

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

**Tuesday, February 13, 2018, 2:00 P.M.**

**STUDY SESSION & SPECIAL MEETING  
2735 S. HWY 69**

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

**AGENDA**

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

**1. Call To Order.**

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

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

**3.1. Building Permit Biannual (July 1, 2017 to December 31, 2017) Report.**

**3.2. Public Works Department Biannual (July 1, 2017 to December 31, 2017) Report.**

**3.3. Code Enforcement Biannual (July 1, 2017 to December 31, 2017) Report.**

**3.4. Finance Department Biannual (July 1, 2017 to December 31, 2017) Report.**

**3.5. Arizona Department of Transportation (ADOT) Staff will present ADOT's proposals for the ingress and egress at the proposed Giant Gas Station located at the intersection of State Highways 69 and 169. ADOT will also entertain questions and comments from the Mayor, Town Council and Public related to the issues of ingress and egress for the proposed development and matters associated to traffic and circulation at this intersection.**

**4. Special Meeting.** Discussion and Legal action can be taken.

**4.1. Discussion and action regarding the extension of the Agreement between the Prescott Area Wildland Urban Interface Commission, Blue Hills/Foothills Firewise Board and Town of Dewey-Humboldt, Arizona.**

**4.2. The Dewey-Humboldt Mayor & Council propose to ratify its January 16, 2018, action in which the Mayor & Council approved (7-0) Use Permit UP 17-001, specifically described as: Use Permit UP 17-001 for approximately 2.42. acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery including the processing of grapes into wine, aging, and bottling of wine on the property. (Continued on next page)**

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**Special Note: A detailed description of the action to be ratified, approval of Use Permit 17-001 may be obtained at the Town Clerk's Office, Dewey-Humboldt, Arizona.** Legal action can be taken.

73 **4.3. Whether to hold additional special session(s) this month.** This is an established agenda item for Council's discussion on whether to add an additional special study session and if so, to set the date.

**5. Adjourn.**

**For Your Information:**

Next Town Council Meeting: Tuesday, February 20, 2018 at 6:30 p.m.

Next Town Council Work Session: Tuesday, March 6, 2018 at 2:00 p.m.

Next Planning & Zoning Meeting: Thursday, March 8, 2018 at 6:00 p.m.

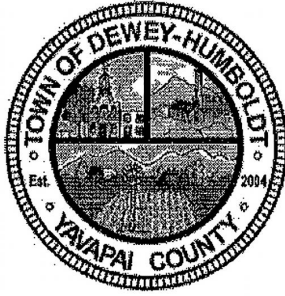
If you would like to receive Town Council agendas via email, please sign up at [AgendaList@dhaz.gov](mailto:AgendaList@dhaz.gov) and type Subscribe in the subject line, or call 928-632-7362 and speak with Julie Gibson, Town Clerk.

**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 7th day of February, 2018, at \_\_\_\_\_ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.

By: \_\_\_\_\_, Town Clerk's Office.

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



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

**STUDY SESSION & SPECIAL MEETING**

February 13, 2018, 2:00 p.m. Town Council Meeting Chambers

Date: January 11, 2018  
 To: Tom Wilson, Town Manager  
 From: Don Roberts, Building Official  
 RE: Building Permits and Inspections  
 07/01/2017 – 12/31/2017

The Building Department issued a total of 111 permits for the period of 07/01/2017 – 12/31/2017.

<b><u>Permits Issued</u></b>	<b><u>#</u></b>
Single Family Residences:	9
Manufactured Homes:	8
Solar Installations:	11
Grading:	6
Swimming Pools:	1
Detached Garages/Carports:	8
Covered Patios/Decks:	4
Residential Additions/Remodels:	6
Accessory Dwelling Units (ADU):	0
Over-the-counter (OTC):	20
(Electrical, Gas Yard Lines, Mechanical, Plumbing)	
Signs:	3
Demolitions:	6
Commercial Additions/Remodels:	4
Zoning Clearance:	19
(Building under 400 sq. ft.)	
Temporary Housings:	2
Right-of-Way (ROW) Access/Culverts:	4
Home Occupations:	0
<b>Total Permits Issued:</b>	<b>111</b>

**Total Inspections Completed: 483**

**Fees Paid**

Sign	\$304.30
Demolition	\$1,278.00
Miscellaneous	\$39,547.59
Right-of-Way	\$1,060.00
Grading	\$2,041.55
Zoning	\$2,265.00
Plumbing	\$710.00
Mechanical	\$426.00
Electrical	\$1,562.00
<b>Total Fees Paid</b>	<b>\$49,194.44</b>

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**Phone 928-632-7362 ▪ Fax 928-632-7365**

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Council Study Session & Special Meeting - February 13, 2018

Agenda Item 3.2.

**Date:** February 6, 2018  
**To:** Town Council  
**From:** Ed Hanks, Public Works Director

## **Public Works**

### **Quarterly Report October 2017 - January 2018**

#### **Public Works Staff**

Ed Hanks - Public Works Director  
Jason Berg – Field Staff  
Troy Moffatt – Field Staff  
Todd Hamilton – Field Staff  
Anthony Pendergast – Temporary Field Staff

#### **1. Current/Upcoming Projects – Winter 2018/Spring 2018**

- A. Public Works staff will spend most of this time working on drainage projects throughout town focus will be on the Spring Chipseal Roads.
- B. Staff will then move into hot Patch repairs that are needed in various areas throughout town. We will first focus on the roads that are scheduled for Spring Chipsealing.
- C. Staff will do spot maintenance on all of the town-owned dirt roads throughout winter as it is needed.
- D. Ed has begun putting together the Contract and bid documents for the 2018 Spring Chipseal Project to be advertised and awarded in late April.

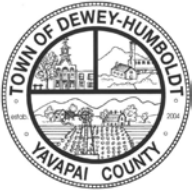
## **2. Completed Projects – Summer 2017/Fall 2017**

### **A. Contractor awarded projects and on call contractor work**

1. 2017 Fall preservation work has been completed – 6.59 miles of roads.
2. Fall dirt road grading has been completed.
3. 60 LF of 18” Culverts were replaced and approximately 800 LF of ditches were rebuilt on Kachina Road from Antelope Way to Dewey Road.

### **B. In-house Maintenance Work**

1. Ditch Work – Cleaned/Built/Rebuilt approximately 4800 LF  
Removed approximately 180 Tons of Native material.
2. Culverts cleaned – 12 culverts flushed
3. Erosion Control – Placed approximately 40 Tons of Riprap in various locations for erosion control.
4. Installed approximately - 60 LF of 24”, 40 LF 18”, 100 LF 15” culverts
5. Cleaned and cleared debris from Agua Fria low water crossing 2 times.
6. Graded/Regraded approximately 7200 LF of Town owned dirt roads. Part of this was due to drainage work on Earle Way. Touch up grading on Rancho, Mingus, Yavapai Dr. etc.
7. Placed approximately 80 tons of AB on rebuilding and improving road shoulders, driveway entrances and culvert installs.
8. Installed/reinstalled 9 signs posts and signs.
9. Weeds mowed and trimmed on town-owned roads.
10. Cleaned and cared for the Park weekly.
11. Removed 6 dead animals from the roadway. (1 dog, 2 skunks, 1 deer, 2 rabbits) removed Trash, brush, lumber, miscellaneous debris from Roadway.
12. Removed Brush from line of sight areas at various locations Town wide.
13. Chipped above brush. (Approximately 10 CY.)
14. Completed minor repairs and maintenance on all Town equipment.
15. Saw cut 2260 LF of paved roads for asphalt repairs.
16. Placed 260 tons of AB and 130 tons of hot patch on various town owned paved roads.



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8643 ▪ Fax 928-632-7365**

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## **Council Communication**

### **Council Study Session & Work Session**

### **February 13, 2018**

Date: February 7, 2018  
To: Town Council  
From: Steven Brown, Community Planner

#### **Agenda Item # 3.3. Code Enforcement Activity Bi-annual (July 1, to December 31, 2017)**

**APPLICANT:** N/A

**GENERAL PLAN DESIGNATION:** N/A

**ZONING:** N/A

**LOCATION:** Town-wide

**EXHIBITS:** N/A,

#### **I. BACKGROUND**

Staff will present before and after photos of cases worked during the past year, as well as sharing photos of current cases under investigation.

#### **II. STAFF RECOMMENDATION**

Staff recommends Council receive the presentation and direct staff to continue to pursue code enforcement in accordance with adopted policies.

# Code Enforcement

## Council Presentation

2017

February 13, 2018

# Code Enforcement Involves the Art of Conflict Resolution



# The Character of Code Enforcement in Dewey-Humboldt

- **Continues as Low Volume**
- **Remains Time Consuming**
- **Is Often Confrontational and requires skill in conflict resolution**

# The Approach of Code Enforcement in Dewey-Humboldt

- **Complaint Driven Unless There is a Health or Safety Concern**
- **Involve Property Owner in Developing Abatement Strategy**
  - Which Includes Measurable Milestones**
- **The Objective is Always Voluntary Compliance**

# Before



After



# Before



# After



# Before



3/10/2017 15:15

After



## Current Case



# Current Case



# Recently Closed



8/ 8/2017 15:59

## Current Case

Multiple dilapidated residences, discarded tires, misc. demolition debris.



## Current Case

Multiple dilapidated residences, discarded tires, misc. demolition debris.



# Before

## Potential Nuisance Abatement/Dilapidated Structure



## Abatement Ordinance:

There are times when all our efforts at obtaining voluntary compliance meet with total resistance.

We've taken the civil prosecution to its conclusion and obtained a judgement and fine from the Hearing Officer, but the violation persists.

We have previously presented to Council, a set of procedures for the Council to consider adopting into the Town Code, developed by our attorneys, that would provide the Town the ability to abate the violation and assess the property owner to

recoup our costs.



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Council Study Session & Special Meeting - February 13, 2018

Agenda Item 3.4.

Date: February 6, 2018  
To: Town Council  
From: Mickey Moore, Town Accountant

#### 2017/18 2<sup>nd</sup> Quarter Financial Statements

- Relationship to Budget
  - Tax Revenues on target for 2<sup>nd</sup> quarter
    - City Tax for Nov will be recorded in Jan
    - City Tax for Dec will be recorded in Feb
  - Building Revenues and Interest are above budgeted projection
  - Expenses on target for 2<sup>nd</sup> quarter
- Grant reimbursements
  - PAWUIC
    - All invoices to date have been submitted for reimbursement
    - 58% Reimbursement revenue has been received
  - Yavapai County Flood Control
    - All invoices to date have been submitted for reimbursement
    - 66% Reimbursement revenue has been received

COMBINED CASH ACCOUNTS

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

CASH ALLOCATION RECONCILIATION

10 ALLOCATION TO GENERAL FUND	380,970.09
20 ALLOCATION TO HURF FUND	( 361,100.01)
22 ALLOCATION TO GRANT FUND	( 19,870.08)
	_____
TOTAL ALLOCATIONS TO OTHER FUNDS	.00
	_____
ZERO PROOF IF ALLOCATIONS BALANCE	.00
	_____

TOWN OF DEWEY-HUMBOLDT  
 BALANCE SHEET  
 DECEMBER 31, 2017

GENERAL FUND

ASSETS

10-000-1000	DUE TO OTHER FUNDS	380,970.09	
10-000-1003	CASH IN CHECKING WELLS FARGO	73,152.21	
10-000-1004	CASH IN SAVINGS WELLS FARGO	100,161.79	
10-000-1005	CHANGE FUND	150.00	
10-000-1010	MAGISTRATE COURT CHECKING	11,477.82	
10-000-1100	ACCOUNTS RECEIVABLE	384.61	
10-000-1600	CASH INVESTMENT ACCOUNT LGIP	3,650,547.46	
	TOTAL ASSETS		4,216,843.98

LIABILITIES AND EQUITY

LIABILITIES

10-000-2000	ACCOUNTS PAYABLE	.26	
10-000-2100	ACCRUED WAGES	175.69	
10-000-2110	MED 125 PAYROLL LIABILITY	1,191.17	
10-000-2120	PAYROLL DEDUCTIONS CLEARING	2,040.03	
10-000-2200	COURT SURCHARGES	11,477.82	
	TOTAL LIABILITIES		14,884.97

