Town of Dewey-Humboldt
P O Box 69
Humboldt, Arizona 86329

May 14, 2017

Dear Sirs,

The Dewey-Humboldt Historical Society is planning the Agua Fria Festival. The event will take place on October 7th, 2017. We are asking your permission for the use of Parcel #402-10-026A for Crafters, Vendors and Kids Corner.

The Society thanks you for your participation in pass years of the Agua Fria Festival and we greatly appreciate your continuing support in this year celebration of the Agua Fria Festival.

Should you have any questions, please feel free to call Charlotte at 928 277 5609.

Best Regards,

Charlotte Klein
Event Organizer

RECEIVED

JUL 10 2017

Dewey-Humboldt

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**GUST
ROSENFELD**
ATTORNEYS SINCE 1921 P.L.C.

■ ONE E, WASHINGTON, SUITE 1600 ■ PHOENIX, ARIZONA 85004-2553 ■ TELEPHONE 602-257-7422 ■ FACSIMILE 602-254-4878 ■
Phyllis L.N. Smiley
602.257.7675
psmiley@gustlaw.com

August 4, 2017

Ms. Yvonne Kimball, Town Manager
Town of Dewey-Humboldt
P.O. Box 69
Humboldt, AZ 86329

**Re: Waiver of Conflict of Interest
Our File No. 027645-00001**

Dear Yvonne:

We were asked to prepare an Intergovernmental Agreement between the Town of Dewey-Humboldt ("Town") and the Humboldt Unified School District ("HUSD") for the purpose of facilitating an exchange of real property. Our conflicts check revealed that Gust Rosenfeld not only represents the Town as its Town Attorney but also represents HUSD in the following matters: employment and general district questions. The firm also assisted HUSD with a lawsuit that was closed in 2007. Currently the Firm is not working on any outstanding matters for HUSD but out of an abundance of caution and because Gust Rosenfeld represents both entities, Arizona rules governing attorney conduct require that we seek a waiver of conflict of interest.

Waiver of Conflict of Interest

A separate waiver of conflict request has been forwarded to HUSD. While the firm represents HUSD in other legal matters, Gust Rosenfeld has not been consulted regarding this matter or asked to prepare or review the proposed Agreement for HUSD. By signing this letter, you approve and waive any conflict that might be advanced by such representation.

If a dispute involving the Agreement arises in the future between the Town and HUSD, Gust Rosenfeld will not represent either party in connection with that dispute. In the event of any such dispute, each party would have to retain separate counsel, although we could continue to represent each of you in separate matters unrelated to each other.

Information relevant to the negotiation and implementation of the Agreement may be shared by us with the Town and HUSD. Any other information we receive from or about either the Town or HUSD will not be shared with the other party. In each such case, all such

Waiver of Conflict of Interest

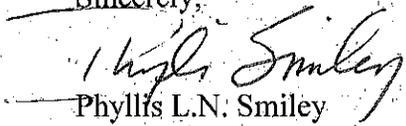
August 4, 2017

Page 2

information will be deemed protected by the attorney-client privilege as to each party respectively to the fullest extent permitted by law.

If this letter accurately states your understanding and agreement as to the terms and possible limitations on our services, then please execute this letter and return it to me at your earliest convenience. Please call me if you have any questions. Thank you for your assistance in this matter.

Sincerely,



Phyllis L.N. Smiley

For the Firm

AGREED TO AND ACCEPTED:

TOWN OF DEWEY-HUMBOLDT

By: _____

Yvonne Kimball, Town Manager