

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

Tuesday, June 17, 2014, 6:30 P.M.

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

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

AGENDA

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

1. Call To Order.

2. Opening Ceremonies.

2.1. Pledge of Allegiance.

2.2. Invocation.

3. Roll Call. Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan.

4. Announcements Regarding Current Events, Guests, Appointments, and Proclamations.

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

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

5.1 Town Community Development Department staffing status as it relates to the existing functions of Planning and Zoning, Code Enforcement and new functions of Building Safety.

6. Consent Agenda.

6.1. Minutes. Minutes from the April 22, 2014 Special Budget Workshop #1, April 29, 2014 Special Budget Workshop #2, May 6, 2014 Regular Meeting, May 12, 2014 Special "ULI" Session and June 10, 2014 Work Session.

7. Comments from the Public (on non-agendized items only). The Council wishes to hear from

Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for

discussion and legal action. A 3 minute per speaker limit may be imposed. The audience is asked to please be courteous and silent while others are speaking.

Page
21

8. Public Hearing Agenda.

8.1. Public Hearing on the FY2014-15 Budget.

9. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

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

23

10.1. FY14-15 Budget discussion and possible adoption through Resolution 11-112. Possible adoption, rejection and /or postponing adoption.

25

10.2. Building Safety Services Intergovernmental Agreement (IGA) with Yavapai County Development Services. Possible adoption, rejection, adoption with modification and /or postponing adoption.

THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.

11. Comments from the Public. The Council wishes to hear from Citizens at each meeting. Those wishing to address the Council need not request permission or give notice in advance. For the official record, individuals are asked to state their name. Public comments may appear on any video or audio record of this meeting. Please direct your comments to the Council. Individuals may address the Council on any issue within its jurisdiction. At the conclusion of Comments from the Public, Council members may respond to criticism made by those who have addressed the public body, may ask Town staff to review a matter, or may ask that a matter be put on a future agenda; however, Council members are forbidden by law from discussing or taking legal action on matters raised during the Comments from the Public unless the matters are properly noticed for discussion and legal action. The total time for Public Comment is 3 minutes per person. The audience is asked to please be courteous and silent while others are speaking.

12. Adjourn.

For Your Information:

Next Town Council Meeting: Tuesday, July 24, 2014, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, July 3, 2014, at 6:00 p.m.

Next Town Council Work Session: Tuesday, July 8, 2014, at 2:00 p.m.

If you would like to receive Town Council agendas via email, please sign up at AgendaList@dhaz.gov and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

Certification of Posting

The undersigned hereby certifies that a copy of the attached notice was duly posted at the following locations: Dewey-Humboldt Town Hall, 2735 South Highway 69, Humboldt, Arizona, Chevron Station, 2735 South Highway 69, Humboldt, Arizona, Blue Ridge Market, Highway 69 and Kachina Drive, Dewey, Arizona, on the ____ day of _____, 2014, at ____ p.m. in accordance with the statement filed by the Town of Dewey-Humboldt with the Town Clerk, Town of Dewey-Humboldt.
By: _____, Town Clerk's Office.

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

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL “BUDGET” SESSION (WORKSHOP #1) MINUTES
TUESDAY, APRIL 22, 2014, 9:00 A.M.**

A SPECIAL “BUDGET” SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 22, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 9:06 a.m. Mayor Nolan presided.

2. **Roll Call.**

2.1. Town Council. Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Councilmember Sonya Williams-Rowe was absent.

3. **FY 2014-15 Budget Deliberation.** Legal Action can be taken. Council Deliberation and possible action to modify Preliminary Budget content.

3.1. Overview of Proposed FY 2014-15 Preliminary Budget.

Town Manager Kimball gave an overview, explaining the narrative is still being developed. The revenues are good, balanced and accounted for. Council indicated they would like to review the preliminary budget spreadsheets line by line.

3.2. Review of Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).

Revenues: Town Manager Kimball reviewed the revenue projection and her conservative approach to that projection. Council reviewed the Building Safety Department revenue projection; investment fund and interest earned. There was discussion about the possibility of looking into long-term investments for some of those savings to earn higher interest. Ms. Kimball agreed research on several options could be done on this and be brought back to council at a later time.

