

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

Tuesday, December 4, 2018, 2:00 P.M.

**STUDY SESSION & SPECIAL MEETING
2735 S. HWY 69, SUITE 10**

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

AGENDA SUMMARY

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 noting that he has done a lot, however, sometimes things don't work out as you expect, on both sides.

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