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:

10-000-2900	COURT RESTRICTED JCEF FUNDS	2,584.00	
10-000-2901	COURT ENHANCEMENT FUNDS	39,541.61	
10-000-2903	COURT RESTRICTED OTHER	8,768.26	
10-000-2910	RESERVED FOR IMPACT FEES-OTHER	10,109.69	
10-000-2995	FUND BALANCE AT START OF YEAR	4,138,186.94	
	REVENUE OVER EXPENDITURES - YTD	2,768.51	
	BALANCE - CURRENT DATE	4,201,959.01	
	TOTAL FUND EQUITY		4,201,959.01
	TOTAL LIABILITIES AND EQUITY		4,216,843.98

TOWN OF DEWEY-HUMBOLDT  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>					
10-100-3100 LOCAL SALES TAX	225,013.01	225,013.01	500,000.00	274,986.99	45.0
10-100-3202 BUILDING FEES	55,209.72	55,209.72	90,000.00	34,790.28	61.3
10-100-3310 INCOME TAX	250,753.56	250,753.56	501,453.00	250,699.44	50.0
10-100-3320 STATE SALES TAX	169,714.71	169,714.71	379,739.00	210,024.29	44.7
10-100-3330 VEHICLE LICENSE TAX	126,927.49	126,927.49	259,574.00	132,646.51	48.9
10-100-3403 PLANNING & ZONING FEES	12,010.25	12,010.25	5,000.00	( 7,010.25)	240.2
10-100-3420 PUBLIC WORKS FEES	1,060.00	1,060.00	4,000.00	2,940.00	26.5
10-100-3425 UTILITY FRANCHISE FEES	3,523.77	3,523.77	8,000.00	4,476.23	44.1
10-100-3501 COURT REVENUES	16,913.66	16,913.66	40,000.00	23,086.34	42.3
10-100-3801 INTEREST EARNINGS	7,355.52	7,355.52	5,000.00	( 2,355.52)	147.1
10-100-3804 MISCELLANEOUS	1,181.00	1,181.00	500.00	( 681.00)	236.2
<b>TOTAL REVENUES</b>	<b>869,662.69</b>	<b>869,662.69</b>	<b>1,793,266.00</b>	<b>923,603.31</b>	<b>48.5</b>
<b>TOTAL FUND REVENUE</b>	<b>869,662.69</b>	<b>869,662.69</b>	<b>1,793,266.00</b>	<b>923,603.31</b>	<b>48.5</b>

TOWN OF DEWEY-HUMBOLDT  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>TOWN COUNCIL AND MANAGEMENT</u>					
10-413-4000 SALARY AND WAGES	37,331.92	37,331.92	80,088.00	42,756.08	46.6
10-413-4100 ALLOWANCES	876.90	876.90	8,560.00	7,683.10	10.2
10-413-4110 HEALTH INSURANCE	1,702.48	1,702.48	10,636.00	8,933.52	16.0
10-413-4111 DENTAL & VISION INSURANCE	111.94	111.94	900.00	788.06	12.4
10-413-4120 RETIREMENT	2,346.08	2,346.08	9,611.00	7,264.92	24.4
10-413-4150 MEDICARE	554.00	554.00	1,162.00	608.00	47.7
10-413-4160 STATE UNEMPLOYMENT	400.15	400.15	280.00	( 120.15)	142.9
10-413-4170 WORKERS COMPENSATION	102.00	102.00	350.00	248.00	29.1
10-413-6010 DUES & MEMBERSHIPS	7,949.00	7,949.00	12,409.00	4,460.00	64.1
10-413-6020 TRAINING AND TRAVEL	5,725.12	5,725.12	17,540.00	11,814.88	32.6
<b>TOTAL TOWN COUNCIL AND MANAGEMENT</b>	<b>57,099.59</b>	<b>57,099.59</b>	<b>141,536.00</b>	<b>84,436.41</b>	<b>40.3</b>
<u>TOWN CLERK AND PUBLIC RECORDS</u>					
10-414-4000 SALARY & WAGES	25,182.00	25,182.00	82,476.00	57,294.00	30.5
10-414-4110 HEALTH INSURANCE	6,140.40	6,140.40	21,296.00	15,155.60	28.8
10-414-4111 DENTAL & VISION INSURANCE	354.90	354.90	1,680.00	1,325.10	21.1
10-414-4120 RETIREMENT	3,017.64	3,017.64	9,898.00	6,880.36	30.5
10-414-4150 MEDICARE	366.63	366.63	1,196.00	829.37	30.7
10-414-4160 STATE UNEMPLOYMENT	105.95	105.95	560.00	454.05	18.9
10-414-4170 WORKERS COMPENSATION	51.00	51.00	350.00	299.00	14.6
10-414-5100 SOFTWARE:GRANICUS, AMERLEGAL	7,577.28	7,577.28	18,000.00	10,422.72	42.1
10-414-6010 PROFESSIONAL MEMBERSHIPS	228.00	228.00	385.00	157.00	59.2
10-414-6020 TRAINING AND TRAVEL	921.70	921.70	2,500.00	1,578.30	36.9
10-414-6100 NEWSLETTER	9,364.40	9,364.40	17,000.00	7,635.60	55.1
10-414-6200 PRINT, PUBLISH, ADVERTISE	3,101.38	3,101.38	5,000.00	1,898.62	62.0
10-414-6380 SOFTWARE MAINTENANCE	2,497.80	2,497.80	2,500.00	2.20	99.9
10-414-7400 CAPITAL EQUIPMENT	.00	.00	5,000.00	5,000.00	.0
<b>TOTAL TOWN CLERK AND PUBLIC RECORDS</b>	<b>58,909.08</b>	<b>58,909.08</b>	<b>167,841.00</b>	<b>108,931.92</b>	<b>35.1</b>
<u>FINANCE AND BUDGET</u>					
10-415-4000 SALARY & WAGES	22,786.33	22,786.33	64,857.00	42,070.67	35.1
10-415-4110 HEALTH INSURANCE	6,031.96	6,031.96	10,780.00	4,748.04	56.0
10-415-4111 DENTAL & VISION INSURANCE	345.36	345.36	900.00	554.64	38.4
10-415-4120 RETIREMENT	2,373.48	2,373.48	6,143.00	3,769.52	38.6
10-415-4150 MEDICARE	330.37	330.37	912.00	581.63	36.2
10-415-4160 STATE UNEMPLOYMENT	7.82	7.82	560.00	552.18	1.4
10-415-4170 WORKERS COMPENSATION	57.00	57.00	300.00	243.00	19.0
10-415-5001 OSP AUDIT SERVICES	13,500.00	13,500.00	13,000.00	( 500.00)	103.9
10-415-5200 OSP CONTRACTS	14,891.76	14,891.76	30,000.00	15,108.24	49.6
10-415-6010 PROFESSIONAL MEMBERSHIPS	160.00	160.00	500.00	340.00	32.0
10-415-6020 TRAINING AND TRAVEL	.00	.00	1,000.00	1,000.00	.0
10-415-6380 SOFTWARE MAINT AND ACQUISITION	1,943.00	1,943.00	7,000.00	5,057.00	27.8
<b>TOTAL FINANCE AND BUDGET</b>	<b>62,427.08</b>	<b>62,427.08</b>	<b>135,952.00</b>	<b>73,524.92</b>	<b>45.9</b>

TOWN OF DEWEY-HUMBOLDT  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>LEGAL</u>					
10-416-5001 OSP TOWN ATTORNEY	38,370.76	38,370.76	51,175.00	12,804.24	75.0
TOTAL LEGAL	38,370.76	38,370.76	51,175.00	12,804.24	75.0
<u>INFORMATION TECHNOLOGY</u>					
10-417-5100 OSP TECHNICAL	10,853.75	10,853.75	28,500.00	17,646.25	38.1
10-417-5110 WEBSITE & SUCH	2,146.88	2,146.88	2,500.00	353.12	85.9
10-417-6380 SOFTWARE MAINT AND ACQUISITION	1,247.15	1,247.15	1,000.00	(247.15)	124.7
10-417-6900 EQUIPMENT - NON CAPITAL	.00	.00	7,500.00	7,500.00	.0
10-417-6950 IT HARDWARE & EQUIPMENT	20,442.47	20,442.47	30,000.00	9,557.53	68.1
TOTAL INFORMATION TECHNOLOGY	34,690.25	34,690.25	69,500.00	34,809.75	49.9
<u>MAGISTRATE COURT</u>					
10-421-4000 SALARY AND WAGES	23,351.38	23,351.38	53,233.00	29,881.62	43.9
10-421-4120 RETIREMENT	1,167.43	1,167.43	2,662.00	1,494.57	43.9
10-421-4150 MEDICARE	338.60	338.60	772.00	433.40	43.9
10-421-4160 STATE UNEMPLOYMENT	.00	.00	560.00	560.00	.0
10-421-4170 WORKERS COMPENSATION	51.00	51.00	200.00	149.00	25.5
10-421-5001 OSP PUBLIC DEFENDER	180.00	180.00	500.00	320.00	36.0
10-421-5003 OSP PROSECUTOR	10,800.00	10,800.00	21,600.00	10,800.00	50.0
10-421-5005 OSP SPECIALIZED COURT FEES	499.52	499.52	4,000.00	3,500.48	12.5
10-421-5303 LEASE, MAGISTRATE COURT	2,316.30	2,316.30	3,983.00	1,666.70	58.2
10-421-6010 PROFESSIONAL MEMBERSHIPS	365.00	365.00	400.00	35.00	91.3
10-421-6020 TRAINING AND TRAVEL	782.84	782.84	2,000.00	1,217.16	39.1
10-421-6300 GENERAL SUPPLIES	252.43	252.43	1,000.00	747.57	25.2
10-421-6301 SUPPLY:BOOKS & SUBSCRIPTIONS	.00	.00	1,500.00	1,500.00	.0
10-421-6500 UTILITIES (ELECTRICITY & GAS)	650.17	650.17	1,500.00	849.83	43.3
10-421-6520 TELEPHONE	290.19	290.19	500.00	209.81	58.0
10-421-6900 EQUIP SUPPLY	1,125.00	1,125.00	3,000.00	1,875.00	37.5
TOTAL MAGISTRATE COURT	42,169.86	42,169.86	97,410.00	55,240.14	43.3
<u>PUBLIC SAFETY</u>					
10-425-5300 OSP SHERIFF SERVICES	242,615.31	242,615.31	415,912.00	173,296.69	58.3
10-425-5301 OSP EMERGENCY RESPONSE	1,674.00	1,674.00	1,800.00	126.00	93.0
10-425-5501 FACILITIES SHERIFF OFFICE	6,029.10	6,029.10	10,134.00	4,104.90	59.5
10-425-6500 UTILITIES (ELECTRICITY)	1,006.75	1,006.75	2,500.00	1,493.25	40.3
TOTAL PUBLIC SAFETY	251,325.16	251,325.16	430,346.00	179,020.84	58.4

