

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

Tuesday, December 18, 2018, 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. Roll Call Town Council Members: Jack Hamilton, Mark McBrady, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan

3. Pledge of Allegiance

4. Invocation

5. 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.

6. Public Hearing Agenda Discussion and possible legal action may be taken.

A. Community Development Block Grant (CDBG) First Hearing for citizen input on possible projects and use of the possible funds

- 1. Report from Isabel Rollins of Northern Arizona Council of Government (NACOG)**
- 2. Project Recommendations from Ed Hanks, Public Works Direction**
- 3. Open Public Hearing and Receive Public Comments**
- 4. Close Public Hearing**
- 5. Discussion and possible Council action**

7. Public Comment on Non-agendized Items

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. Consent Agenda

All those items listed below are considered to be routine and may be enacted by one motion. Any Council Member may request to remove an item from the Consent Agenda to be considered and discussed separately.

A. Approval of Meeting Minutes:

- 1. Special Meeting & Study Session of October 2, 2018**
- 2. Regular Council Meeting of October 16, 2018**
- 3. Study Session of November 6, 2018**
- 4. Study Session & Special Meeting of December 4, 2018**

9. Reports

Update on Current Events. No legal action 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.

10. General Business

Discussion and Possible Legal Action may be taken on any issue

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A. Discussion and possible authorization to retain an employment recruitment firm regarding the Town Manager position vacancy. (CAARF – Mayor Nolan)

21

B. Discussion regarding compensation for Judge Kelley as Interim Judge since she has resigned. (CAARF – CM Hamilton)

23

C. To consider reviewing previous Town Manager applications; Consideration of a consulting Interim Town Manager for service one day per week or more; Possible advertisement for Interim or Permanent Town Manager with newspaper advertisement or website postings. (CAARF – CM Wendt & Vice Mayor Hughes)

25

D. Mayor's Annual Update on External Memberships and Committees Report to Council [per Town Code §30.031 (B)(12)]

E. Executive Session

Vote to recess to Executive Session

1. An Executive Session pursuant to A.R.S. § 38-431.03 (A) (3) for discussion or consultation for legal advice with the Town Attorney regarding the response to a letter from J. Jeffrey Coughlin related to the use permit issued to Heli Swift Aviation and pursuant to A.R.S. § 38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding contemplated litigation related to the use permit issued to Heli Swift Aviation and response to letter from J. Jeffrey Coughlin

Close Executive Session/Reconvene Special Meeting

F. Review and possible direction regarding the response prepared by Town Attorney Goodwin to Attorney J. Jeffrey Coughlin regarding the Heli Swift Aviation conditional use permit (As directed by Council 12/4/18)

G. Transition of Council

1. Presentation to outgoing Councilmembers Jack Hamilton and Doug Treadway

2. Comments of Outgoing Council Comments Jack Hamilton and Doug Treadway

3. Oath of office for Mayor Terry Nolan and Council Members Karen Brooks; Mark McBrady and Lynn Collins and signing of Code of Ethics

4. Roll Call Town Council Members: Karen Brooks; Lynn Collins; John Hughes; Mark McBrady; Amy Timmons; Victoria Wendt and Mayor Nolan

5. Incoming Council Comments

H. Council Regional Organization Appointments [per PG No. 15-01]

1. Central Yavapai Metropolitan Planning Ass'n. (CYMPO)

2. Greater Prescott Regional Economic Partnership (GPREP)

3. Northern Arizona Council of Government (NACOG)

4. Yavapai County Interagency Coordination Committee (Emergency Management)

5. Yavapai Regional Medical Center (YRMC)

6. Greater Arizona's Mayor's Ass'n. (GAMA)

I. Appointment of the Vice Mayor [per Town Code §30.031(E)]

11. Consideration of additional Special Session(s) This is an established agenda item for Council's discussion on whether to add an additional Special Session and, if so, set the date.

12. Adjourn

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.

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 13th day of December, 2018, at _____ a.m./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.

For Your Information:

Next Town Council Work Session: Tuesday, January 8, 2019, at 2:00 p.m.

Next Planning & Zoning Meeting: Thursday, January 3, 2019, at 6:00 p.m.

Next Town Council Regular Meeting: Tuesday, January 15, 2019, at 6:30 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.

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**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL MEETING & STUDY SESSION
OCTOBER 2, 2018, 2:00 P.M.**

A SPECIAL MEETING & STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 2, 2018, 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 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan were present. Council Member Timmons was late arriving at 2:02 p.m.
3. **Special Meeting.** Legal action may be taken

A. Request for Council – Budget Transfer Authority

Town Accountant Moore gave an overview of the budget transfer explaining that this was the last step to complete the audit. There were impact fees in the budget, previously, that were not dispensed. The Public Works Department used this on road improvement. It is required that money be moved from grants to the General Fund to the HURF fund. That will result in compliance and the auditors have made this recommendation.

Councilmember Hamilton made a motion to approve the transfer, seconded by Vice Mayor Hughes. Mayor Nolan called for the vote: CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

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

A. Discussion of Economic Development Conference - Broadbanding Communities (Mayor Nolan)

Mayor Nolan gave an overview of his CAARF explaining that broad banding could be important to the community, it could bring business in without bringing in buildings as people could work from home. He spoke of it being too late to register for the California conference, but would like to attend any upcoming conferences that may be held in Phoenix. He noted this was not an action item, just up for discussion.

There was Council discussion about the feasibility of broad band, as well as interest in researching this further through trade magazines or seminars, and there as to be followed up by Staff.

Public Comment

Leigh Cluff – Inquired if someone doesn't want this, did they still have to pay for it. Mayor Nolan answered that only those that want it would pay for it. Ms. Cluff inquired if there were fiber optics in Blue Hill and recommended this be research before wasting time and money, because this is the first thing required.

Karen Brooks – spoke of noticing a list of events on the brochure and the need for more research on the dates of events noted in the brochure.

Gary Mortimer – spoke of having looked up information on the conference and that the registration was extended from August 1 to October 1, and that there were still openings. He spoke of needing factual information from Town Staff, so the community does not have to fact-check. Town Manager Wilson explained that there was an inquiry made and the hotel reservations at the block rate were booked. Other reservations would have been more expensive and prohibitive, so the decision was made to not attend, simply bring the topic forward for discussion.

There was further Council discussion. It was noted that this was brought forth as educational and for discussion with consideration for attendance at any future, local conferences.

Public Comment

Ulys Brooks – recommended checking with someone at Yavapai College that may know something about broad band and have them come in and speak on this.

B. Discussion on Establishing a Dewey-Humboldt Committee or Commission for Firewise (CM Wendt – CAARF)

Councilmember Wendt spoke of the 9/18/18 Firewise meeting and a short history on the growth of the Committee. She is grateful to the Staff and Community Members that have assisted. She reminded Council that she received permission from the Council to pay for attorney fees to establish a 501(c) (3) status. She

gave an overview of the abatement grant history and future grant predictions. She explained that she wrote a grant with the assistance of the Town Manager for the Title III Forest Project Funding Grant through the County and it appears that Firewise may receive a grant for \$25K. This should be available in early 2019, that will make a total of two grants. At the September Firewise meeting she asked the committee members if anyone was interested in stepping up to act as the Director; Chair; Vice Chair or Secretary/Treasurer. There was no response. She said without that type of participation, it would be hard to have a successful 501 (c) (3). The Committee then voted to turn Firewise to a town-established Committee. There is not an ordinance for Firewise. She would like to have Council's permission to work with the Town Attorney to establish some processes and ordinances that would be effective for Firewise to keep it sustainable now and in the future. She brought this forth to Council to consider and discuss, as she does not want Firewise to disappear.