Miscellaneous Income: Ms. Kimball explained there would be no impact fee revenues for next year’s budget. There was discussion about compensation for Mayor and Council and reimbursement for phones/technology.

Councilmember Hamilton made a **motion** to not have a Council stipend or telecom allowance for Council and Mayor and removing those two items from the budget. The motion was seconded by Councilmember Wright. There was discussion on what other municipalities in the region do to compensate; and requirements of council if reimbursed for those things. A **vote** was taken on the motion which **passed** by a 5-1 vote in favor, Mayor Nolan voting against.

Health Care: Ms. Kimball spoke on a reduction in health insurance rates. Mayor Nolan suggested applying the amount budgeted but removed by the last motion for salaries/wages. Council will consider deliberation of the budget before addressing that suggestion.

Dues and Membership:

WAC Membership - Council discussed the WAC (Water Advisory Committee) and GPREP (Greater Prescott Regional Economic Partnership) memberships and whether they wanted to continue them.

There was discussion on the benefits of staying with the WAC for one more year.

Vice Mayor Alen made a motion to move forward with the WAC membership, seconded by Councilmember McBrady.

Councilmember Repan made a motion to table this until Mr. Rasmussen can come out to speak on the substantial benefit to investment made (ROI), seconded by Councilmember Wright.

There was discussion on the timing of the benefits for membership in WAC; the Town Manager's appointment to GUAC; and the reduction of membership fee the previous year.

Councilmember Repan withdrew his motion and seconder agreed. Vice Mayor Alen withdrew her motion.

Mayor Nolan recommended moving this decision on the WAC membership to a regular meeting when all Councilmembers are present.

Mayor Nolan made a motion to get out of the WAC (not expend funds for the WAC membership in the coming year), seconded by CM Wright. The motion failed by a tie vote, Councilmember McBrady, Vice Mayor Alen and Mayor Nolan voting against.

GPREP Membership - There was discussion on whether it was important to be involved in Economic Development for the Town. Council discussed surveying the citizens in town on whether they think it is important; the impact of not being a member; placing this on the future regular meeting with full attendance of Council for a vote.

Councilmember Repan made a motion to put discussion and all the decisions of the budget on hold until full membership of council, seconded by Councilmember Wright.

There was discussion on benefits of holding budget workshops with controversial issues being voted on by full membership of council.

Councilmember Repan withdrew his motion, seconder agreed.

Travel and Training:

There was discussion of reimbursement of Council travel expenses.

Councilmember Repan asked to remove the reimbursement for the YRMC meetings as he doesn't submit for reimbursement.

Councilmember Hamilton stated Newly Elected Officials training should only be for new members on Council, not those re-elected. Councilmember McBrady suggested the Attorney provide training for Board of Adjustment.

There was discussion on the reasons for the increase in this line item for the new budget; purpose for the Quad-cities Mayor/Manager breakfast meetings; reimbursements and taxes.

Town Manager Kimball recapped the consensus to remove the YRMC line and keep the rest the same.

Councilmember Wright made a motion to adjourn the meeting at noon, seconded by Councilmember Repan.

Town Manager Kimball asked Council to consider addressing 3.3 before adjourning and importance of staff receiving that feedback from Council (for staff preparation).

3.3. Next meeting discussion topics. (suggested: Public Works Department third employee justification presentation, Old Black Canyon Hwy. situation as it relates to FY 14-15 Budget)

Councilmember Hamilton spoke on not addressing OBC Highway at the next April 29th meeting since he will not be in attendance.

TM Kimball spoke on the budget meeting scheduling, April 29th, May 6th meeting will move the acknowledgement of tentative budget out to a later meeting, next possible date for a worksheet is May 13th at 9:00 am the morning.

- 4. **Comments from the Public.** None.
- 5. **Adjourn.** The meeting was adjourned at 11:59 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL “BUDGET” SESSION WORKSHOP #2 MINUTES
TUESDAY, APRIL 29, 2014, 9:00 A.M.**

A SPECIAL “BUDGET” SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, APRIL 22, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 9:04 a.m.