TOWN OF DEWEY-HUMBOLDT  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ENGINEERING</u>					
10-430-4000 SALARY AND WAGES	27,692.28	27,692.28	60,000.00	32,307.72	46.2
10-430-4110 HEALTH INSURANCE	6,091.30	6,091.30	10,512.00	4,420.70	58.0
10-430-4111 DENTAL & VISION INSURANCE	345.36	345.36	900.00	554.64	38.4
10-430-4120 RETIREMENT	3,335.04	3,335.04	7,200.00	3,864.96	46.3
10-430-4150 MEDICARE	335.76	335.76	870.00	534.24	38.6
10-430-4160 STATE UNEMPLOYMENT	.00	.00	280.00	280.00	.0
10-430-4170 WORKERS COMPENSATION	826.00	826.00	3,000.00	2,174.00	27.5
10-430-5001 OSP ENGINEERING	.00	.00	5,000.00	5,000.00	.0
10-430-6010 PROFESSIONAL MEMBERSHIPS	.00	.00	200.00	200.00	.0
10-430-6020 TRAINING AND TRAVEL	.00	.00	1,000.00	1,000.00	.0
<b>TOTAL ENGINEERING</b>	<b>38,625.74</b>	<b>38,625.74</b>	<b>88,962.00</b>	<b>50,336.26</b>	<b>43.4</b>
<u>PUBLIC WORKS</u>					
10-431-4000 SALARY & WAGES	51,791.68	51,791.68	102,313.00	50,521.32	50.6
10-431-4010 OVERTIME	879.30	879.30	.00	( 879.30)	.0
10-431-4110 HEALTH INSURANCE	17,142.02	17,142.02	31,112.00	13,969.98	55.1
10-431-4111 DENTAL & VISION INSURANCE	980.11	980.11	2,700.00	1,719.89	36.3
10-431-4120 RETIREMENT	5,754.50	5,754.50	12,278.00	6,523.50	46.9
10-431-4150 MEDICARE	833.27	833.27	1,484.00	650.73	56.2
10-431-4160 STATE UNEMPLOYMENT	363.41	363.41	840.00	476.59	43.3
10-431-4170 WORKERS COMPENSATION	1,460.00	1,460.00	4,500.00	3,040.00	32.4
10-431-5200 OSP JANITORIAL SERVICES	2,590.00	2,590.00	3,000.00	410.00	86.3
10-431-5500 FACILITIES, TOWN HALL	23,199.12	23,199.12	38,991.00	15,791.88	59.5
10-431-5503 FACILITY MAINTENANCE	.00	.00	500.00	500.00	.0
10-431-5900 OSP OTHER	1,464.37	1,464.37	2,500.00	1,035.63	58.6
10-431-5903 LIABILITY & AUTO INSURANCE	20,420.00	20,420.00	28,000.00	7,580.00	72.9
10-431-6020 TRAINING AND TRAVEL	275.00	275.00	200.00	( 75.00)	137.5
10-431-6300 GENERAL SUPPLIES - TOWN	4,438.15	4,438.15	8,000.00	3,561.85	55.5
10-431-6500 FACILITIES, ELECTRIC UTILITIES	3,720.01	3,720.01	7,000.00	3,279.99	53.1
10-431-6510 FACILITIES, GAS UTILITIES	223.88	223.88	1,000.00	776.12	22.4
10-431-6520 FACILITIES, TELEPHONE	3,129.27	3,129.27	6,500.00	3,370.73	48.1
10-431-6530 FACILITIES, CELLULAR	596.79	596.79	1,200.00	603.21	49.7
10-431-6595 VEHICLE MAINTENANCE	.00	.00	500.00	500.00	.0
10-431-6600 FACILITIES, FUEL	212.14	212.14	500.00	287.86	42.4
10-431-7001 ROAD / FACILITY ACQUISIT	.00	.00	13,000.00	13,000.00	.0
10-431-7006 OPEN SPACE & PARK	187.11	187.11	500.00	312.89	37.4
<b>TOTAL PUBLIC WORKS</b>	<b>139,660.13</b>	<b>139,660.13</b>	<b>266,618.00</b>	<b>126,957.87</b>	<b>52.4</b>

TOWN OF DEWEY-HUMBOLDT  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GENERAL FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>COMMUNITY DEVELOPMENT</u>					
10-465-4000 SALARY & WAGES	58,428.75	58,428.75	131,991.00	73,562.25	44.3
10-465-4110 HEALTH INSURANCE	5,227.35	5,227.35	21,308.00	16,080.65	24.5
10-465-4111 DENTAL & VISION INSURANCE	578.78	578.78	1,800.00	1,221.22	32.2
10-465-4120 RETIREMENT	5,361.20	5,361.20	12,916.00	7,554.80	41.5
10-465-4150 MEDICARE	847.19	847.19	1,914.00	1,066.81	44.3
10-465-4160 STATE UNEMPLOYMENT	374.64	374.64	840.00	465.36	44.6
10-465-4170 WORKERS COMPENSATION	771.00	771.00	2,000.00	1,229.00	38.6
10-465-5001 OSP P&Z MANAGEMENT	.00	.00	28,000.00	28,000.00	.0
10-465-5005 IGA LIBRARY SERVICE	31,920.48	31,920.48	43,711.00	11,790.52	73.0
10-465-5501 FACILITIES,LIBRARY-RENT,REPAIR	15,680.00	15,680.00	28,080.00	12,400.00	55.8
10-465-5900 OSP OTHER (IGA YAV BLDG INSP)	75.00	75.00	.00	( 75.00)	.0
10-465-6010 PROFESSIONAL MEMBERSHIPS	431.00	431.00	500.00	69.00	86.2
10-465-6020 TRAINING AND TRAVEL	986.26	986.26	2,500.00	1,513.74	39.5
10-465-6100 SUPPLY: BOOK SUBSCRIPTIONS	.00	.00	200.00	200.00	.0
10-465-6380 SOFTWARE MAINT (WINDOWARE, GIS)	2,166.03	2,166.03	2,100.00	( 66.03)	103.1
10-465-6950 NEIGHBORHOOD OUTREACH	14,983.85	14,983.85	36,680.00	21,696.15	40.9
10-465-6951 FEES REFUND	5,785.00	5,785.00	500.00	( 5,285.00)	1157.0
<b>TOTAL COMMUNITY DEVELOPMENT</b>	<b>143,616.53</b>	<b>143,616.53</b>	<b>315,040.00</b>	<b>171,423.47</b>	<b>45.6</b>
<u>NON-DEPARTMENTAL</u>					
10-499-9994 TRANSFER OUT TO HURF	.00	.00	28,886.00	28,886.00	.0
10-499-9995 COST OVERRUNS CONTINGENCY	.00	.00	200,000.00	200,000.00	.0
<b>TOTAL NON-DEPARTMENTAL</b>	<b>.00</b>	<b>.00</b>	<b>228,886.00</b>	<b>228,886.00</b>	<b>.0</b>
<b>TOTAL FUND EXPENDITURES</b>	<b>866,894.18</b>	<b>866,894.18</b>	<b>1,993,266.00</b>	<b>1,126,371.82</b>	<b>43.5</b>
<b>NET REVENUE OVER EXPENDITURES</b>	<b>2,768.51</b>	<b>2,768.51</b>	<b>( 200,000.00)</b>	<b>( 202,768.51)</b>	<b>1.4</b>

TOWN OF DEWEY-HUMBOLDT  
BALANCE SHEET  
DECEMBER 31, 2017

HURF FUND

ASSETS

20-000-1000	DUE FROM GENERAL FUND	( 361,100.01)	
20-000-1100	ACCOUNTS RECEIVABLE	( .53)	
20-000-1500	INVESTMENTS - LGIP	474,342.60	
	TOTAL ASSETS		113,242.06

LIABILITIES AND EQUITY

LIABILITIES

20-000-2000	ACCOUNTS PAYABLE	180.54	
	TOTAL LIABILITIES		180.54

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:			
20-000-2900	RESERVE FOR IMPACT FEES	36,288.00	
20-000-2995	FUND BALANCE AT START OF YEAR	205,220.64	
	REVENUE OVER EXPENDITURES - YTD	( 128,447.12)	
	BALANCE - CURRENT DATE	113,061.52	
	TOTAL FUND EQUITY		113,061.52
	TOTAL LIABILITIES AND EQUITY		113,242.06

TOWN OF DEWEY-HUMBOLDT  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

HURF FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>						
20-100-3340	HURF	142,010.96	142,010.96	342,172.00	200,161.04	41.5
20-100-3600	INTEREST EARNINGS	2,331.13	2,331.13	1,600.00	( 731.13)	145.7
20-100-3700	TRANSFER IN FROM GENERAL FUND	.00	.00	28,886.00	28,886.00	.0
TOTAL REVENUES		144,342.09	144,342.09	372,658.00	228,315.91	38.7
TOTAL FUND REVENUE		144,342.09	144,342.09	372,658.00	228,315.91	38.7

TOWN OF DEWEY-HUMBOLDT  
EXPENDITURES WITH COMPARISON TO BUDGET  
FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

HURF FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>ENGINEERING</u>					
20-430-6380 SOFTWARE MAINT AND ACQUISITION	3,131.32	3,131.32	3,000.00	( 131.32)	104.4
20-430-7001 ROADWAY MAINTENANCE	914.14	914.14	.00	( 914.14)	.0
20-430-7002 CAPITAL ROAD IMPROVEMENT	.00	.00	16,000.00	16,000.00	.0
TOTAL ENGINEERING	4,045.46	4,045.46	19,000.00	14,954.54	21.3
<u>PUBLIC WORKS</u>					
20-431-5900 OSP OTHER(ON-GOING ROAD MAINT)	48,587.82	48,587.82	43,000.00	( 5,587.82)	113.0
20-431-6595 VEHICLE MAINTENANCE	514.79	514.79	2,500.00	1,985.21	20.6
20-431-6600 FACILITIES, FUEL	5,042.22	5,042.22	6,000.00	957.78	84.0
20-431-6900 HEAVY EQUIP MAINTENANCE	8,021.28	8,021.28	12,000.00	3,978.72	66.8
20-431-7001 IN-HOUSE ROW MAINT MATERIALS	20,977.07	20,977.07	13,000.00	( 7,977.07)	161.4
20-431-7006 CAPITAL ROAD MAINT (OSP)	44,652.90	44,652.90	236,000.00	191,347.10	18.9
20-431-7008 ONE TIME ROAD PROJECTS	112,051.35	112,051.35	118,250.00	6,198.65	94.8
20-431-7400 CAPITAL EQUIPMENT	28,896.32	28,896.32	30,000.00	1,103.68	96.3
TOTAL PUBLIC WORKS	268,743.75	268,743.75	460,750.00	192,006.25	58.3
TOTAL FUND EXPENDITURES	272,789.21	272,789.21	479,750.00	206,960.79	56.9
NET REVENUE OVER EXPENDITURES	( 128,447.12)	( 128,447.12)	( 107,092.00)	21,355.12	(119.9)

TOWN OF DEWEY-HUMBOLDT  
 BALANCE SHEET  
 DECEMBER 31, 2017

GRANT FUND

ASSETS

22-000-1000	DUE FROM GENERAL FUND	(	19,870.08)	
22-000-1100	GRANTS RECEIVABLE		<u>7,692.23</u>	
	TOTAL ASSETS			( <u><u>12,177.85</u></u> )

LIABILITIES AND EQUITY

LIABILITIES

22-000-2000	ACCOUNTS PAYABLE	(	<u>.05</u>	
	TOTAL LIABILITIES			( .05)

FUND EQUITY

UNAPPROPRIATED FUND BALANCE:				
22-000-2995	FUND BALANCE AT START OF YEAR		.48	
	REVENUE OVER EXPENDITURES - YTD	(	<u>12,178.28</u>	
	BALANCE - CURRENT DATE	(	<u>12,177.80</u>	
	TOTAL FUND EQUITY			( <u><u>12,177.80</u></u> )
	TOTAL LIABILITIES AND EQUITY			( <u><u>12,177.85</u></u> )

TOWN OF DEWEY-HUMBOLDT  
 REVENUES WITH COMPARISON TO BUDGET  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GRANT FUND

		PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEARNED	PCNT
<u>REVENUES</u>						
22-100-3390	MISC GRANTS	8,820.00	8,820.00	1,505,000.00	1,496,180.00	.6
22-100-3400	YAV CO FLOOD CNTRL FUND	11,414.94	11,414.94	65,000.00	53,585.06	17.6
TOTAL REVENUES		20,234.94	20,234.94	1,570,000.00	1,549,765.06	1.3
TOTAL FUND REVENUE		20,234.94	20,234.94	1,570,000.00	1,549,765.06	1.3

TOWN OF DEWEY-HUMBOLDT  
 EXPENDITURES WITH COMPARISON TO BUDGET  
 FOR THE 6 MONTHS ENDING DECEMBER 31, 2017

GRANT FUND

	PERIOD ACTUAL	YTD ACTUAL	BUDGET	UNEXPENDED	PCNT
<u>EXPENDITURES</u>					
22-430-7810 MISC GRANT EXPENDITURE	15,120.00	15,120.00	1,505,000.00	1,489,880.00	1.0
22-430-7820 FLOOD CONTROL REIMBURSEMENT	17,293.22	17,293.22	65,000.00	47,706.78	26.6
TOTAL EXPENDITURES	<u>32,413.22</u>	<u>32,413.22</u>	<u>1,570,000.00</u>	<u>1,537,586.78</u>	<u>2.1</u>
TOTAL FUND EXPENDITURES	<u>32,413.22</u>	<u>32,413.22</u>	<u>1,570,000.00</u>	<u>1,537,586.78</u>	<u>2.1</u>
NET REVENUE OVER EXPENDITURES	<u>( 12,178.28)</u>	<u>( 12,178.28)</u>	<u>.00</u>	<u>12,178.28</u>	<u>.0</u>