There was extensive Council discussion on the pros and cons of the Firewise status as a town committee vs. a 501(c)(3). Council spoke of the success of Firewise, as well as Ms. Wendt, the Committee, and Community Planner Brown's dedication and efforts in getting this off the ground.

Public Comment

Leigh Cluff thanked CM Wendt for acknowledging that Ms. Cluff has worked on the Firewise Committee for a long time. She recommended another Councilmember step up and help CM Wendt, along with putting it on the front page of the Newsletter that if volunteers don't step up, it will become a Town Committee. That should help, because people don't trust some of the people on the Council. She spoke of a complaint situation on Hopi Drive and being disappointed that more Council Members did not drive up to view it after she asked them to.

Ulys Brooks spoke of doing much volunteer work in his life and understands that people get tired, but if there is grant money and it is not used by the Committee, it will go to the Town.

CM Wendt responded to Mr. Brooks comment as to how the Firewise grants work. The grant is designed for a specific function, if you don't use it for that purpose, you don't get the money. She said there will be \$50-60K to help the community for Firewise. CM Wendt stated that Firewise can continue as it is currently for a while. Maybe one of the new Council Members will step up or someone new to the community. She invited the community and other Council Members to attend future Firewise meetings. She is open to ideas.

C. Discussion and possible change to language of Town Code Penalty, Sections §153.999 and §10.99 (CM Hamilton - CAARF)

Councilmember Hamilton spoke of researching the zoning and building code. He was surprised to find that penalties can be imposed, but the Town cannot collect it. The building code depends on the zoning code for enforcement. By adding it to the §10.99, if the Town sees there is a problem and the person doesn't do anything about it, it can be referred to the Court. That person can present evidence to the Judge, the Town presents their evidence and the Judge rules. The Judge has leeway and can waive the fine, if the work is completed.

CM Treadway left the meeting at 8:08 p.m. and returned at 8:10 p.m.

CM Hamilton said the main thing is to get compliance, without it the Town is at a loss to enforce things because the Town does not have the code to do it. TM Wilson informed the Council that CM Hamilton presented this and asked to have this pursued by the Town Attorney. There was a telephone conversation with the Town Attorney on this idea. She did not see any difficulty with appropriately structuring a combination of these penalties and opportunities with the exception that on §10.99 there is a lien process that is provided. She could not find any state law that supported that to be on a civil infraction. CM Hamilton was not concerned with that portion, but he believes that CM Hamilton's intent is to combine the effectiveness of these two codes to create a process whereby violations will become a civil infraction, no criminal penalties associated with it, and the criminal infraction can go to the Magistrate for a full hearing in front of the Town Magistrate. The Town Magistrate will have a range of ability to try to seek enforcement or solve the problem. There could be fines, increased fines, or an imposed time frame to satisfy the infraction or they would come back to Court, if it is not satisfied. This would require some legal work, but could be accomplished. CM Hamilton said the Town Manager's summary was correct. He would like to remove the lien requirement from §10.99. If there is enough agreement on the Council to move it forward to a Regular Session, it can be discussed there. TM Wilson said it could be brought forward to a Regular Session pursuant to the CAARF process. There was further Council discussion on this proposal.

Public Comment

Lynn Collins stated that in 2012 the Town Attorney told Council that no part of the Town Code had been

properly adopted per state statute, so was this an end run tactic to sidestep that problem. She feels the current fines are too high. She noted that there is stuff in the Town Code that needs to be cleaned up.

Karen Brooks spoke of running her recent campaign on the abatement and lien issue during the campaign. She advised people to look at page 13 of 16, under B, it says "misdemeanor", it can fine you and put you in jail up to six months, she considers this criminal. Everyone knows in this Town that the codes are not good codes. They were adopted from an urban area, a lot of the codes were never codified and they had to run back in 2012 and fix that. She, Ms. Collins and CM McBrady want to address the Code and make it for the Country Town. She believes that the abatement proposal brought forth by Ms. Wendt, sunk her campaign. Mayor Nolan said at the Town Candidate forum the Mayor said this issue would be kicked down the timeline for the new Council to address it. CM Hamilton maybe didn't know what was said, but the people spoke very loudly. People want this addressed to be a more friendly Town. She wants everyone to know this is on the docket the 16th and hopes they can fill the room.

Leigh Cluff said that she believes that CM Hamilton previously spoke of passing this matter on to the new Council. Mayor Nolan said at the Candidate Forum that this was not going to be done until there was a new Council. She feels like this was being sneaked in at the last minute. She recommended that the Council needs to be more transparent. She spoke of the problem with trust being because of this.

CM Hamilton said that things were misconstrued. The Candidate Forum touched on abatement and liens, this is not what this is about. This is about enforcement of the Town Code. It does not pertain to abatement. This proposal removes the liens. It is a way to enforce the zoning code. If you don't have a way to enforce it, you may as well do away with it. You can put a fine out there, but if they don't want to pay it, it's tough luck.

CM Wendt stated that if she feels something is right for this Town and it is for the good of the community, she will stand up, whether you vote for her as the Town Mayor or Councilmember or not. She appreciates that the community members come in to speak but they are not the only citizens of the Town. She spoke of the abatement issue being used as a political tool. She does not agree with everything, but if she had someone coming after her, she'd rather have a lien, then go to jail.

CM Treadway concurred with much of what CM Wendt stated. He recommends consideration of striking \$10.99 altogether.

CM Timmons said she appreciates the public showing up and wasting their opinions, even if they are not the same as hers. She is disappointed in fellow Council Members who ran 2.5 years ago on a forum of doing away with abatement liens and property liens, who got into office and flip-flopped. She concurs with CM Treadway that they should strike the whole thing.

CM Hamilton spoke against people taking matters into their own hands. He described a scenario of a neighbor who can't sell his property because another neighbor is storing old cars on the property and the Town can't do anything. He spoke of the Town not having control, as there is no enforcement.

CM Wendt spoke of appreciating CM Timmons passion on this. She would like her to recall that when they first came on Council, there was an abatement going around. It came in January and she asked Council to wait and let her see what was actually happening in the community. Through working with Firewise she has been out and about this community and has heard from people about their issues. She wants to help protect those that have serious issues.

CM Timmons stated that in response to CM Wendt, her actual statement was that "we ran on a forum, there were several of us that did not want an abatement or too much government". She also informed CM Hamilton that she did not speak of going on anyone else's property, she believes that people should leave other people alone. Everyone has the right to have their property without government sticking their nose in except for devastating health and safety issues.

CM Wendt stated that the abatement issue was initially discussed in January after they took office in 2017. She spoke of the animal ordinance being her cause when she ran for Council. She noted there are times when actual problems are health issues.

CM McBrady noted that what Council Member-Elect Brooks had to say was important that not only did they need to look at fines, they need to look at the code itself. The Council coming on board will look at this, get back to the basics, and go through the laws and make them reasonable for the community.