2. **Roll Call.**

2.1. Town Council. Town Council Members Mark McBrady, Dennis Repan, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Councilmembers Jack Hamilton and Sonya Williams-Rowe were absent.

3. **FY 2014-15 Budget Deliberation.** Legal Action can be taken. Council deliberation and possible action to modify Preliminary Budget content.

3.1. Review of Preliminary Budget by Funds and Departments (General Fund – Revenues, Expenditures: Town Council and Management, Town Clerk, Finance, Legal, IT, Magistrate Court, Public Safety, Engineering, Public Works, and Community Development, non-Departmental; HURF – Revenues, Expenditures: Engineering, Public Works; Grant Fund).

Council picked up with the budget where they left off at the last meeting. Town Manager Kimball spoke on the changes made at the last workshop and explained the General Fund Revenue is in excess of expenditures by \$26k.

Town Clerk/Public records: Town Clerk Morgan explained the reason for the increase in election costs with the Yavapai County Elections Department. Town Manager Kimball explained the reasons for the building permitting software carryover from last year’s budget.

Finance and Budget: Town Manger Kimball answered questions on the Travel and Training for Finance’s Annual Conference and the reason for Open Books costs being reduced from last year.

Legal: Town Manager Kimball suggested increasing legal counsel costs due to some anticipated projects. There was discussion on whether to budget to have the attorney attend some or all regular council meetings. It was recommended that this subject come back when there is full council attendance.

Information Technologies (IT): Council considered whether to purchase electronic devices for council members. Councilmember Wright suggested upgrading the microphones and adding something so council could plug in their laptops. It was decided that this should come back for a full council vote.

Ms Kimball spoke on staff coming up with a good option for a remote backup for the town (\$200/year). She added some money to this budget item for website repair in case the site gets hacked.

Magistrate Court: Utility costs have been separated out, everything else is the same. There was discussion on wages and court time increases. No modifications were made by council.

Public Safety: There was discussion on increased utility costs and their office using electric heat. Councilmember McBrady will look into the cost to install a programmable thermostat.

Engineering: No changes were made.

Public Works: There was discussion on the second public works operator costs; upgrading the Public Works yard; carpet cleaning; increased liability insurance due to the Yarnell 19 incident.

Ms. Kimball spoke on the need for a phone for inspection scheduling and field use. There was discussion on the personal cell phone use policy and not using an employee's personal phone for a call in/inspection number; consideration of replacing the existing phone system; consideration of an additional truck rather than a new phone system.

There was discussion on a possible real property purchase brought forward by CM Wright and if they move forward with it using reserve funds for the preliminary work (appraisal, title search, etc.). This line item will be reduced to \$8k and using the rest under the vehicle purchase line item.

Parks and Rec. - \$10k is the same what was budgeted in last year's budget, with \$2k for the Butte Street Park.

Community Development: Town Manager Kimball spoke on staffing this department with bringing the plans review and inspections back in-house, with a possible Outside Service Provider (OSP) for commercial permit inspections. Yavapai County B.S. will finish out the permitting/inspection process with all active permits.

Library – The Library District Director has been in contact on possible changes for next year, with the town's IGA due to expire on June 2017. Costs are anticipated to rise, rental property is good until 2017 but building is anticipated to have increased costs for repairs.

Outreach Programs – Council reviewed the proposed programs: Funding the museum rent (\$7200); Lock Boxes for the Elderly (\$1k); Agua Fria Festival (\$5k); Funding for Branding of Town (\$5); Community-wide survey (\$5). Council reviewed each of these going down the list.

Funding for the Museum - David Nystrom spoke to the council on behalf of the Dewey-Humboldt Historical Society regarding the request for \$7200 in funding for the museum rent. There were questions on fundraising, expenditures versus revenues, expanding exhibits and outreach/advertisement. The D-H Historical Society was asked to provide the Council with their budget/financial numbers prior to Council making a decision on whether to fund the museum rent.

Public comment was taken on this.

Jerry Brady spoke on 501C3 Corporation status, standards, etc. He recommended they engage the IRS in this process.

Lock Boxes for the Elderly – Mayor Nolan spoke on his request to provide lock boxes for the elderly to be used for emergency response purposes. There was discussion on social services providing this service rather than government; potential problems with lock boxes. Lock Box project funding will be removed due to council consensus not to fund for this purpose.