TOWN OF DEWEY-HUMBOLDT  
 BALANCE SHEET  
 DECEMBER 31, 2017

CAPITAL ASSETS FUND

ASSETS

90-000-1610	RIGHT OF WAY	2,982,961.00	
90-000-1620	PAVED ROADS	3,528,941.00	
90-000-1630	IMPROVEMENTS OTHER THAN BLDGS	957,316.00	
90-000-1660	OFFICE EQUIPMENT	10,578.00	
90-000-1670	VEHICLES AND EQUIPMENT	129,377.00	
90-000-1700	ACCUMULATED DEPRECIATION	( 3,340,372.02)	
	TOTAL ASSETS		<u>4,268,800.98</u>

LIABILITIES AND EQUITY

FUND EQUITY

	UNAPPROPRIATED FUND BALANCE:		
90-000-2996	INVESTMENT IN CAPITAL ASSETS	<u>4,268,800.98</u>	
	BALANCE - CURRENT DATE	<u>4,268,800.98</u>	
	TOTAL FUND EQUITY		<u>4,268,800.98</u>
	TOTAL LIABILITIES AND EQUITY		<u>4,268,800.98</u>

TOWN OF DEWEY-HUMBOLDT  
BALANCE SHEET  
DECEMBER 31, 2017

GENERAL LONG TERM LIABILITIES

ASSETS

95-000-1660	AMOUNTS TO BE PROVIDED	15,201.00	
	TOTAL ASSETS		15,201.00

LIABILITIES AND EQUITY

LIABILITIES

95-000-2165	COMPENSATED ABSENCES	15,201.00	
	TOTAL LIABILITIES		15,201.00
	TOTAL LIABILITIES AND EQUITY		15,201.00



**TOWN OF DEWEY-HUMBOLDT**  
**P.O. BOX 69**  
**HUMBOLDT, AZ 86329**  
**Phone 928-632-8643 ▪ Fax 928-632-7365**

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## **Status: Giant Gas Station Proposal**

Agenda Item 3.5.

Date: February 5, 2018  
To: Mayor & Council  
From: Tom Wilson, Town Manager and Steven Brown, Community Planner  
Re: Proposed Giant Service Station Development

Developers have submitted an application for the development of the property at the southeast corner intersection of State Route 69 and State Route 169 consisting of a Giant gas station, retail sales and a “Subway” restaurant.

Dewey-Humboldt’s General Plan includes this property in the Community Core Land Use Designation. Since incorporation the property has been zoned C2-4, which allows the uses proposed by the developers. Therefore, no zoning change or amendment or Mayor & Council action is needed. Town administrative action – Staff review and approval – is required by the Town Building Official and Planner for all the building plans in order that building permits be issued.

In addition, a final plan must be approved by the Arizona Department of Transportation (ADOT) for the ingress/egress to the State Highways 69 and 169, along with approval of the configuration of access to Old Black Canyon Highway.

Finally, the developers must receive appropriate approvals for their plans from the State Department of Environmental Quality (DEQ) and the Yavapai County Health and Flood Control agencies prior to the Town issuing building permits.





**TOWN OF DEWEY-HUMBOLDT**  
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## **Council Communication**

### **Council Special Work Meeting**

### **February 13, 2018**

Date: February 1, 2018

To: Town Council

From: Steven Brown, Community Planner

**4.1. Discussion and action regarding the extension of the Agreement between Prescott Area Wildland Urban Interface Commission, Blue Hills/Foothills Firewise Board and the Town of Dewey-Humboldt, Arizona.**

**APPLICANT:** Joint Agreement between Town, Firewise and Prescott Area Wildland Urban Interface Commission (PAWUIC)

**GENERAL PLAN DESIGNATION:** Various, within the Blue Hills and Foothills East that are within the Firewise Community

**ZONING:** Various Residential Zoning Districts within the Blue Hills and Foothills East that are within the Firewise Community

**LOCATION:** See Map Below

**EXHIBITS:** Location Map,

#### **I. BACKGROUND**

This is a request for the Council to approve the continuation of an agreement between the Town, Firewise Board and the Prescott Area Wildland Urban Interface Commission (PAWUIC) in which the Town agrees to absorb the 90 to 120 day wait for reimbursement from the State Forester, who is the pass-through agency for federal wildfire mitigation funding.

The Town has used all of the available funding from the last grant cycle for properties in the Blue Hills, but were less successful in the Foothills East area. The changes in the grant this cycle are minimal, and the new agreement simply includes the new particulars for the new grant cycle. The particulars of the current grant cycle are as follows:

Grant # - WFHF 16-204

Term – 12/05/16 – 12-31-18

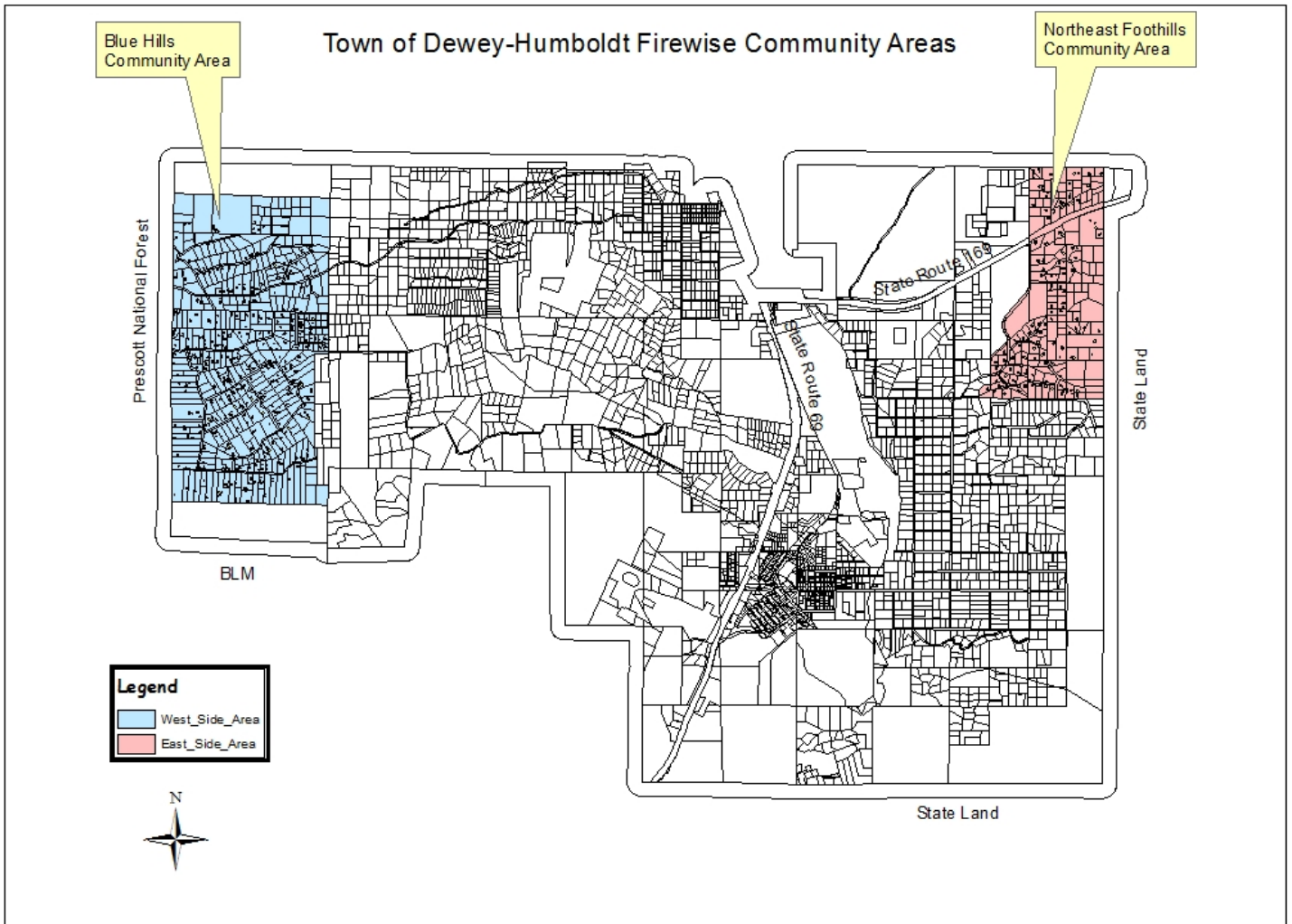
14 acres/properties in the Blue Hills area

8 acres/properties eligible in the Foothills East area

The grant calls for a 90% reimbursement of the per acre total covered mitigation of \$1,400 (\$1,260)

The grant requires 10% of the total covered mitigation, be paid by the property owner (\$140)

The agreement shall be extended from 1/2/2018 through 11/30/19 upon the following specific terms:  
 10 acres/properties in the Blue Hills area  
 5 acres/properties eligible in the Foothills East area  
 The grant calls for a 90% reimbursement of the per acre total covered mitigation of \$1,500 (\$1,350)  
 The grant requires 10% of the total covered mitigation, be paid by the property owner (\$150)



## II. STAFF RECOMMENDATION

Staff recommends that the Council approves the Mayor to enter into this new agreement.

ATTACHMENT #1

AGREEMENT

Between Prescott Area Wildland Urban Interface Commission,  
Blue Hills/Foothills Firewise Board  
And the  
Town of Dewey-Humboldt, Arizona

This Agreement dated June 20, 2017 is entered into among the Prescott Area Wildland Urban Interface Commission ("PAWUIC"), the Blue Hills/Foothills Firewise Board ("Firewise Board") and the Town of Dewey-Humboldt, Arizona ("Town").

RECITALS.

1. PAWUIC has secured Grant # WFHF 16-204 ("Grant") through the Arizona Department of Forestry and Fire Management with a term of December 5, 2016 through December 31, 2018; PAWUIC is the sub-grantee of the Arizona Department of Forestry.
2. The purpose of the Grant is to assist property owners to create defensible space through utilization of individual properties and combined efforts within residential communities in the PAWUIC area.
3. Dewey Humboldt's Upper Blue Hills area and the Northwest Foothills neighborhoods have been recognized as Firewise communities and have been included in PAWUIC grant application; there are 14 acres/properties in the Blue Hills area and 8 acres/properties in the Foothills area; a total of 22 acres/properties are eligible for funds from the Grant.
4. Grant funds are available to reimburse each property owner an amount, not to exceed ninety percent (90%) of a maximum cost per acre to be set by PAWUIC prior to the onset of defensible space or abatement work, with the property owner responsible for all costs exceeding ninety percent of the pre-approved cost per acre.
5. The Firewise Board requested that the Town participate in the Grant process by advancing money to individual eligible property owners who wish to utilize the Grant program to create defensible spaces, thereby eliminating the hardship for individual property owners who would otherwise have to wait 120 days or more to receive reimbursement from the Grant proceeds.
6. The Parties believe that the Town's advancement of funds pursuant to this Agreement will encourage participation by property owners and therefore benefit the community as a whole.

NOW THEREFORE in consideration of the mutual promises made herein, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to set forth procedures for the advancement of funds to property owners for Grant funds to create defensible spaces and for the reimbursement to the Town of funds advanced to property owners.

2. Procedures.

2.1 Each participating property owner will obtain an initial property assessment to be conducted by the Central Arizona Fire and Medical Authority ("Authority"), which assessment will describe the abatement of forest fire hazards needed on the property owner's property.

2.2 The property owner obtains at least two (2) bids from qualified contractors to conduct the abatement and selects one contractor.

2.3 Available reimbursement is calculated from the bid by the contractor.

2.4 The property owner determines whether to participate, based on the selected bid and the property owner's ability to pay the property owner's obligation which exceeds the PAWUIC set reimbursement amount for the amount of acres and cost per acre.