D. Discussion on Environmental Protection Agency Superfund Site Update

There was an extensive presentation on the Superfund site at the last meeting. There was a follow up citizen participation meeting the next day to meet a contracted firm to help the community look at re-use which was

attended by the Mayor and Staff.

E. Discussion on General Plan Readoption

Town Manager Wilson presented a proposed timeline for the General Plan readoption process. He explained the state statutes regarding General Plan amendments or readoption. The Town needs to consider extending the current General Plan and putting into place efforts for a new General Plan in the forthcoming years. Staff would expect an 18 to 24 month period to accomplish a full General Plan process. In order to readopt the current General Plan a super majority vote is required, more than four votes. There was further clarification that at the least a 5-2 vote would be needed to constitute a super majority.

There was further Council discussion regarding the need to readopt or have a new plan in place by May. There was conversation regarding the Community Planner vacancy and that there are no candidates at this time. There was an inquiry as to what would happen if they did not readopt the General Plan? Would there be fines imposed, with the concluding assumption that, if there was not a new General Plan, fines could be incurred. TM Wilson said he would check on this and advise Council as to what happens if the timeline expires with the Council doing nothing by May 2019.

Public Comment

Karen Brooks said that at the Candidate Forum the Mayor said the General Plan would be kicked down the road to the new Council. She feels this needs more time and the new Town Council should be involved in the process with more community input and approval. The previous General Plan was voted down twice by the public. We have until May 19, 2019, to make a decision on readoption or brand new General Plan.

CM Timmons questioned why the recent Planning & Zoning (P & Z) meetings were cancelled and could the P & Z have been helping with zoning issues, etc... TM Wilson related some of the issues that Planning & Zoning have been working on. There was extensive Council discussion regarding the responsibilities of the P & Z Commission and their role in the General Plan process. TM Wilson explained the statutory role of the P & Z Commission in this process.

CM Hamilton said that he thought the Town Manager was wrong on one point. The State delegates powers and those are the only powers the Town has as a General Law town. They do not have it in there that a town this size votes on the General Plan. He said the Town Manager was assuming something that was not true. Town Manager Wilson replied that he has a legal opinion from the Town Attorney that covered his statements.

There was further discussion and clarification on the role of the P & Z Commission and their general duties, as well as their General Plan involvement.

CM Treadway recommended that each Council Member should review their copies of the Town's codes. The duties and responsibilities of the P & Z Commission are outlined in there. A lot of questions would be answered by reading that.

Public Comment

Ulys Brooks said that in the last nine or ten months someone called him and asked if he would like to be on a committee for the General Plan. He was excited. He has not heard anything further. He asked CM Wendt about the status and she said she knew nothing more than he did. He inquired of Community Planner Steven Brown the status and Mr. Brown said that Council had not given authority to move forward on the General Plan. He feels in the last year and a half they could have accomplished much more and the community would feel better.

Thomas Mallette asked if there is not a planner, why does it say on certain documents to contact Steven Brown for information. TM Wilson said that the document was prepared before Mr. Brown left the Town's employ. Mr. Mallette asked for confirmation that Mr. Brown was no longer an employee and that he was not going to be re-hired. Mr. Wilson stated that he had not re-hired Mr. Brown. Mr. Mallette asked if he was going to re-hire Mr. Brown, TM Wilson responded that Mr. Brown had not been re-hired.

CM Timmons apologized to the citizens that volunteered to work on the General Plan Citizen Committee, as unbeknownst to her, it was a futile effort.

5. Adjourn. Mayor Nolan adjourned the meeting at 8:52 p.m.

Terry Nolan, Mayor

ATTEST: _____
Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
OCTOBER 16, 2018, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, OCTOBER 16, 2018, 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 6:03 p.m.
2. **Pledge of Allegiance** Led by Councilmember Hamilton
3. **Invocation** Given by Councilmember Timmons
4. **Roll Call** Town Council Members: Jack Hamilton, Mark McBrady, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan were present. Vice Mayor Hughes was absent.
5. **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.

A. Tax Credit Giving Month Proclamation

Mayor Nolan read the CAARF and presented the proclamation to Nancy Hamerly of the Big Brothers/Big Sisters organization.

B. Cites & Towns Week Proclamation

Mayor Nolan read the proclamation.

C. Public Safety Reports

1. **Public Works Department Update presented by Director Ed Hanks** Topics for possible discussion include: roads and storms

Public Works Director Ed Hanks gave an overview of his department and said that the monsoon season presented numerous challenges this past season. They cleaned up debris and run offs in various locations and cleaned and rebuilt 7,000 linear feet of ditches moving 200 tons of debris. The Agua Fria low water crossing was cleared over a dozen times. They graded just under 17K linear feet of town-owned unpaved roads; placed 150 tons of riprap on roads and shoulders to maintain roads and right-of-ways. Fourteen signs and posts were reinstalled. Routine mowing, weed eating and equipment maintenance was performed. There two Town Clean-Up events held with record participation and collection. Three of the larger projects coming up this winter, drainage-wise, are on Marilyn Road rebuilding a ditch and adding erosion control; same thing on Shirley Road; the lower half of Mingus Mountain will be regraded, ditches rebuilt with larger culverts placed; the upper end of Lazy River will receive additional riprap.

Councilmember Treadway and Mayor Nolan complimented the crew's hard work.

2. **Central Arizona Fire & Medical Authority report presented by Fire Marshall Rick Chase**

Fire Marshall Rick Chase gave an overview of the third quarter statistics. The stats remained relatively low. EMS Responses – 67; Fire Responses – 2; Public Service Dispatches – 22; Hazardous Condition Responses – 40; Good Intent Responses – 20; for a total of 115 dispatches the 3rd Quarter. He reminded citizens to keep an eye on the brush on their property regardless of the season and to be sure to clean chimneys and flues. CM Wendt asked Fire Marshall Chase to give the update on the Upper Blue Hills project. He said that they have been working on the 4 – 8,000 gallon tanks to be located in the Upper Blue Hills. They are in the permit process at this time; otherwise, it has been approved. They will be working on getting the tanks placed. They won't draw on the well located on the property at this time for the tanks. They will fill the tanks and keep them full, possibly utilizing the well in the future, but not at this time.

3. **Yavapai County Sheriff's Office report presented by Sgt. Johnson**

Sergeant Johnson reported that there were 600 calls for the Town of D-H in the 3rd Quarter with 204 traffic stops; 59 traffic citations; 1 assault; 5 drug arrests; 1 Family Fight; 7 Wanted Person Arrests resulting in a total of 14 arrests. There were 64 Animal Control calls with 3 citations issued.

Mayor Nolan asked what to do if a citizen is on the highway and they see a Sheriff or ACO officer on the road using their cell phone. While there is an ordinance that exempts use of electronic devices by law enforcement officer in performance of official duty, Sergeant Johnson said that most of his officers will be on hands-free devices. If bad or irresponsible driving is noted, you can call the Sheriff's office and report this and it will be followed up.

CM Wendt asked if a left turn into the entrance of the lot off Highway 69 is illegal. Sergeant Johnson said that the two solid double lines are considered the same as a physical obstruction and should not be turned across. He would like to see ADOT put some type of temporary barrier. CM Wendt noted five cars cross over the double yellow lines while she was sitting outside waiting for the meeting to start. She believes waiting on ADOT could be a long wait and recommended a few kindly tickets would help the word get around quickly.