Agua Fria Festival – Mayor Nolan gave an overview on the history of funding the festival and the return on the investment. He explained the Lions Club has taken over the festival this year. There were questions on the budget/plan. This information could be provided at

a future meeting. Council reviewed the money that came back to the town and then used for the Butte Street Park, providing a gazebo, playground equipment, ground cover, etc. Council will wait to make a decision after they have a chance to review the festival budget/plan.

Community-wide Survey – Councilmember Wright gave an overview on the request for this funding. She spoke on asking specific questions, going through NAU’s survey program. There was discussion on possible options for handling it in-house and problems if doing so, keeping it intimate with this community and possibly budgeting \$7500 as a ceiling to get the best survey.

Vice Mayor Alen made a motion to approve doing a survey of the town to determine the will of the people, with the questions to be determined later, budgeting \$7500 and allowing the Town Manager to bid out the job; seconded by Councilmember Wright. It was approved by a 5-0 vote in favor.

Branding – Vice Mayor Alen gave an overview on this budget item. She spoke on the sign that is up along Highway 69, south of town and this being part of this year’s branding budget. She suggested next year they could put up another sign and consider t-shirts and a trifold. She is working with non-profits and members of the community to do a signature event late in 2015, with no town financial commitment. There was discussion on whether to include “branding” as a survey question; moving forward with budgeting for the second sign; funding a non-profit instead. Mayor Nolan recommended they bring this to the full council for a vote.

Contingency – Per policy 10% of fund balance to go toward this. Council reviewed those items listed in this section: Water Study, town-wide (\$25k)- VM Alen; Fee Study (\$30)-CM Hamilton; Property Acquisition (\$200k) CM Wright.

Property Acquisition - There was discussion on what can come out of contingency. CM Wright explained she had not intended \$200k be budgeted for her “Property Acquisition” but \$80k. She spoke on the location of the vacant property; legalities surrounding the property; ingress/egress to property and location to BLM and Highway 69; whether this is a good location to land bank; location of to superfund site and remediation costs. CM Wright suggested putting \$5k toward exploring the property and start to fix the lot split issue. There was discussion on what order to pursue the legal and possible purchase of these properties and who should contact the seller.

Town Manager Kimball suggested if the town is interested in these properties she will put \$80k from contingency with \$3k additional for legal fees and \$5k for preparatory work and environmental study. She will not do anything (contact anyone) unless she hears further direction from Council.

Town Water Study – VM Alen gave an overview explaining there has not been an overarching water study of the area. There are groups the town can utilize such as WAC for a baseline. There was discussion on what information they would hope to obtain from a study; fund the WAC or the water study. The study will be left in the budget for now, but council consensus will have to be reached before moving forward.

Town Manager Kimball reviewed other council decisions that will still need to be made regarding budget items: phone system; vehicle purchase; town attorney at all/most meetings; electronic devices for council; annual rent for museum; Agua Fria Festival funding; branding; property purchase (reduced to \$5k). Lock boxes were removed from the budget.

3.2. Future meeting scheduling and additional budget-related discussion topics.
(suggested: next discussion at 9 a.m., May 6, 2014; topics: Public Works Department third employee justification presentation, Old Black Canyon Hwy. situation as it relates to FY 14-15 Budget)

Town Manager Kimball reviewed the next budget discussion is scheduled for May 13th at 9:00 a.m. Council agreed they did not need to schedule an earlier budget meeting. She will give a summary of the budget workshop decisions at the regular meeting under the TM report.

4. Comments from the Public.

Jerry Brady spoke on liabilities for the town (management information systems, land acquisition, water)

5. Adjourn.

The meeting was adjourned at 12:50 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, MAY 6, 2014, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, MAY 6, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY- HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 6:33 p.m.
2. **Opening Ceremonies.**
 - 2.1. **Pledge of Allegiance.** Made.
 - 2.2. **Invocation.** Given by Councilmember Nancy Wright
3. **Roll Call.** Town Council Members Jack Hamilton, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Councilmember Mark McBrady was absent.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Announcements of items brought to the attention of the Mayor not requiring legal action by the Council. Guest Presentations, Appointments, and Proclamations may require Council discussion and action.