2.5 The property owner enters into a contract with the contractor for the work, and the work is completed.

2.6 The property owner provides documentation to the Firewise Board evidencing the work completed and the amount to be reimbursed. Such documentation shall include the assessment performed by the Authority, bids, the contract with the contractor, invoice and cancelled check for payment of the work completed, and before/after photographs of the work area(s).

2.7 The Firewise Board verifies completion of the work and completeness of documentation.

2.8 The Firewise Board submits documentation to the Town along with a letter to endorse the Town's disbursement of a specific amount of funds to the property owner.

2.9 Within 10 days of receipt of complete documentation from the Firewise Board, the Town shall review the documentation for accuracy before advancing funds to the property owner. When the Town is satisfied that the documentation is accurate, the Town will obtain from the property owner an Assignment of Funds in the form attached hereto as Exhibit A assigning funds received from the Town to the contractor who performed the work. Upon receipt of the signed assignment, the Town will advance ninety percent (90%), of the maximum cost per acre set by PAWUIC prior to the onset of defensible space or abatement work to the property owner for use to pay the contract amount, and the property owner shall pay the contractor the full contract amount.

2.10 The Town provides documentation to PAWUIC, including the assessment performed by the Authority, bids, contract, and invoice and cancelled check from property owner for payment of the work completed, and copy of check to property owner for payment to contractor.

2.11 When PAWUIC receives the Grant funds, PAWUIC shall reimburse the Town the amount of the funds as stipulated by the Grant Agreement between PAWUIC and the Arizona Department of Forestry and Fire Management advanced by the Town to the property owner.

3. Miscellaneous

3.1 Nothing in this Agreement is intended to conflict with current laws or regulations. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

3.2 The terms of this Agreement will become effective on the date signed by all parties.

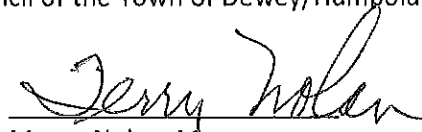
3.3 This Agreement may be modified upon the mutual written consent of the parties.

3.4 This Agreement, as modified with the consent of all parties, will remain in effect until the grant end dates for an approved grant. Either party upon 30 days written notice to the other parties may terminate this agreement, provided however that the obligation of PAWUIC to reimburse the Town the amount of the funds advanced by the Town to a property owner shall survive the termination of this Agreement.

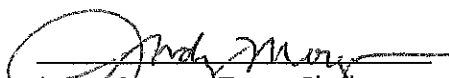
3.5 This Agreement is subject to the provisions of A.R.S. Section 38-511.

3.6 This Agreement shall constitute the entire agreement of all parties and is executed upon signature.

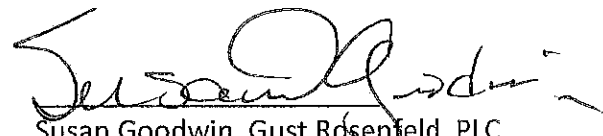
Passed, Approved, and Adopted by the Mayor and Council of the Town of Dewey/Humboldt this 20<sup>th</sup> day of June, 2017.

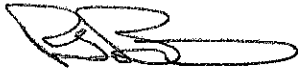
  
Mayor Nolan, Mayor

ATTEST:

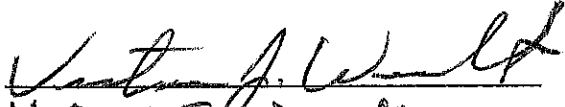
  
Judy Morgan, Town Clerk

The foregoing agreement has been reviewed by the undersigned attorney for the Town of Dewey/Humboldt, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this state to the Town of Dewey/Humboldt.

  
Susan Goodwin, Gust Rosenfeld, PLC  
Town Attorney



Robert Betts  
Prescott Area Wildland Urban Interface Commission



Victoria J. Howard  
Blue Hills/Foothills Firewise Board

EXHIBIT A

FORM OF ASSIGNMENT BY PROPERTY OWNER

The undersigned is a participant in the Firewise Program of the Prescott Area Wildland Urban Interface Commission, the Blue Hills/Foothills Firewise Board and the Town of Dewey-Humboldt, Arizona and has entered into a contract with \_\_\_\_\_ ("Contractor") to abate conditions that cause forest fire hazards and to create defensible spaces on his property ("Work") located at \_\_\_\_\_. The contract amount for the Work is \$\_\_\_\_\_ ("Contract Amount"). The Town of Dewey-Humboldt, Arizona has advanced to me the amount of \$\_\_\_\_\_ to be used for the sole purpose of paying the Contractor for a portion of the Contract Amount upon completion of the Work. I agree to provide the necessary documentation to the Prescott Area Wildland Urban Interface Commission, the Blue Hills/Foothills Firewise Board and the Town of Dewey-Humboldt, Arizona to confirm that the Work has been completed in accordance with the contract. I assign all funds received from the Town to the Contractor for payment of a portion of the Contract Amount and agree to be responsible for the balance of the Contract Amount.

PROPERTY OWNER(S)

DATE

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

AGREEMENT

Between Prescott Area Wildland Urban Interface Commission,  
Blue Hills/Foothills Firewise Board  
and the  
Town of Dewey-Humboldt, Arizona

This Agreement dated \_\_\_\_\_, 2018 is entered into among the Prescott Area Wildland Urban Interface Commission (“PAWUIC”), the Blue Hills/Foothills Firewise Board (“Firewise Board”) and the Town of Dewey-Humboldt, Arizona (“Town”).

RECITALS.

1. PAWUIC has secured Grant # WFHF 17-201 (“Grant”) through the Arizona Department of Forestry and Fire Management with a term of January 2, 2018 through November 30, 2019; PAWUIC is the sub-grantee of the Arizona Department of Forestry.
2. The purpose of the Grant is to assist property owners to create defensible space through utilization of individual properties and combined efforts within residential communities in the PAWUIC area.
3. Dewey Humboldt’s Upper Blue Hills area and the Northwest Foothills neighborhoods have been recognized as FireWise communities and have been included in PAWUIC grant application; there are 10 acres/properties in the Blue Hills area and 5 acres/properties in the Foothills area; a total of 15 acres/properties are eligible for funds from the Grant.
4. Grant funds are available to reimburse each property owner, up to one acre, up to 90% of \$1500 value of work completed, with the property owner responsible for 10% of up to \$1,500 value of work completed.
5. PAWUIC and the Firewise Board requested that the Town participate in the Grant process by advancing money to individual eligible property owners who wish to utilize the Grant program to create defensible spaces, thereby eliminating the hardship for individual property owners who would otherwise have to wait 120 days or more to receive reimbursement from the Grant proceeds.
6. The Parties believe that the Town’s advancement of funds pursuant to this Agreement will encourage participation by property owners and therefore benefit the community as a whole.

NOW THEREFORE in consideration of the mutual promises made herein, the parties agree as follows:

1. Purpose. The purpose of this Agreement is to set forth procedures for the advancement of funds to property owners for Grant funds to create defensible spaces and for the reimbursement to the Town of funds advanced to property owners.
2. Procedures.
  - 2.1 Each participating property owner will obtain an initial property assessment to be conducted by the Central Arizona Fire and Medical Authority (“Authority”), which assessment will describe the abatement of forest fire hazards needed on the property owner’s property.

2.2 The property owner obtains at least two (2) bids from qualified contractors to conduct the abatement and selects one contractor.

2.3 Available reimbursement is calculated from the bid by the contractor.

2.4 The property owner determines whether to participate, based on the selected bid and the property owner's ability to pay the property owner's 10% obligation.

2.5 The property owner enters into a contract with the contractor for the work, and the work is completed.

2.6 The property owner provides documentation to the Firewise Board evidencing the work completed and the amount to be reimbursed. Such documentation shall include the assessment performed by the Authority, bids, the contract with the contractor, invoice and cancelled check for payment of reimbursable amount.

2.7 The Firewise Board verifies completion of the work and completeness of documentation.

2.8 The Firewise Board submits documentation to the Town along with a letter to endorse the Town's disbursement of a specific amount of funds to the property owner.

2.9 Within 10 days of receipt of complete documentation from the Firewise Board, the Town shall review the documentation for accuracy before advancing funds to the property owner. When the Town is satisfied that the documentation is accurate, the Town will obtain from the property owner an Assignment of Funds in the form attached hereto as Exhibit A assigning funds received from the Town to the contractor who performed the work. Upon receipt of the signed assignment, the Town will advance 90% of the contract amount, not to exceed \$1260, to the property owner for use to pay the contract amount, and the property owner shall pay the contractor the full contract amount.

2.10 The Town provides documentation to PAWUIC, including the assessment performed by the Authority, bids, contract, and invoice and cancelled check from property owner, and copy of check to property owner for payment to contractor.

2.11 When PAWUIC receives the Grant funds, PAWUIC shall reimburse the Town the amount of the funds advanced by the Town to the property owner.

### 3. Miscellaneous

3.1 Nothing in this Agreement is intended to conflict with current laws or regulations. If a term of this Agreement is inconsistent with such authority, then that term shall be invalid, but the remaining terms and conditions of this agreement shall remain in full force and effect.

3.2 The terms of this Agreement will become effective on the date signed by all parties.

3.3 This Agreement may be modified upon the mutual written consent of the parties.

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3.5 This Agreement is subject to the provisions of A.R.S. Section 38-511.

3.6 This Agreement shall constitute the entire agreement of all parties and is executed upon signature.

Passed, Approved, and Adopted by the Mayor and Council of the Town of Dewey/Humboldt this \_\_\_ day of February, 2018.

\_\_\_\_\_  
Terry Nolan, Mayor

ATTEST:

\_\_\_\_\_  
Julie Gibson, Town Clerk

\_\_\_\_\_  
Michael Orr  
Prescott Area Wildland Urban Interface Commission

\_\_\_\_\_  
Blue Hills/Foothills Firewise Board

EXHIBIT A  
FORM OF ASSIGNMENT BY PROPERTY OWNER

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PROPERTY OWNER(S)

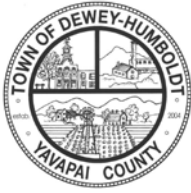
DATE

\_\_\_\_\_  
  
\_\_\_\_\_

\_\_\_\_\_  
  
\_\_\_\_\_

SLB 1/16/18

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

---

## **TOWN COUNCIL SPECIAL MEETING**

**February 13, 2018 – 2:00 p.m. Town Council Meeting Chambers**

**Agenda Item - #4.2 The Dewey-Humboldt Mayor & Council propose to ratify its January 16, 2018, action in which the Mayor & Council approved (7-0) Use Permit UP 17-001, specifically described as: Use Permit UP 17-001 for approximately 2.42 acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery including the processing of grapes into wine, aging, and bottling of wine on the property.**

**To:** Mayor and Town Council Members  
**From:** Tom Wilson, Town Manager  
**Date submitted:** February 7, 2018

**Recommendation:** That Council ratify their action taken at its meeting of January 16, 2018, to approve the Request for Use Permit UP 17-001 for approximately 2.42 acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the processing of grapes into wine, aging, and bottling of wine on the property.

**Summary:** On January 29, 2018, the Mayor and Town Manager of Dewey-Humboldt were notified by the Arizona Ombudsman – Citizens' Aide Staff Attorney, Danee Garone, that a complaint was received that the Dewey-Humboldt Town Council may have violated Open Meeting Law during the January 16, 2018, Regular Council Meeting by not properly noticing Agenda Item 10.1. to reflect that the Council may take action on said item. Attached are the documents reviewed by Council in their decision-making process on January 16, 2018; see Attachment A & Attachment B. Ratification of the action would result in the action taken by the Council on January 16, 2018, being effective as of that date.

## Agenda Item 4.2 – Attachment A

# DETAILED WRITTEN DESCRIPTION OF ACTION TO BE RATIFIED

1. Staff Report to Council of 1/16/18 on Use Permit 17-001
  2. Application for Use Permit with attached Exhibits
  3. Letter from ADOT District Engineer
- 

1. Request for a Use Permit UP 17-001 for approximately 2.42 acres of real property located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the processing of grapes into wine, aging, and bottling of wine on the property.