4. Magistrate Court report presented by Judge Catherine Kelley - Judge Kelley was absent.

6. Firewise Quarterly Report Topics for possible discussion include: General Committee Update

Victoria Wendt gave an update on the Firewise activity. Every grant has been utilized and PAWUIC has reimbursed the Town for the monies expensed out with the exception of \$630 for the last half acre, which should arrive shortly. There will be new grants coming in after the first of the year. In addition, Mayor and Ms. Wendt will attend the Supervisor's meeting in November where they will finalize the grants and it appears they will be awarded \$25K, which will be picked up in December. They have received certification for this upcoming year for the Firewise USA certified sections Foothills East and Blue Hills. Since the last Town Council where Firewise was discussed there have been nine volunteers come forward. They have had a separate meeting and are establishing subcommittees. She is training a couple members on how to run the grants through the system. Eventually, once members are trained and the volunteers are established she would like to step back to directorship. There is a meeting tomorrow night with Linda Niles of Yavapai County Health Department who will speak on education for those with functional needs, i.e. hearing impairment or other disabilities, that may need help in the event of evacuation.

7. Town Manager's Report

Town Manager Wilson spoke in appreciation of the Council's foresight to provide equipment to the Public Works Department. That funding came through in this budget year and the equipment was very helpful during the monsoon season.

We are in the process of soliciting applications for a new Presiding Magistrate position and this will be advertised next week in the paper and other media. The criteria is open to anyone who has served as a Justice of the Peace or Magistrate for five years. The selection process will be conducted by Council and should occur in the next month to forty-five days. We are still advertising for two positions: a Plan Checker or Inspector and a Community Development Director. He commended Staff Members Beth Evans and Patty Tapp for stepping up and maintaining the plan checks and inspections without the in-house position of Building Official. He noted that there were two applications for the Community Development position and he will pursue this with vigor. He thanked all staff for helping out during this transition.

8. Consent Agenda

All those items listed below are considered to be routine and may be enacted by one motion. Any Council Member may request to remove an item from the Consent Agenda to be considered and discussed separately.

A. Approval of Meeting Minutes:

- 1. Study Session of August 7, 2018**
- 2. Special Meeting of September 25, 2018**

B. Approval of revisions and adoption of amended Town Code §30.105 Council Agenda; §30.107 Time of Adjournment; and §30.108 Agenda Packets related to council meetings and agendas

Councilmember Hamilton made a motion to approve the Consent Agenda, seconded by CM Timmons. Mayor called for the vote: CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; VM Hughes – absent; Mayor Nolan – aye. The motion passed unanimously.

9. Public Comment on Non-agendized Items

Ron Miller - spoke of a safety concern regarding the stop signs at the intersection of Pony Place and Henderson Roads that are not being observed. He noted that someone is going to get hurt and it needs some enforcement.

Tina Meredith – thanked Mayor Nolan for responding to her email regarding a coyote-killing contest that is

supposed to happen here and that the organizer was asked to move it out of the area. She spoke in detail of the reasons she is in opposition of these types of contests. She would like to see them banned and encouraged Town Council to adopt a resolution to keep this one from happening in December.

Matt Francis – spoke of being a scientist. He is not a biologist, but he understands science. These contests promote problems with wildlife making the packs dysfunctional and can cause them to breed aggressively. He urged the Council to do something about people indiscriminately killing wildlife.

Gary Mortimer – spoke of things on his mind from a meeting a couple weeks ago. The Mayor said that the community does not trust the Mayor or Council. Mr. Mortimer said that was not the case, they just want the factual information; it is not a trust issue. The three-minute public comment rule should be uninterrupted and, if a speaker is interrupted, they should get to start over. He believes there should be equal respect for everyone that speaks. He feels there are different reactions for different speakers based on their opinions. Council needs to be neutral.

Betsy Klein – spoke in disfavor of the Santa Slay killing contest. She said these contests violate hunting protocol. Once prizes are awarded for the contest, the bodies of the animals are left behind and treated like trash. This does not promote hunting ethics. She noted this is an embarrassment to the county and asked Council to ban this contest and all future contests.

10. Unfinished Business None

11. New Business

Discussion and Possible Legal Action on matters not previously presented to the Council.

A. Discussion regarding a donation to the Hot Shots Memorial (Mayor Nolan - CAARF)

Mayor Nolan spoke of the proposed memorial that will be erected on the Courthouse Square in Prescott. He believes that the Quad City donations are: Prescott - \$50K; Prescott Valley - \$50K; and he thinks Chino Valley is giving \$10K.

CM Hamilton said he is not against giving but it needs to be put into next year's budget.

CM Treadway asked how soon the money is needed. Mayor Nolan said they are looking to make it a Quad City donation and the others have already donated. The other Towns did not have it in their budgets either, as it just came up.

CM Treadway made a motion to donate \$10K, seconded by Mayor Nolan.

CM Wendt said this seemed a little high, maybe \$2,500 and then maybe an additional \$2,500 when they work on the next budget.

CM Wendt made a motion to donate \$2,500 now with a commitment of \$2,500 in our next budget cycle. The motion failed for lack of a second.

Mayor Nolan called for a roll call vote: CM Hamilton – nay; CM McBrady – nay; CM Timmons – nay; CM Treadway – aye; CM Wendt – nay; Mayor Nolan – aye. The motion failed by a 4 - 2 vote.

CM Wendt made a motion to donate \$2,500 now, seconded by CM Timmons.

CM McBrady stated that he would prefer not to rush and cited budget issues. TM Wilson said that there was a reduced amount of state shared sales tax. CM McBrady said it should come back to another meeting.

CM Timmons asked how Council learned about this and if other Town's budgeted for it. Mayor Nolan said it was mentioned at last month's GAMA meeting and he received a call from Prescott's Mayor Mengarelli that they were trying to make a quad city donation as soon as possible.

CM Hamilton asked how long it had been since the passing of the firefighters. It was noted that it had been five years. CM Hamilton asked how much was needed for the project. Mayor Nolan believes that it is just under \$250K.

Public Comment

Alexa Scholl of the Prescott City Council offered details about the project including information on the artist and the granite material being used as well as the special techniques required. She passed out pamphlets. They are looking to complete the project by June 30, 2019. The other cities are donating. Prescott's portion is coming from their General Fund. They are looking to do some sort of donor wall, but not on the actual memorial, which is to be just about the firefighters. The donor wall is in the works.

CM Wendt asked how soon the money needs to be collected. Ms. Scholl stated that they are fundraising as quickly as they can. She described the entire process, which has been worked on for the last 4.5 years. The hope to have the projected completed by the 6th anniversary date. They understand if D-H needs to wait and appreciates their support. CM Timmons asked if the proposal of \$2,500 now and more at budget time would work out. Ms. Scholl confirmed this. CM Hamilton inquired if they are a 501(c) (3). Ms. Scholl confirmed this.

CM Wendt asked to amend her motion to state \$2,500 now and \$2,500 in the next budget.

CM Hamilton said you couldn't lock the next Council into this.

CM Wendt restated her previous motion of \$2,500 now, which was previously seconded by CM Timmons.

CM McBrady recommended taking their time and not reacting quickly and CM Timmons asked if they would have to bring this back to the new Council at budget time if additional monies were to be donated. This was confirmed.