 - 4.1. **United Animal Friends, Animal Disaster Preparedness. A presentation by Becky Salazar.** [CAARF request by VM Alen at the February 18, 2014 regular council meeting, and presentation approved by council]

Becky Salazar with United Animal Friends spoke to the council on animal disaster preparedness. United Animal Friends sets up the temporary animal shelters during disasters. Once an evacuation is called animals have to be brought out. She spoke on considerations such as not being home during an evacuation and having a buddy system with neighbors or close friends with pet necessities put together for pet evacuation (food, leash, bowl, water, pets' picture, and special diet/meds). Ms. Salazar answered council questions on United Animal Friends, staging shelters and location of shelters.
 - 4.2. **Poppy Month Proclamation.**

Mayor Nolan proclaimed May as Poppy month, and read the proclamation regarding same.
 - 4.3. **Mental Health Month Proclamation.** [VM Alen requested CAARF]

Vice Mayor Alen read the Mental Health Month proclamation, proclaiming May as Mental Health Month.
 - 4.4. **Presentation by West Yavapai Guidance Clinic – May is Mental Health Awareness Month.** [VM Alen requested CAARF]

Laura Norman with West Yavapai Guidance Clinic and Nancy Divine with Northern Arizona V.A. Healthcare system were in attendance to speak to the council on Mental Health Awareness (WYGC.org for calendar of events). They spoke on a Mental Health Summit with a PTSD focus.
5. **Town Manager's Report.** Update on Current Events.
 - 5.1. **Council Budget Discussion Recap from April 22nd and 29th workshop meetings.**

Town Manager Kimball recapped the last two budget workshops and included a memo

with updated revenues and expenditures. HURF has not been discussed yet; additional \$13k estimated increase, 5.8% increase from prior year. The next budget discussion scheduled for May 13th at 9am will cover HURF revenue expenditures and other undetermined items. Adoption of the tentative budget is scheduled for May 20th, which sets the cap for expenditures. There was discussion on when the full council would vote on those undetermined items and whether to vote on them collectively or individually. Mayor Nolan moved the agenda. Town Manager Kimball responded by saying she understands council's intentions and feels that reviewing it all together is easier to determine how much money they have in the pool to work with.

6. Consent Agenda.

6.1. Minutes. Minutes from the April 1, 2014 Regular meeting and April 8, 2014 Work Session meeting.

Vice Mayor Alen made a motion to approve as presented the minutes from the April 1, 2014 Regular meeting and April 8, 2014 Work Session, seconded by Councilmember Hamilton. It was approved unanimously.

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

Ruth Szanto with Legal Services spoke on a free law clinics in the area in the next two weeks. Ms. Szanto spoke on an increase in business and her willingness to hold a clinic in Dewey-Humboldt.

8. Discussion Agenda – Unfinished Business. Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

8.1. Ordinance 14-105 Ratifying Code Change to 30.017 Compensation, Bond and Financial Disclosure Statement, (A) Council compensation. (CAARF Requested by CM Wright and approved at April 1st meeting). Adopt, deny, postpone, or adopt with modifications.

Town Manager Kimball reviewed the origins of the ordinance. Council's suggested changes were sent to the Town Attorney to develop into this ordinance. The Council's change pertaining to when the compensation goes into effect is prohibited by state law, therefore it was not included in the code change ordinance.

Councilmember Wright made a motion to approve as presented Ordinance 14-105 Ratifying Code Change to 30.017 Compensation, Bond and Financial Disclosure Statement, (A) Council compensation, seconded by Councilmember Hamilton. It was approved by a 6-1 vote in favor, Mayor Nolan voting against.

8.2. Volunteer of the Year Selection and Recognition and next steps. Staff report, Council ratification, and direction on next steps.

Town Manager Kimball gave an overview explaining this program was continued this year and a selection has been made. She was asking for the Council to ratify the decision and wants to know the Council's desire for the next steps (ceremony, etc.).

Council reviewed what they did last year for Volunteer of the Year; discussion was had on the selection and how it was done.