**APPLICANT:** Keith Moore for Mogollon Winery

**GENERAL PLAN DESIGNATION:** General Commercial

**ZONING:** C2-35 Commercial; General Sales and Services

**LOCATION:** 2430 S. State Rt. 69 APN # 402-08-029K

**EXHIBITS:** Location Map, Photos of Site, Application for Use Permit including Operation Plan Narrative (see Exhibit A)

### I. BACKGROUND

Mogollon Vineyards is a family owned and operated winery that currently operates a winery in the White Mountains, north of Show Low. They currently possess an Arizona Series 13 Liquor License and a Federal Basic Permit with a Federal Registered Bonded Winery Number.

Anyone wishing to operate a wine premises (bonded winery) must first apply to TTB (Alcohol & Tobacco Tax and Trade Bureau) and receive permission to start operations.

The term "bond" for the wine industry is all about taxes. At the federal level when a winery is established with the TTB (Alcohol & Tobacco Tax and Trade Bureau) part of the process is establishing their bond coverage. This is essentially taking out an insurance policy which will cover their excise tax liability due to the feds.

During the review of the liquor license application by the Town, it was realized that the location being proposed for the winery is zone C2-35, and as such bottling plants are not permitted uses. In order to conduct a winery on that property, a Use Permit would be a preferred approach to accommodating this business at this location...

### II. SITE DESCRIPTION

Subject Property is identified as Assessor's Parcel Number (APN) 402-08-029K and was formerly used as a T-shirt screen printing business, until recently. There are at least four (4) structures on the property, including a single-family home. The property is fairly flat with no significant topographic features, and is accessed from the east via a drive off a frontage road adjacent to the west side of State Rt. 69

**Zoning:** The subject property is zoned C2-35 Commercial Sales and Services.

- The property to the north is zoned RCU-12 Residential Rural
- The property to the west is zoned R1L-70 Residential Single-Family Limited
- The property to the south is zoned R1-12 Residential Single-Family and C2-1 Commercial Sales and Services.

**Land Use:** The subject property is currently being used to warehouse pre-bottled wine.

- The property to the north is currently vacant.
- The property to the west is currently occupied by a Single-Family Residence and out structures. The property to the south is currently vacant.
- To the east is State Route 69



Figure 1, Aerial Photograph of the Subject Site and Surrounding Area (Google Earth)

### III. PROJECT DESCRIPTION

The applicants wish to move their winery operation to Dewey-Humboldt "...to be closer to family and to be around more people that appreciate fine wine". To do this they must apply for a new Arizona Series 13 Liquor License for the new property in Dewey-Humboldt.

The Series 13 license will allow the applicants to process wine grapes into wine and sell directly to the public out of a tasting room, festivals or over the internet.

They process approximately 4 to 6 tons of fruit a year, which equates to about 700 gallons of wine or 3500 bottles.

The applicants propose to process the Grapes into wine, age and put into bottles in an existing 800 sq. ft. building. All other buildings will be retail, vineyard equipment storage or cold storage. The vacant land on the property will be vineyard.

Any use of existing buildings for any part of the winery, retail or vineyard operation will need to be approved by the Town's Building Official.



Figure 2, Proposed Site – Building to House Winery, With Garage Door Attached to Main Structure

**General Plan Compliance:**

The subject property is designated by the 2009 General Plan as “General Commercial”, and is intended for retail, office, and industrial uses. This proposal is compliant with that designation.

**Assessment of Use Permit Approval Criteria:**

- The proposed use for fermenting and bottling facility is compatible with “Water distillation and bottling” which is a permitted use in the C2 zoning district.
- The proposed use is compliant with the 2009 General Plan
- Conditions recommended by staff will assure that the use exceeds the conditions and criteria in Section 153.91 Use Permits.

#### IV. PUBLIC COMMENT

Public notices were sent to property owners within a 300-foot radius of the project site. At the time this report was written, staff had not received any comments from the surrounding property owners. Staff will forward to the Commission any public comments as they are received.

#### V. STAFF RECOMMENDATION

The Planning Commission should review the attached material, take public testimony, and make suggestions/comments to the applicant and staff regarding the development of the site, and make a recommendation to the Town Council to either approve, approve with conditions or deny the application for Use Permit.

Approval of this Use Permit would make it possible for an existing business to expand and enhance the range of goods and services offered.

A denial would likely result in the existing business seeking to locate where the full range of their business components can be carried out.

Staff recommends that if the Planning Commission votes to recommend to Council, approval of this application, that the following conditions be made a part of the approval.

1. The Use Permit is approved for a term of five (5) years, to be reviewed at the end of that period to determine if renewal for an additional period is appropriate. Application for Renewal shall be made by the owners of the property following the same process as for a new Use Permit.
2. Prior to occupancy of any structures by the winery or for any other purpose, a special inspection is conducted by the Town Building Official, and the applicants shall make any improvements required as a result of that inspection prior to occupancy.
3. Applicants will maintain TTB (Alcohol & Tobacco Tax and Trade Bureau) basic permit and bonding as long as they are operating under this Use Permit.

For questions or comments about this proposal, please contact: Steven Brown, Community Planner at 928-632-7362 or [stevenbrown@dhaz.gov](mailto:stevenbrown@dhaz.gov).

**EXHIBIT "A"**

**USE PERMIT APPLICATION**

**MOGOLLON WINERY**

F-17-170221

# TOWN OF DEWEY-HUMBOLDT DEVELOPMENT APPLICATION

**PROJECT DESCRIPTION:**

To operate a Arizona Winery on a C-2 property in Dewey Az.

- |  |   |  |
|--|---|--|
| <input type="checkbox"/> General Plan Amendment - Major    | <input type="checkbox"/> General Plan Amendment - Minor | <input type="checkbox"/> Pre-Application   |
| <input type="checkbox"/> Community Master Plan             | <input type="checkbox"/> Major Use / Site Plan          | <input type="checkbox"/> Preliminary plat  |
| <input type="checkbox"/> Commercial Design Review          | <input type="checkbox"/> Annexation                     | <input type="checkbox"/> Zoning Clearance  |
| <input checked="" type="checkbox"/> Conditional Use Permit | <input type="checkbox"/> Abandonment                    | <input type="checkbox"/> Rezone            |
| <input type="checkbox"/> Land split (3 parcels max)        | <input type="checkbox"/> Lot Combine                    | <input type="checkbox"/> Variance          |
| <input type="checkbox"/> Area Plan / Amendment             | <input type="checkbox"/> Final Plat / Amendment         | <input type="checkbox"/> Land Use District |
| <input type="checkbox"/> Other _____                       |   |  |

**LEGAL DESCRIPTION:**

Property Address: 2430 S. St. Rt. 69 Dewey Az 86327

Number of Lots / Units Proposed: 1

Assessor's Parcel Number: 402-08-029K Parcel Size (Acres): 2.41 Acres

Existing Land Use District: C-2 Proposed Land Use District: \_\_\_\_\_

Plat Name: \_\_\_\_\_ Block: \_\_\_\_\_ Lot: \_\_\_\_\_ Tract: \_\_\_\_\_

**DESCRIBE UTILITIES AVAILABLE TO PROPERTY:**

- |   |   |   |
|---|---|---|
| <input checked="" type="checkbox"/> Water <u>well</u> | <input checked="" type="checkbox"/> Gas _____           | <input checked="" type="checkbox"/> Sewer <u>Septic</u> |
| <input checked="" type="checkbox"/> Phone _____       | <input checked="" type="checkbox"/> Electric <u>APS</u> | <input type="checkbox"/> Cable _____                    |

**Describe Public Access to Property:**

Kloss Road exit off of St. Rt. 69

**FEES**

Base Fees: 1,000.00 Other Fees: \$10/acre for 2<sup>41</sup> acres Subtotal: \_\_\_\_\_ Total: \$1,020.00

*APPLICANT / CONTACT INFORMATION:	OWNER INFORMATION:
Name: <u>Keith Moore</u>	Name: _____
Address: <u>6715 W. Camino De Oro</u>	Address: _____
Phone: <u>602-300-9867</u>	Phone: _____
Email: <u>magollanvineyards.com</u>	Email: <u>Keithmoore@tckac.com</u>

Keith Moore  
Signature of owner or representative

PSZ 11/30/17  
JLH  
pcw 11/30/2017  
B/S 12/7/17

\*If application is being submitted by someone other than the owner of the property under consideration, a letter of authorization or other corresponding information must be provided.

To the Town Of Dewey-Humboldt

November 30, 2017

**Mogollon Vineyards operation plan for the property at 2430 S. St. Rt. 69, Dewey AZ.**

Mogollon Vineyards is a family owned and operated winery that currently operates a winery in the White Mountains, north of Show Low. The liquor license we possess is a Arizona Series 13 Liquor License and a Federal Basic Permit with a Federal Registered Bonded Winery Number.

I am a winemaker who was trained in the Yavapai College Enology program in Clarksdale AZ.

We would like to move our operation to Dewey-Humboldt to be closer to family and to be around more people that appreciate fine wine. Yavapai County is turning into a up and coming wine region and we want to be a part of it. To do this we must apply for a new Arizona Series 13 Liquor license for the new property in Dewey. Once this is obtained our existing Series 13 license will be canceled.

The Series 13 license allows us to process wine grapes into wine and sell directly to the public out of a tasting room, festivals or over the internet.

In this process we take Arizona grown wine grapes, crush them into juice, ferment in tanks or bins, filter, fine and age the wine in barrels. After the wine is aged we dispense the wine into bottles and install the corks and put on our approved labels. From this point the wine is ready to sell to the public.

We process around 4 to 6 tons a fruit a year, which equates to about 700 gallons of wine or 3500 bottles.

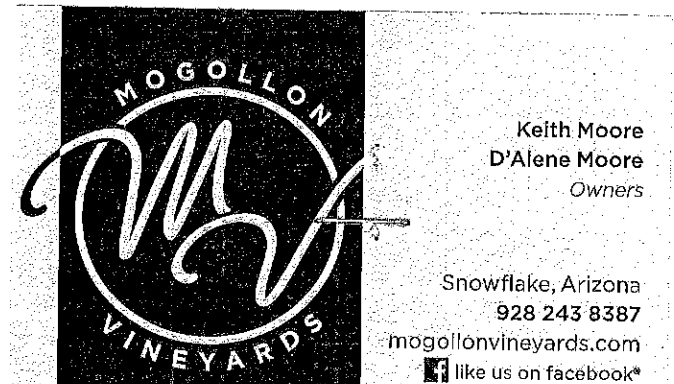
The building on the property we want to use to process the Grapes into wine, age and put into bottles is a 800 sq. ft. existing building that is on site now. It is shown on our plot plan. All other buildings proposed or existing will be retail, vineyard equipment storage or cold storage. The vacant land on the property will be a vineyard.

We are not a large production winery nor do we want to become one. We keep it small and fun and look forward to bring our operation to Dewey-Humboldt.