Mayor Nolan called for a roll call vote: CM Hamilton – nay; CM McBrady – nay; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – absent; Mayor Nolan – aye. The motion passed by a 4 -2 vote.

B. To approve the timeline for Readoption of General Plan (Mayor Nolan – CAARF)

Mayor Nolan gave an overview of his CAARF, explaining that the timeline was self-explanatory.

CM Treadway left the dais at 7:45 p.m. and returned at 7:47 p.m.

CM Timmons asked how long the General Plan would be readopted for. TM Wilson explained that it would be readopted to May 18, 2022. CM Timmons asked if there were plans to start on the process in this next three years. TM Wilson said the process would be established to hire a consultant and a committee that would initiate outreach to the citizens. It would come back to the P & Z and then go to the Council for approval. The outreach would take at least a year, as new requirements have been added to the state law since the original General Plan was adopted. There is little commercial development in this community, based on that the Town is struggling financially. That issue will take consideration in how they can become financially sustainable and the General Plan is a major tool to define that potential sustainability. This is a community with essentially residential zoning. There is no property tax, so the General Plan will be the starting point to see what type of sustainable development can be attracted to the community. CM Timmons asked where this timeline came from? There has to be two public hearings, the first with P & Z for review and recommendation to the Council. The recommendation does not have to be followed, but does have to be received at the second Public Hearing. For readoption there would need to be a super majority vote from the Council to readopt the plan. There has to be appropriate public advertising. The timeline can be changed, as the Council has until May 19, 2019. You can wait but something needs to be done before the expiration of the current plan. You would need six to eight weeks for the readoption process.

CM Treadway noted that the timeline would have to be extended. He recommended the next Council make this a top priority even if there is a three-year extension. He thought the new Council should decide what they want to do after they are sworn in.

Public Comment

Lynn Collins – said that she is not about the new statute, but the current one calls for public participation. She thinks three years would make a disaster. She believes the citizens should plan the development, not the developers. She noted the need for more residential/commercial zoning. You need to do this right or pay the price.

Karen Brooks – inquired if it is true that if you let the existing plan ride it carries over until you have a new General Plan to take its place? She concurs with CM Treadway that this should be put off to the new Council, breathe and take some time.

Town Attorney Goodwin said the initial plan only adopts for ten years after initial adoption. You have to readopt the existing General Plan or go through the process of a whole new plan. The interpretation of the statute is that the full-blown process, that takes quite a while, is not applicable to the readoption of the existing General Plan. If you are just readopting the same plan, those extensive procedures do not apply.

CM Hamilton said he has listened to the new Council Members and they are right, the new plans needs to be done right away but this gives them time to do that.

CM Hamilton made a motion to approve the timeline of the readoption of the General Plan, seconded by CM Wendt.

CM Timmons asked if there is a rush to push this through before the end of the year, recommending waiting for the new Council.

Mayor Nolan asked for a roll call vote: CM Hamilton – aye; CM McBrady – nay; CM Timmons – nay; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – absent; Mayor Nolan – aye. The motion passed by a 4 - 2 vote.

C. Discuss - amend/delete Code Ordinance 153.999 & 10.999 (Mayor Nolan & CM Hamilton – CAARF)

CM Hamilton said he had questions for the attorney. He asked the difference of a civil or criminal violation. TA Goodwin said, unless otherwise noted, a violation of the Town Code is civil, but if there are multiple violations it can be cited as criminal. CM Hamilton asked about an E-stop. Ms. Goodwin clarified this as a restraining order and that it is a civil thing. She clarified this would be a Superior Court action. CM Hamilton said that the Town Codes are messed up. He gave examples from the code that are confusing. The Town can assess a fine, but it can't do anything else. They need to be able to enforce the codes and right now, they cannot do that, as they are written.

TM Wilson spoke of the history on civil infractions. He proposed a plan of how the Town could handle this. Ultimately, they want to eliminate liens and the escalation of civil infractions to criminal infractions, and create conformance rather than penalties. This would provide a Hearing Officer process rather than the Magistrate process and work toward conclusion and remedy.

There was further Council discussion regarding a new, more lenient process, as well as discussion to not rush on this and allow the new Council an opportunity to work on this. There was mention of deleting the current language and starting over. An opposing view was that you should replace the code, not just delete it. TA Goodwin agreed that you don't want to just delete, rather replace.

Public Comment

Lynn Collins – spoke of the Town wanting to use §10.99 to enforce the code. She commented that she can't find the history on this and feels there is a problem with §10.99. She spoke of code violations that she does not agree with and feels some of it is ridiculous. She recommends starting over, do something that fits, and serve the community and citizens.

Karen Brooks – spoke in disfavor the current codes and recommended the new Council taking the time to study the codes. The only way a town can collect money or fines is to place liens on property, if it comes to that. You need to work with the people, providing clear, concise information. Let's not rush, get it done right.

CM Hamilton said that he hears two different things. He agrees the zoning code needs work and the new Council will correct that. He explained his idea of the violation process with a Hearing Officer. He promotes compliance over money/fines. His concern is enforcement. He is hearing talk of revising the code, and he agrees with that, however, he is looking at the enforcement end of this process.

Council ended the discussion and did not take action.

D. Presentation Request to discuss development & doing a demographic study (Mayor Nolan – CAARF)

Mayor Nolan gave an overview of his CAARF explaining that he would like to bring in an individual in to discuss doing a demographic study of the area and to work with a developer. He is hoping for a shopping center or grocery store in the community.

There was Council discussion of combining this with work on the General Plan and the possible costs, as well as putting this off until next year's budget. There was also a comment that the Town did not have the infrastructure to support this, not having a water or sewer system to support this.

Public Comment

Lynn Collins – spoke of there being a small water company on the Dewey side and noted some commercial properties that were available. She spoke of other town's possibly having information in their plans that provides information on how they figure the amount of citizens needed in an area to support these types of commercial growth. She said she would do some research on some other Town plans regarding commercial growth and the General Plan.

There was Council consensus to invite this individual to come in and speak after the first of the year.

Public Comment

Gary Mortimer commented that he thought we did this three or four year ago at the Library. Mayor Nolan said that everyone said "no". Mr. Mortimer said that the doesn't think there is a meeting where commercial development isn't brought up. He spoke of the residential growth, but a lack of commercial development in the whole area.

E. Letter of Support for the proposed "Greater Prescott Area Community Protection Program" project (Councilmember Wendt – CAARF)

Councilmember Wendt spoke of receiving an e-mail from Benjamin Roe of the U.S. Forest Service requesting that the Town and Firewise Committee support an effort to reduce the chances of the community's risk of wildfire. They are working on protecting water quality. They are asking for a letter of support. There is no fiscal involvement. There were sample letters received from other communities. CM Wendt recommended Town support of this project.

TM Wilson explained it is a multi-jurisdictional project to enhance all aspects of the existing environment. This is just asking the Town of Dewey-Humboldt to support conservation consciousness and draft a letter of support.

CM Hamilton made a motion that we send a letter of support to the Greater Prescott Area Community Protection project, seconded by CM Treadway.

Mayor Nolan read a portion of the letter that listed some other communities but did not see Dewey-Humboldt listed. CM Wendt read a different section of the letter that did include Dewey Humboldt.