Vice Mayor Alen made a motion to approve ratifying the Volunteer of the year, seconded by Councilmember Williams-Rowe. It was approved by a 4-2 vote in favor, Councilmember Hamilton voting against and Councilmember Wright abstaining from the vote.

Staff was questioned about whether there was a change to last year's procedure to include a Council member in the selection committee.

Council discussed honoring all 7 people nominated for this award by providing all with certificates.

Councilmember Hamilton made a motion have staff contact recipients of awards and find out when they are available to come to a meeting to receive those awards. The motion failed for lack of a second.

Councilmember Repan made a motion to have both the presentation of awards before the council as well as a picnic at a later date, seconded by Vice Mayor Alen.

Town Manager Kimball clarified her understanding of direction given– contact all nominees for their attendance at a council meeting and a picnic. Councilmember Repan clarified the nominees be contacted to make sure they can attend one or the other. There was discussion on the date of the picnic. It will be decided once nominees have provided feedback on good dates for them.

A vote was taken on the motion which passed by a 6-0 vote in favor.

8.3. Revisit policy relating to educational, conference and event reimbursements to council members to clarify what types of these activities will be deemed acceptable. [CAARF requested by VM Alen and continued from February 18th and March 11th Council meetings]

Mayor Nolan recommended putting agenda items 8.3, 9.2 and 9.3 into a study session to discuss all three at the same time. There was discussion on how this would work since they are similar in nature.

Vice Mayor Alen made a motion to move 8.3, 9.2 and 9.3 into a work session to clean this up as a whole, seconded by Councilmember Williams-Rowe.

Councilmember Wright asked for light discussion now to see if there was any consensus on her item. Vice Mayor Alen spoke on her item being written as clarification on one piece of this but that part could be eradicated if large changes were made with 9.2 or 9.3. Mayor Nolan spoke on his CAARF being in direct contradiction to CM Wright's CAARF. There was discussion on previous decisions allowing anyone on Council to attend other meetings and be reimbursed, rather than obtaining Council's prior approval for that reimbursement and wording on CAARF about receiving proof of attendance. Town Manager Kimball explained this could go on the June 10th Work Session. Councilmember Wright suggested they address Mayor Nolan's CAARF at this meeting and put the other two CAARFs' on a future work session.

Councilmember Wright made a motion to approve moving 9.3 to discussion now, seconded by Councilmember Repan. The motion was approved by a 6-0 vote in favor.

Councilmember Repan asked the mover and seconder of the original motion to amend it to include only 8.3 and 9.2 (removing 9.3). The mover and seconder agreed.

A vote was taken on the motion to move 8.3 and 9.2 into a work session to clean up this as a whole. It passed by a 6-0 vote in favor.

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

9.1. Call of Election. Mayor and 3 Council member election in August. [Presented by Town Clerk, Judy Morgan]

Town Clerk Judy Morgan announced the upcoming candidate election, giving details and deadlines. The candidate orientation will be held May 12th at 6:00 p.m. Primary election is

on August 26th, General election is on November 4th. She was asked about the response for candidate packets.

9.2. Discussion and consensus on revising the Town Code on reimbursement for the Town Council (includes Mayor) for travel and/or training expenses. Possible action. [CAARF requested by CM Wright]

Moved to a work session (see agenda item 8.3 for details of that move).

9.3. Discussion and consensus on revising the Town Code on Reimbursement for Council for travel and training expenses. [CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview on his CAARF explaining that notice of meetings come up with no time to get pre-approval to attend; other municipalities allow attendance without pre-approval; constituents elect council members and trust them to make sound decisions.

There was discussion on why and when attendance should be reimbursed and comments about controlling expenditure of monies. Councilmember Wright suggested they require proof of attendance/verification if attending a meeting. Mayor Nolan spoke on attending a meeting at the last minute and the outcome being it helped the town get money for the park.

There was discussion on dis-incorporation of the town; code of ethics, accountability to constituents; current procedure for reporting attendance of a meeting. With no further discussion the Council moved on.

10. Public Hearing Agenda.

None.

11. Comments from the Public.

None.