Thank you

Keith Moore

Mogollon Vineyards  
Cel Phone number 602-300-9867



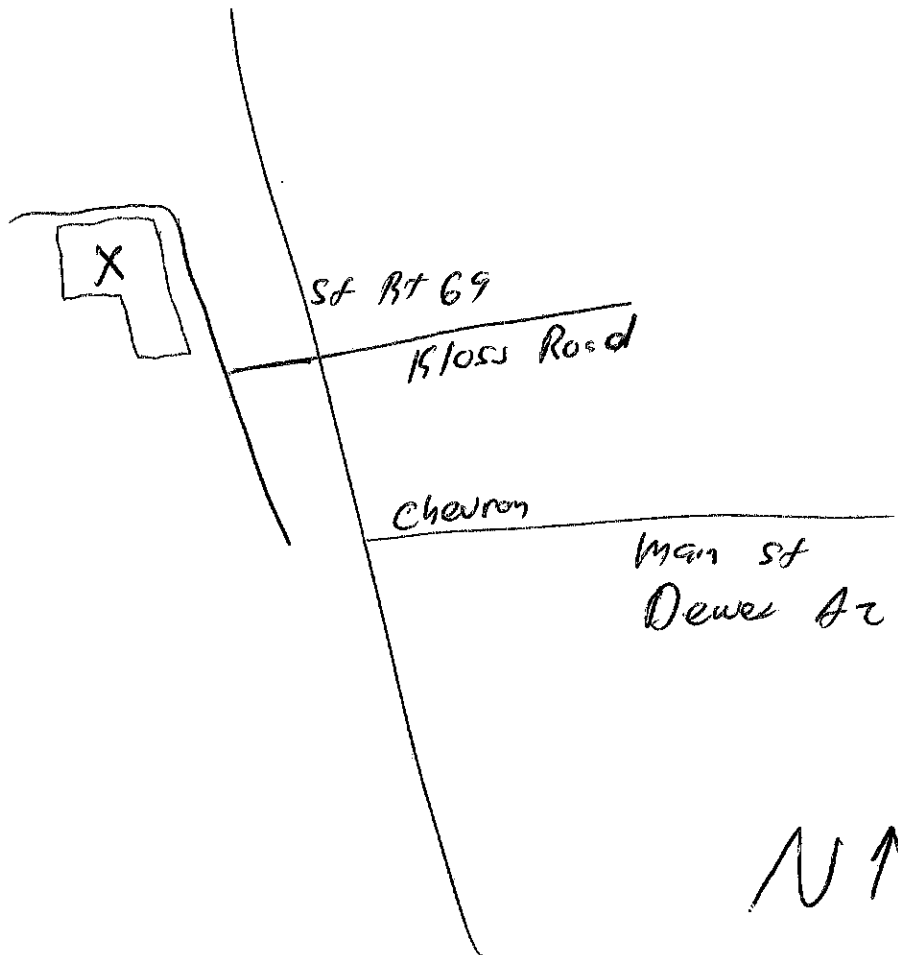
# Town of Dewey-Humboldt

## Directions to Site

Instructions: An actual detailed line map is needed, not written instructions, adding any significant buildings, land marks, main highway, street names, and north arrows. If the map is not adequate it could cause a delay in issuing your permit.

Assessor's Parcel Number \_\_\_\_\_ Address \_\_\_\_\_

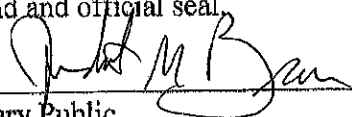
402-08-029K      2430 S. St. Rt. 69  
Dewey Ar



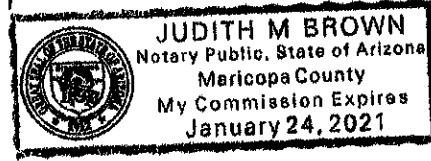


instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

IN WITNESS WHEREOF, I hereunto set my hand and official seal.

  
\_\_\_\_\_  
Notary Public

My Commission Expires: 1-24-2021



REV 12

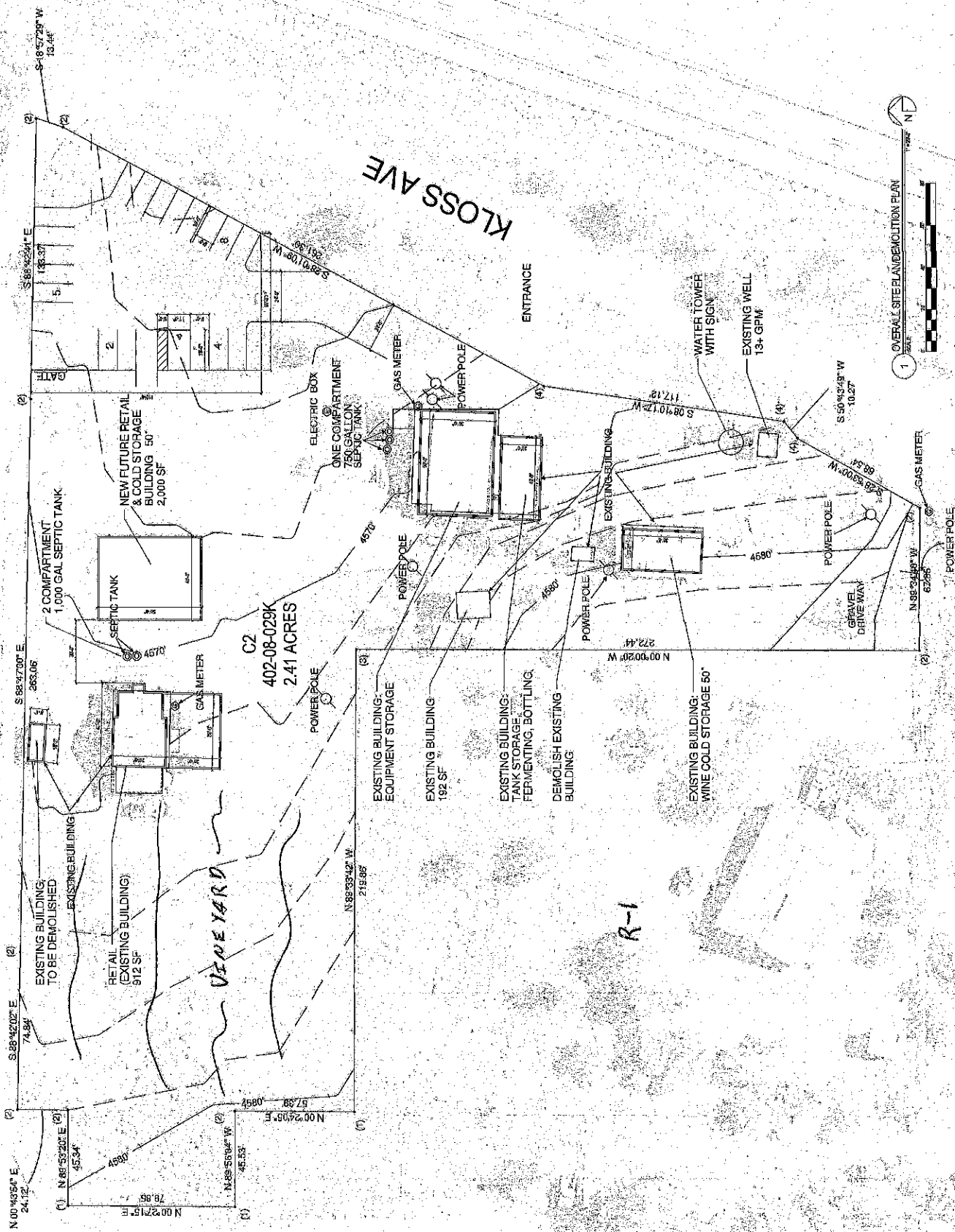
# Mogollon Vineyards Winery

2430 S ST RT 69, DEWEY, AZ 86327

REVISIONS	NO. DATE DESCRIPTION
	1 01/15/18 PRELIMINARY

PROJECT NO.	Project Number
DRAWN BY	ED
CHECK BY	ML
DATE	XXX

OVERALL  
SITE PLAN /  
DEMOLITION  
PLAN  
AS-100



**3.**

**EXHIBIT “B”**

**LETTER FROM ADOT DISTRICT ENGINEER**

**MOGOLLON WINERY**



**ARIZONA DEPARTMENT OF TRANSPORTATION  
NORTHWEST DISTRICT  
1109 E. COMMERCE DR.  
Prescott, AZ. 86305  
PHONE: (928) 777-5861 – FAX: (602) 239-6219**

February 7, 2018

**TO:** Steven Brown  
Town of Dewey-Humboldt  
2735 S. Highway 69, Suite 10  
Humboldt, AZ. 86329

**FROM:** Richard Perez  
Northwest District Permits Supervisor  
1109 E. Commerce Dr.  
Prescott, AZ. 86305

**Re:** Comments on Use Permit Planning and Zoning agenda:

**Project:** Operation of a winery  
**Applicant:** Keith Moore  
**Site Address:** 2430 S. State Route 69  
**Parcel #:** 402-08-029K  
**Currently Zoned:** C2-35  
**Property Owner:** Keith Moore  
**Proposed Use:** Use Permit

The department's comments are as follows for the above referenced reviews:

1. ADOT recommends that the Town request that before approving the conditional use permit that the property owner submit an encroachment permit application to ADOT for Change of Ownership to existing access onto SR-69 Frontage Road that shall adhere to ADOT'S requirements for a permitted access.
2. Should the use change or a significant amount of traffic is generated by this property either by additional property development, or land use change, it will be the owner's responsibility to complete the appropriate traffic studies or evaluations and the subsequent improvements as requested by ADOT. If the change of use is significant, the property owner may be required to submit an application for access, subject to current ADOT standards.
3. Traffic Impact Statement may be required to determine what impact this development will have to the state highway system.

## **Agenda Item 4.2. - Attachment B**

- 1. The Town of Dewey-Humboldt Mayor & Council conducted no deliberations, consultations, and made no decisions as a Public Body that preceded and related to the Use Permit 17-001.**
- 2. Vice Mayor Hughes appeared at the Dewey-Humboldt Planning & Zoning Commission Meeting of January 4, 2018, during which the Commission deliberated and voted on the application for Use Permit 17-001. Vice Mayor Hughes addressed the Commission as a citizen from the audience. (See bold area of attached Planning & Zoning Commission Meeting Minutes, Page 4 of 5, last paragraph.**

**TOWN OF DEWEY-HUMBOLDT  
PLANNING AND ZONING ADVISORY COMMISSION  
REGULAR MEETING MINUTES  
JANUARY 4, 2018**

**A REGULAR MEETING OF THE DEWEY-HUMBOLDT PLANNING AND ZONING COMMISSION WAS HELD ON THURSDAY, JANUARY 4, 2018 AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA, CHAIR VICTOR HAMBRICK PRESIDED.**

1. **Call To Order.** Chair Hambrick called the meeting to order at 6:01 p.m.

2. **Opening Ceremonies.**

2.1. **Pledge of Allegiance.** Led by Commissioner Siereveld.

3. **Roll Call.** Commissioners Lori Crofutt, Rich Schauwecker, Lon Ullmann, Vice Chair Jeff Siereveld and Chair Victor Hambrick were present. Commissioners Karen Brooks and Michael Gill were absent.

4. **Informational Reports.** None.

5. **Planner's Update on current events and activities.**

Community Planner (CP) Steven Brown stated we are taking RSVPs for another round of water testing. Residents can RSVP to Town Hall by either sending an email to [stevenbrown@dhaz.gov](mailto:stevenbrown@dhaz.gov) or calling Town Hall at 928-632-7362. We are offering free testing of well water for lead, arsenic and copper. RSVPs can be taken from now until February 20<sup>th</sup>, at which time we will start handing out the test kits. The kits will be sent to Flagstaff for testing and the results will be sent directly to the property owner. Distribution of the reserved kits will take place February 21-23. The kits have to be turned in by noon on February 23<sup>rd</sup>. Chair Hambrick asked if this lab had a previous contract and if they were local? CP Brown explained there are no testing labs in the D-H area. The Town did go out for competitive bids when they first started the testing process.

6. **Consent Agenda.**

6.1. **Minutes.** Minutes from the October 5, 2017 Planning & Zoning Regular Meeting.

Commissioner Crofutt made a motion to approve the Minutes from the October 5, 2017 Planning & Zoning Regular Meeting, seconded by Commissioner Siereveld. The motion passed unanimously.

7. **Discussion Agenda –New Business.** None.

8. **Discussion Agenda – Unfinished Business.** None.

9. **Public Hearing Agenda.**

9.1 Request for a Use Permit UP 17-001 for approximately 2.42 acres of real property, Mogollon Vineyards, located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the processing of grapes into wine, aging and bottling of wine on the property.

Chair Hambrick introduced the agenda item as a request for a Use Permit UP 17-001 for approximately 2.42 acres of real property and asked Community Planner Brown for his overview.