Mayor Nolan called for the vote: CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – absent; Mayor Nolan – nay. The motion passed by a 5-1 vote.

12. Public Hearing Agenda – None

13. Consideration of adding a Special Session (Regular Meeting) due to the fifth Tuesday of the month - No additional meeting was scheduled.

14. Adjourn - Mayor Nolan adjourned the meeting at 8:51 p.m.

—

Terry Nolan, Mayor

ATTEST: _____

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION & SPECIAL MEETING MINUTES
NOVEMBER 6, 2018, 2:00 P.M.**

A STUDY SESSION & SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, NOVEMBER 6, 2018, 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 2:03 p.m.
2. **Roll Call**. Town Council Members Jack Hamilton, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan were present. Council Members Timmons and Mark McBrady were absent.
3. **Study Session**. No legal action to be taken

A. Idea to create road signs for the roads town doesn't own (Mayor Nolan – CAARF)

Mayor Nolan gave an overview of his CAARF, which would allow community members to have a road sign installed, by the Town, on non-Town owned roads. The road sign would be paid for by the community members, not the Town.

Public Works Director Ed Hanks stated the total cost of the sign, plus installation by the Town, would be \$350. He suggested the shape and size would be the same, but should have different coloring to distinguish the sign being a private road.

There was Council discussion on allowing the community to purchase a private road sign.

This item will be added to the Consent Agenda at the next meeting.

B. Discussion of potential Ingress/Egress for Blue Hills (Mayor Nolan - CAARF)

Mayor Nolan gave an overview of his CAARF that proposed connecting Lovin Lane, through BLM land, to Iron King Road. There are private properties there that we would have to get permission from the property owners to connect the roads.

There was Council discussion on the issues and costs involved in getting these roads connected. We might need to have a survey completed. We will need to contact the property owners, WAMPA and Shawn Jackson with BLM for their permission.

Public Comment

Leigh Cluff – asked if we would need to do archeology again. PWD Ed Hanks stated only on State land. Ms. Cluff stated this could take three or four years to complete, although this could have already been done.

Town Manager Tom Wilson talked about scheduling a couple dates to take individuals out to see the land, then connecting with BLM and WAMPA.

There was further Council discussion on the issues and costs involved in getting these roads connected.

This item will be added to the Consent Agenda at the next meeting.

C. Discuss passing a resolution opposing wildlife (predator) killing contests in Dewey-Humboldt (CM Treadway - CAARF)

CM Doug Treadway talked about the proposed coyote-killing contest that is scheduled to occur in the Town of Dewey-Humboldt, which is not sponsored by the Town. He reflected on a personal experience of seeing someone shooting geese needlessly. He stated he is not against legal hunting or a farmer defending his livestock. This is about what is decent and morally right for Arizona's Country Town and not being associated with killing contests, etc. He stated he would like the Council to consider passing this resolution.

There was Council discussion on how the Town would enforce this resolution.

Public Comment

Ulys Brooks – stated he taught the State of Arizona Hunter Safety program for 30 years. He said a resolution is not needed for this, as it is well covered by the State of Arizona. It is against the law to shoot game for fun. If you have any concerns, check with Game and Fish.

Karen Brooks - stated she didn't know of any place in the Town of Dewey-Humboldt, that is less than a 1/4 mile away from a residence, that you can't discharge a firearm. She talked about two different incidents that occurred with coyotes, but stated we don't need any more regulations on coyotes.

There was further Council discussion on whether or not to add this resolution, when it is already covered under State Law.

Public Comment

Leigh Cluff – stated that if you have livestock on your property, you can put out coyote traps. She said she would rather see the coyotes shot than trapped, so they don't have to suffer.

CM Doug Treadway clarified his position on his CAARF, stating this will send a clear message that the Town does not condone this type of activity.

This item will be added to the Consent Agenda at the next meeting.

D. Discuss enacting Yavapai County's law on using a cell phone while driving in Dewey-Humboldt (CM Hamilton - CAARF)

CM Jack Hamilton talked about adding the same resolution that Yavapai County passed regarding banning the use of cell phones while driving. He stated that the Sheriff can provide enforcement of this resolution for the Town.

There was Council discussion on whether to pass a resolution to adopt the Yavapai County ordinance.

Public Comment

Leigh Cluff – stated this is only for hand held devices, not for a Bluetooth vehicle speaker.

This item will be added to the Consent Agenda at the next meeting.

E. Review Model Tax Code (Mayor Nolan - CAARF)

TM Tom Wilson gave an overview of the tax code that the Town has adopted. The enforcement is the responsibility of the Town, not the state. We need to consider who we are taxing and the amount being taxed. We also need to let businesses know that they should be licensed by means of a Newsletter article and through letters to be sent to pertinent businesses.

There was Council discussion on the Town's tax code and how the Town should be enforcing the code.

Public Comment

Leigh Cluff – asked who would pay for an event like a wedding. Councilmember John Hughes stated the people putting on the wedding would pay the tax. She also was concerned about how much the Town's advertising would cost.

Karen Brooks – stated she would like to see the Town Manager and the Mayor to write some encouraging letters to our heads of State in regard to the reduction of Federal and State monies and that small Towns are hurting. She also brought up that we need to encourage the new owners of Giant gas station to finish their project.

Gary Mortimer – stated he thought that everyone should expect to pay sales tax. He talked about how Mortimer Farms handles their taxes. In the past, they have charged a flat admission price and taken the tax from that admission price. Now, they are adding the tax onto the admission price and customers have no problem with the additional tax. Their vendors are required to get a city license and pay their sales tax. The business owner is the tax collector.

There was further Council discussion on the Town's tax code and how the Town should be enforcing the code.

F. Discuss 2019 Town Council Meeting Schedule Conflicts of 1/1/19 & 8/20/19

There was Council discussion on changing the 1/1/19 meeting to 1/8/19, and the 8/20/19 meeting to 8/13/19. This item will be added to the Consent Agenda at the next meeting.

4. Adjourn. Mayor Nolan adjourned the meeting at 3:11 p.m.

Terry Nolan, Mayor

ATTEST: _____
Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
STUDY SESSION & SPECIAL MEETING MINUTES
DECEMBER 4, 2018, 2:00 P.M.**

A STUDY SESSION & SPECIAL MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 4, 2018, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.**
2. **Roll Call.** Town Council Members Mark McBrady, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan. Council Member Jack Hamilton was absent.
3. **Study Session.** No legal action to be taken

A. Financial Audit FY 17-18 [Henry & Horne]

Marilyn Mays of Henry & Horne gave an overview of the FY 17-18 Budget Audit. The General Fund revenue was budgeted for approximately \$1.8M and actually came in at approximately \$2,034,000., leaving an excess of approximately \$220K. The expenditures were \$1.5M and \$1.9M was budgeted, ending the year with approximately \$418K more in revenues, for an increase in the fund balance.

There were no findings other than a recommendation to have an additional control in place for capital assets and depreciation. A second set of eyes is always a good idea; this could be another department staff member or the Town Manager. This would help detect any possible errors.

Town Manager Wilson thanked Town Accountant Mickey Moore for her success and efforts in this area.

The Study Session was closed at 2:12 p.m.

4. **Special Meeting.** Legal action may be taken

A. Executive Session

Council may vote to hold an Executive Session for the purpose of obtaining legal advice from the Town's attorney on any matter listed on the agenda pursuant to A.R.S. § 38.431.03(A)(3).

Vote to recess to Executive Session

Councilmember Wendt made a motion to close the Study Session and enter Executive Session, seconded by Councilmember Timmons. Council vote: CM Hamilton – absent; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

Council entered Executive Session at 2:17 p.m.

1. An Executive Session pursuant to A.R.S. §38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the Heli Swift Aviation conditional use permit ad approval process and pursuant to A.R.S. §38-431.03(A)(4) for discussion or consultation with the Town Attorney on contemplated litigation by a resident related to the approval process for the Heli Swift Aviation conditional use permit.

2. An Executive Session pursuant to A.R.S. §38-431.03 (A)(1) for discussion or consideration of employment, assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of Tom Wilson, Town Manager, and pursuant to A.R.S. §38.431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding the Employment Contract between the Town of Dewey-Humboldt and Tom Wilson, Town Manager.

Close Executive Session/Reconvene Special Meeting

Vice Mayor Hughes made a motion to close the Executive Session and reconvene the Special Meeting. Council vote: CM Hamilton – absent; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously. Mayor Nolan closed the Executive Session at 3:58 p.m. and reconvened the Special Meeting.

B. Discussion and possible direction to staff regarding the letter from J. Jeffrey Coughlin dated November 14, 2018, regarding the Heli Swift Aviation conditional use permit and approval process.

There was Council discussion regarding the direction to the Town Attorney. Attorney Goodwin stated the motion as: To direct the Town Attorney to respond to the letter from Jeffrey Coughlin regarding the Heli Swift Conditional Use Permit and setting forth the Town's position with respect to the validity of the Conditional Use Permit.

Councilmember McBrady asked that the letter be prepared and presented to the Council before it is sent. The letter will be brought back for Council review to the December 18, 2018, Regular Council Meeting.

C. Discussion and possible action regarding the employment of Tom Wilson, Town Manager, and/or termination of the Employment Contract with Tom Wilson, Town Manager.

Town Attorney Goodwin stated that her understanding of the discussion is that the following is a motion to be considered: Accept the resignation of Town Manager Tom Wilson effective February 1, 2019, with a review by the parties, the Council and Tom Wilson, in the first week of January to determine whether there should be an earlier effective date. The motion was made by Councilmember McBrady, seconded by Councilmember Treadway. Roll Call Vote: CM Hamilton – absent; CM Timmons – nay; VM Hughes – nay; Mayor Nolan – nay; CM McBrady – aye; CM Wendt – aye; Councilmember Treadway – aye. The motion failed with a split vote.

Councilmember Timmons made a motion to accept Manager Wilson's resignation effective December 13, 2018, with a conditional, as discussed, full release February 1, 2019, with a review by Council January 8, 2019. The motion did not receive a second and failed.

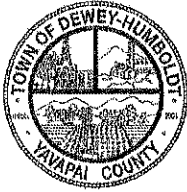
Vice Mayor Hughes made a motion to approve Mr. Wilson's resignation with a termination date of December 13, 2018, with a few days between here and January for a little assistance, if we need it. CM Timmons seconded the motion. Roll Call Vote: CM Hamilton – absent; CM Timmons – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. CM McBrady – nay; CM Wendt – nay; CM Treadway - aye. The motion passed by a four – two vote.

Mayor Nolan spoke in appreciation of Town Manager Wilson accomplishments.

5. Adjourn. Mayor Nolan adjourned the meeting at 4:05 p.m.

Terry Nolan, Mayor

ATTEST: _____
Julie Gibson, Town Clerk



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

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☒ Regular ☐ Special ☐ Work Session

Meeting Date: 12/19/18

Date of Request: 12/5/18

Requesting: ☒ Action ☐ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☐ Regular

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

To Discuss Hiring an Employment Contractor
To fill Town Manager vacancy

Purpose and Background Information (Detail of requested action).

To get started in finding a new
Town Manager

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

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

Contact Person: Mayor Terry Nolan

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

Dewey-Humboldt

DEC 05 2018

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

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☒ Regular ☐ Special ☐ Work Session

Meeting Date: 12/18/18

Date of Request: 12/7/18

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):

JUDGE KELLY HAS BEEN WORKING AS AN INTERIM JUDGE
SINCE SHE HAS RESIGNED. SHE SHOULD BE PAYED FOR THIS WORK

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

PEOPLE SHOULD BE PAYED FOR DOING WORK FOR THE TOWN.

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.

Dewey-Humboldt

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Agenda Item 10. C.



TOWN OF DEWEY-HUMBOLDT

P.O. BOX 69

HUMBOLDT, AZ 86329

Phone 928-632-7362 • Fax 928-632-7365

COUNCIL AGENDA ACTION REQUEST FORM

Meeting Type: ☒ Regular ☐ Special ☐ Work Session

Meeting Date: December 18, 2018

Date of Request: December 10, 2018

Requesting: ☒ Action ☐ Discussion or Report Only

Type of Action: ☐ Routine/Consent Agenda ☒ Regular

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

To consider reviewing previous Town Manager applications; Consideration of a consulting interim Town Manager for service one day per week or more; Possible advertisement for Interim or Permanent Town Manager with newspaper advertisement or website postings.

Purpose and Background Information (Detail of requested action).

Review of previously submitted applications for Interim Town Manager and Town Manager received during 2017 search process. Consider employing an Interim Town Manager on a consulting basis one day per week or more. Advertise for Interim Town Manager and/or Permanent Town Manager positions in newspaper, Town website, League or professional website posts.

Staff Recommendation(s): _____

Budgeted Amount: _____

List All Attachments: _____

Type of Presentation: _____

Special Equipment needed: ☐ Laptop ☐ Remote Microphone

☐ Overhead Projector ☐ Other: _____

Contact Person: (W) Council Member Wendt & Vice Mayor Hughes

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

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DEC 18 2018

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MAYOR NOLAN 2018 ANNUAL UPDATE - EXTERNAL MEMBERSHIPS & COMMITTEES

JANUARY

Date	Organization/Group	Contact/Type	Location
1/2/2018	CYMPO	Chris Bridges	Prescott
1/6/2018	Big Brother/Big Sisters Pie Giving Event		Prescott
1/8/2018	Mayor/Manager Breakfast Meeting		Chino Valley
1/8/2018	Rural Transportation Advocacy Comm	Phoenix	
1/9/2018	TC Meeting	Study Session	D-H
1/10/2018	General Meeting re: incorporation of a new town	Ms. Ricci	D-H
1/10/2018	Firewise Meeting		D-H
1/16/2018	TC Meeting	Regular	D-H
1/15/2018	Mayor's Breakfast		Chino Valley
1/17/2018	Firewise Meeting		D-H
1/18/2018	Emergency Mgmt Adv Comm		Cottonwood
1/18/2018	Possible Development Project	Duane Hunn	D-H
1/30/2018	Agenda Committee Meeting (ACM)		D-H
1/31/2018	Strategic Planning Workshop		Centennial Center, Prescott