CP Brown informed the Commissioners that most of the pertinent information was in their packets. The request is from Mogollon Vineyards, located at 2430 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-029K in the C2-35 (Commercial; General Sales and Services) zoning district to allow the operation of a winery, including the

processing of grapes into wine, aging and bottling of wine on the property. CP Brown stated in compliance with ARS 9462.04, the legal notice for this public hearing, indicating the time and place of the hearing, along with a general explanation and general description of the area effected, was published in the Daily Courier. In the Town of D-H, it was physically posted in two locations on the subject property and was sent by first class mail to each of the property owners within 300' of the subject property, all of which took place at least 15 days prior to this hearing date. He noted the applicant, Keith Moore, from Mogollon Vineyards was present. The General Plan designation for this property is General Commercial, and zoning is C2-35. It is located just north of Town Hall on the west side of the road. They want to convert one of the buildings to a bottling facility. They applied for a Class 13 Liquor License and discovered the uses in C2-35 did not include fermentation and bottling of spirits. The C3 District, which is the district above this property does allow for this type of bottling. Staff feels the best option is for a Special Use Permit to allow for fermentation of wine in C2-35. It gives the Planning & Zoning Commission and Town Council an opportunity to weigh in on it and see if they agree with Staff. The zoning to the north is RCU-12 residential, the zoning to the west is R1-L70 residential, the zoning to the south is a mixture of R1-12 residential and C21 commercial, and the east is State Route 169. The applicants wish to move their winery operation to D-H to be closer to family. The subject property is designated by the 2009 General Plan as General Commercial. The proposed use compliant with that designation. The proposed use for fermenting and bottling facility is permitted in the C2 zoning district. Conditions recommended by Staff will assure that the use exceeds the conditions and criteria of Section 153.91 Use Permits. Those are the criteria that the code lists as being relevant to be considering Use Permits. Town Staff has received no public comment to date. ADOT requires the property owners to apply for a new driveway permit. As ADOT assesses the property, some additional improvements may be needed. Town Staff's recommendation is for the P & Z Commission to review this proposal and make a recommendation to the Town Council. Approval will make it possible for this business to expand and enhance. A denial would likely result in them seeking to locate elsewhere.

Staff recommends the following conditions be made a part of this approval:

- 1) The Use Permit is approved for a term of five (5) years, to be reviewed at the end of that period to determine if renewal for an additional period is appropriate. Application for Renewal shall be made by the owners of the property following the same process as for a new Use Permit.
- 2) Prior to occupancy of any structures by the winery or for any other purpose, a special inspection is conducted by the Town Building Official, and the applicants shall make any improvements required as a result of that inspection prior to occupancy.
- 3) Applicants will maintain a TTB (Alcohol & Tobacco Tax and Trade Bureau) basic permit and bonding as long as they are operating under this Use Permit.

CP Brown stated we did receive comments from ADOT, some of them have to do with the kinds of improvements that may be necessary as the use grows and traffic demands it. Initially, they will need to seek a driveway permit for the change of use from the t-shirt factory using this driveway, to the winery. ADOT looks at the differences in traffic flow and traffic volume and issues a permit on that basis. Emailed to everyone was copy of the January 3, 2018 ADOT letter.

In addition to Town Staff's conditions, ADOT's conditions should also be made a part of this approval:

- 1) ADOT recommends that the Town request that before approving the conditional use permit that the property owner submit an encroachment permit application to ADOT for Change

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of Ownership to existing access onto SR-69 Frontage Road that shall adhere to ADOT'S requirements for a permitted access.

- 2) Should the use change or a significant amount of traffic is generated by this property either by additional property development, or land use change, it will be the owner's responsibility to complete the appropriate traffic studies or evaluations and the subsequent improvements as requested by ADOT. If the change of use is significant, the property owner may be required to submit an application for access, subject to current ADOT standards.
- 3) Traffic Impact Statement may be required to determine what impact this development will have to the state highway system.

Commissioner Schauwecker asked if ADOT is asking for a study? CP Brown stated that ADOT is currently not requiring a study. Commissioner Schauwecker asked if ADOT eventually required a study and they could not afford the price of the study what would happen? CP Brown stated he did not think a request from ADOT would hinder the owners moving forward. Commissioner Schauwecker asked if the applicant owns the property? CP Brown confirmed this.

Commissioner Siereveld asked if ADOT has the volume of use from the previous business? CP Brown stated that ADOT has those numbers and they will determine if they need to do any improvements to the driveway for access.

Chair Hambrick asked why is it best that they do a Use Permit for C2-35 verses changing the zoning to C3? CP Brown stated that Staff recommends the Use Permit because there are other uses that would be permitted in a C3 district, more industrial type uses. There is also some residential in the area. The Use Permit gives the Town the opportunity to assess the use over the five years.

Commissioner Schauwecker asked if there are any schools or churches it would affect? CP Brown stated there were no schools or churches within 300 feet of the property.

Commissioner Siereveld asked if there was a concern from residents in the area regarding the proposed use? CP Brown stated that the Town has received no phone calls, letters or emails from the residents within 300 feet. CP Brown stated that it has been a C2-35 since the beginning of the Town.

Chair Hambrick asked if the applicants would like to make a statement? The applicant, Keith Moore, spoke of he and his wife having owned Mogollon Vineyards in Snowflake, AZ for the past two years. He graduated from Yavapai Community College and is currently a contractor in Phoenix. Most of their sales are over the internet. They decided they needed to get their business into a more populated area and they have family here, so they would like to sell their business in Snowflake and move locally. They are a small vineyard and their volume is very small, about 4-6 tons a year, which is 3,500 bottles. The bottling operation is by hand and completed in five to ten days per year. They are a craft winery and they hope to add a tasting room. Their sales are by internet, wine club and through the tasting room. They have a proposed parking lot that will hold 19 cars. They intend to apply for the ADOT driveway permit.

Commissioner Schauwecker asked when the property was acquired? Mr. Moore stated about seven to eight months ago. Commissioner Schauwecker asked if they did not receive approval, would they look elsewhere? Mr. Moore stated they bought the property for the winery. He believed it to be a commercial property that would allow for bottling, but the bottling is for distilled water. He didn't realize that was an issue, noting there are other properties in Yavapai County that have wineries on them that are C2. Commissioner Schauwecker asked if they were growing grapes on their property in Snowflake? Mr. Moore stated he was growing grapes in Snowflake, Willcox, and they have five acres in Dewey and another four acres off

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of the 169. Those vineyards are two to three years old and won't be ready for a couple of years. Mr. Moore stated this is a low water, high value crop.

Commissioner Siereveld asked are there any disposal necessities? Mr. Moore stated everything is organic and no excessive waste disposal will be required and the wastewater goes to the septic system.

Chair Hambrick asked CP Brown what the next process steps were. CP Brown stated this will be heard at Public Hearing at the next Regular Council Meeting on January 16, 2018. Chair Hambrick inquired if they would have to reapply for the use permit in five years and receive P & Z and Council approval, again? Mr. Moore stated he would prefer to have the proper zoning, but is under a time constraint. CP Brown stated he met with the Town Manager and given the uses that are permitted in C3, in addition to allowing this, that changing the zoning to C3 would not receive a favorable reception. Chair Hambrick asked if the owner wanted to change their use to a mechanical bottling with 20,000 bottles/day, would they have to apply for a permit? CP Brown stated that Staff's recommendation would not be supportive of a C3 zoning. The first five years of the operation would allow the Town to assess the business from the Town's standpoint.

Commissioner Crofutt asked why were you hesitant to recommend C3? CP Brown stated that the C3 allows for more intensive uses, such as auto recycling, etc. It wasn't worth the risk for the Town, at this point, to just go for supporting a C3 zoning. The Special Use Permit allows the Town and the business to get comfortable with one another.

Chair Hambrick asked Mr. Moore if he had any other questions or rebuttal?

Mr. Moore asked if the ADOT permit was going to cause a delay? CP Brown indicated it would not and Mr. Moore needed to contact Richard Perez at ADOT to get that process started.

Commissioner Schauwecker asked if P & Z's recommendation would determine if they needed the ADOT permit? CP Brown replied that if the applicant is approved for the Use Permit, but does not get the ADOT permit, they would not be able to occupy the building. Commissioner Schauwecker asked if they have to go through the County Health Department? CP Brown stated they would have to comply with anything that is required.

Chair Hambrick closed this portion of the meeting and opened the meeting for public comment at 6:45 p.m.

Public notices were sent to property owners within a 300-foot radius of the project site. Staff did not receive any comments from the surrounding property owners. Staff will forward to the Commission any public comments, if they are received.

Nancy Wright spoke of being against a C3 zoning because there are things, besides a winery, that could go in there and it is a residential area. Her initial concerns were with the environment and if it was going to be an organic operation. She was pleased to hear it would be organic and there will be a drip system. Ms. Wright is in support of the winery. She would also be concerned about how many events could be held there. As long as it is organic, she is for it.

Chair Hambrick called for further public comments. There were no further comments.

**Vice Mayor John Hughes said that this would be a great addition to the Town. The wine tasting room will bring tourists in and might help D-H out a little bit. Cottonwood trees use more water/day than a winery would. He clarified in regard to ADOT that after they get the Use Permit approval, then they will have to follow through with the ADOT stipulation. Other communities that have wineries bring revenue in and this Town needs revenue.**

Chair Hambrick closed the public comment at 6:50 p.m. and reconvened the regular meeting.

Commissioner Ullmann and Commissioner Siereveld made comments regarding the low water usage for wineries.

Commissioner Schauwecker made a motion to approve the recommendation for this Use Permit for the Mogollon Vineyards with the following conditions:

- 1) The Use Permit is approved for a term of five (5) years, to be reviewed at the end of that period to determine if renewal for an additional period is appropriate. Application for Renewal shall be made by the owners of the property following the same process as for a new Use Permit.
- 2) Prior to occupancy of any structures by the winery or for any other purpose, a special inspection is conducted by the Town Building Official, and the applicants shall make any improvements required as a result of that inspection prior to occupancy.
- 3) Applicants will maintain a TTB (Alcohol & Tobacco Tax and Trade Bureau) basic permit and bonding as long as they are operating under this Use Permit.

And that, the requirements from ADOT for permits are applied for, as contained their letter of January 3, 2018.

- 1) ADOT recommends that the Town request that before approving the conditional use permit that the property owner submit an encroachment permit application to ADOT for Change of Ownership to existing access onto SR-69 Frontage Road that shall adhere to ADOT'S requirements for a permitted access.
- 2) Should the use change or a significant amount of traffic is generated by this property either by additional property development, or land use change, it will be the owner's responsibility to complete the appropriate traffic studies or evaluations and the subsequent improvements as requested by ADOT. If the change of use is significant, the property owner may be required to submit an application for access, subject to current ADOT standards.
- 3) Traffic Impact Statement may be required to determine what impact this development will have to the state highway system.

The motion was seconded by Commissioner Siereveld. The motion passed unanimously.

**10. Comments from the Public.** None.

**11. Adjourn.** The meeting was adjourned at 6:53 p.m.

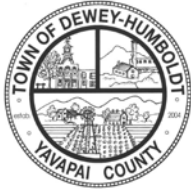
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Chair Victor Hambrick

ATTEST:

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Julie Gibson, Town Clerk



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

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## **Tentative Meeting Items for 2018**

### **February 20, 2018 Regular Council**

- ⊕ Presentation by Yavapai County Admin & BOS regarding the ¼ cent sales tax set to expire in 2020 and scheduled for vote on March 2018 (Approved by TC on 12/19/17)
- ⊕ Presentation by P & Z Chair Victor Hambrick re: P & Z Commission Task List
- ⊕ EPA Update
- ⊕ CM Timmons Committee Update on Chapter 100 Animals Other Than Dogs

### **March 6, 2018 Work Session Council**

- ⊕ tbd

### **March 8, 2018 Planning and Zoning**

- ⊕ tbd

### **March 20, 2018 Regular Council**

- ⊕ tbd

### **April 3, 2018 Regular Council**

- ⊕ MAMOW 2<sup>nd</sup> report (per FY 17-18 accountability contract)

### **April 5, 2018 Planning and Zoning**

- ⊕ Request for Fee Reduction for Use Permit – Wampler Dry Camp Use Permit
- ⊕ Public Hearing – Wampler Dry Camp Use Permit

### **April 10, 2018 Work Session Council**

- ⊕ tbd

### **April 17, 2018 Regular Council**

- ⊕ DHHS 2<sup>nd</sup> report- per rent reimbursement accountability contract
- ⊕ MAMOW report – per accountability contract
- ⊕ Quarterly Safety Reports
- ⊕ Public Works – Chipseal Contract Award
- ⊕ Public Hearing – Wampler Dry Camp Use Permit

### **May 1, 2018 Regular Council**

- ⊕ tbd

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