FEBRUARY

Date	Organization/Group	Contact/Type	Location
2/2/2018	Mattforce Breakfast		Hassayampa, Prescott
2/5/2018	RTAC		League Office, Phoenix
2/5/2018	GPREP		Yavapai College, Prescott
2/12/2018	Mayor's Breakfast		D-H
2/13/2018	Greater Prescott Area Lands Wildfire Transmission	Workshop	CARMA, Prescott Valley
2/13/2018	TC Meeting	Study Session - Special	
2/14/2018	APS Meeting		D-H
2/14/2018	Smelter Site Excursion		D-H
2/16/2018	GAMA		PV Library
2/20/2018	TC Meeting	Regular	D-H
2/21/2018	CYMPO Board Meeting		Prescott
2/27/2018	TC Meeting	Special	D-H

MARCH

Date	Organization/Group	Contact/Type	Location
3/1/2018	TAC Meeting		PV Library
3/1/2018	Meeting re: conservancy	Garry Rogers	D-H
3/1/2018	Possible Development Meeting	Duane Hund	D-H
3/6/2018	TC Meeting	SS - Special	
3/7/2018	Meeting re: new town development	Ms. Ricci	Anthem
3/12/2018	RTAC Meeting	Phoenix	
3/13/2018	CYMPO	Chris Bridges	Prescott
3/19/2018	Mayor's Breakfast Meeting		PV Library
3/20/2018	TC Meeting	Regular	D-H
3/21/2018	CYMPO Board Meeting		Prescott

APRIL

Date	Organization/Group	Contact/Type	Location
4/3/2018	TC Meeting	SS - Special	
4/16/2018	Mayor/Manager Breakfast Meeting		
4/16/2018	GPREP Meeting	Yavapai College	
4/17/2018	TC Meeting	Regular	D-H
4/18/2018	CYMPO Board Meeting		Prescott
4/20/2018	ADOT State Board Meeting		Flagstaff
4/23/2018	Meeting w/Congressman Gosar	Paul Gosar	D-H
4/23/2018	RTAC Meeting		Phoenix
4/24/2018	CAFMA Meeting w/Chief		PV
4/25/2018	Stand Down Meeting		Goodwill Center, Prescott

MAY

Date	Organization/Group	Contact/Type	Location
5/1/2018	TC Meeting	SS - Special	D-H
5/3/2018	Mayor/Mgr/Supervisor Meeting		Camp Verde
5/9/2018	Transportation Meeting		Pioneer Park, Prescott
5/11/2018	Met with Prescott Real Estate Organization		Prescott Adult Center
5/14/2018	RTAC		Phoenix
5/14/2018	GPREP		Yavapai College
5/15/2018	TC Meeting	Regular	
5/16/2018	CYMPO Board Meeting		Prescott
5/17/2018	GPREP		Yavapai College
5/18/2018	ADOT State Board Meeting		Phoenix
5/21/2018	Mayor's Breakfast		Prescott
5/24/2018	APS Meeting - Energy Update		Centennial Center, Prescott
5/29/2018	Council Budget Meeting	Special	D-H

JUNE

Date	Organization/Group	Contact/Type	Location
6/5/2018	TC Meeting	SS - Special	D-H
6/7/2018	TAC Meeting		PV
6/11/2018	RTAC Meeting		Phoenix
6/13/2018	D-H Comm Env Meeting		D-H Library
6/14/2018	GAMA Meeting		Camp Verde
6/14/2018	GPREP Meeting		Yavapai College
6/18/2018	Mayor's Breakfast		Chino Valley
6/19/2018	TC Meeting	Regular	
6/20/2018	CYMPO Board Meeting		Prescott
6/20/2018	Firewise Meeting		D-H
6/26/2018	Met w/People re: Main Street development		D-H
6/26/2018	TC Meeting - Special		D-H

JULY

Date	Organization/Group	Contact/Type	Location
7/9/2018	RTAC Meeting		Phoenix
7/16/2018	Mayor's Breakfast		D-H
7/17/2018	TC Meeting	Regular	D-H
7/18/2018	CYMPO Board Meeting		Prescott

AUGUST

Date	Organization/Group	Contact/Type	Location
8/1/2018	Supervisor's Board Meeting - Purple Heart Recipients		Prescott
8/7/2018	TC Meeting	SS	D-H
8/9/2018	Candidate Forum		Cherry Creek Ranch
8/14/2018	TC Meeting	Regular	
8/15/2018	CYMPO Board Meeting		Prescott
8/20/2018	League Annual Conference		Scottsdale
8/21/2018	League Annual Conference		Scottsdale
8/22/2018	League Annual Conference		Scottsdale
8/23/2018	League Annual Conference		Scottsdale

SEPTEMBER

Date	Organization/Group	Contact/Type	Location
9/4/2018	TC Meeting		D-H
9/6/2018	Yavapai College Meeting		Prescott
9/7/2018	Heli Swift Demonstration		D-H
9/10/2018	Met w/GPREP Executive Director		D-H
9/11/2018	TC Meeting	SS - Special	D-H
9/12/2018	DH Env Board Meeting		D- H Library
9/14/2018	Met w/Mr. Hartley of Am Legion		D-H Town Hall
9/17/2018	Mayor's Breakfast		D-H
9/18/2018	TC Meeting	Regular	D-H
9/19/2018	CYMPO Board Meeting		Prescott
9/19/2018	Firewise Meeting		D-H
9/22/2018	Agua Fria Festival		D-H
9/23/2018	Post Secondary Intl. Conference		Prescott Resort
9/25/2018	TC Meeting	Special	D-H
9/26/2018	EPA Superfund Meeting		D-H
9/27/2018	GPREP Meeting		Chino Valley Town Hall

OCTOBER

Date	Organization/Group	Contact/Type	Location
10/2/2018	TC Meeting	SS - Special	D-H
10/4/2018	Meeting with Council Elect		D-H
10/9/2018	CYMPO Staff Meeting		Prescott
10/15/2018	Mayor's Breakfast		Prescott
10/16/2018	TC Meeting	Regular	D-H
10/16/2018	Prescott Airport Dev Meeting		Prescott
10/17/2018	CYMPO Board Meeting		Prescott
10/18/2018	Met w/Martha McSally Group		Prescott

OCTOBER, CONTINUED

10/19/2018	APS Energy Update Meeting		Prescott
10/19/2018	Humboldt Elementary Function		D-H
10/24/2018	Rural Trans Summit	10/24 - 10/26	Havasut City

NOVEMBER

Date	Organization/Group	Contact/Type	Location
11/1/2018	Mayor/Mgr/Supervisor Meeting		Chino Valley
11/6/2018	TC Meeting	SS	D-H
11/7/2018	Board of Supervisor Meeting - Veteran's Proclamation		Prescott
11/20/2018	TC Meeting		D-H
11/21/2018	CYMPO Board Meeting		Prescott
11/27/2018	Conference Call	Duane Hunn	D-H

DECEMBER

Date	Organization/Group	Contact/Type	Location
12/4/2018	TC Meeting	SS - Special	D-H
12/5/2018	Board of Supervisor - Grant Money		Prescott
12/10/2018	RTAC Meeting		Phoenix
12/11/2018	Sun Corridor Trans Summit		Phoenix
12/12/2018	D-H Env Board Meeting		D-H
12/14/2018	Town Hall Window Painting	Humboldt Elem Students	D-H
12/17/2018	Mayor's Breakfast		D-H
12/18/2018	TC Meeting	Regular	D-H