12. Adjourn.

The meeting was adjourned at 8:30 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL “ULI” STUDY SESSION MEETING MINUTES
MONDAY, MAY 12, 2014, 1:30 P.M.**

A SPECIAL “ULI” STUDY SESSION MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON MONDAY, MAY 12, 2014, AT THE DEWEY-HUMBOLDT TOWN COUNCIL CHAMBERS, 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 1:35 p.m.

2. **Roll Call.**

2.1. Town Council. Town Council Members Jack Hamilton, Dennis Repan; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present. Council members Mark McBrady, Sonya Williams-Rowe and Nancy Wright were absent.

Others attending were: Dee Parker-P&Z Commissioner, Earl Goodwin-interested citizen, Yvonne Kimball-Town Manager, Judy Morgan-Town Clerk

3. **Special Workshop Presentation.** No legal action was taken. ULI facilitators led the presentation of agenda items within this section 3. Special Workshop Presentation portion of the agenda.

3.1. Welcome and Introductions.

Kristin Busby, AICP, Lani Lott, Jim McPherson and Cat Moody were in attendance as the “Facilitators”.

3.1.1. Community Plan Collaborative overview.

Kristin Busby gave an overview on the workshop speaking on membership of the collaborative community plan.

3.1.2. Goals of workshop.

Ms. Busby started the review of the PowerPoint presentation explaining downtowns and economic development; what causes downturns; how to reverse downturns; gave examples of downtowns that have gone through a revitalization.

3.2. Why Preservation is important.

3.2.1. Value to local economies.

Ms. Busby spoke on preservation being important for successful communities and local economies.

3.2.2. Ingredient for thriving communities.

There was discussion on creating thriving economically competitive, resilient communities.

3.3. Preservation Implementation Opportunities.

3.3.1. Preservation planning tools – national, state, local.

Jim McPherson spoke on the partnerships available and how to get things done. National Register – benefits for grants/funding; National Trust for Historic Preservation – provides nationwide leadership, education and advocacy and

resources to save historic places and revitalize communities; Arizona Game and Fish – Heritage Fund; The Arizona We Want – a website that can do a survey of local “wants”.

There were questions on these grant funding and reasons for these programs (community development is a dynamic process).

3.3.2. What’s happening in Arizona?

Cat Moody with the City of Prescott spoke on things Prescott has done to promote historic preservation; benefits of being a Certified Local Government; Prescott’s process for becoming a local overlay historic district; Prescott Home Tour.

3.3.3. Using the Main Street Approach for small business development.

Lani Lott reviewed the four point approach using the toolbox pages from their packet: organization, design, promotion and economic restructuring; how to develop a commercial district that is economically successful (8 principles-public/private partnership, changing attitudes, existing assets, quality, self-help, incremental, comprehensive, implementation based).

3.4. Building on Existing Successes. Guided discussion.

3.4.1. Strengthening economic assets.

Ms. Lott asked the Council for feedback on opportunities to strengthen the town’s economic base/assets. The following were suggested: steakhouse/dancing/bar up on Main Street; different lifestyle of large lots; Mortimer Farms events.

There was discussion on the historic value of the buildings on Main Street and including the property owner on a vision for this area. Attracting visitors through tourism, recreational, historic, equine, etc. opportunities. Use the “Historic” message.

3.4.2. Planning and design.

Ms. Busby spoke next on planning for historic preservation. Council discussed: updating the General Plan; obtaining community input in the visioning process. Ms. Busby spoke on ADOT’s Way-Finding program; design components through Game and Fish for trails opportunities; speakers available to help the town to bring together and polarize the community.

3.4.3. Organization and partnerships.

Partnerships to consider are: Arizona Public Services Co. (APS), Northern Arizona University (NAU), Urban Land Institute (ULI), Arizona Preservation Foundation (APF), Highway 69 Chamber of Commerce, Northern Arizona Council of Governments (NACOG), Central Yavapai Metropolitan Planning Organization (CYMPO), Arizona Department of Transportation (ADOT), Dewey-Humboldt Historical Society and Museum, Lions Club, property owners of historic properties; establishing a regional antique trail with local municipalities, etc. There was discussion on other assistance in this area: Council working together, NAU visioning report, using other local cities and towns as an example.

Public comment was taken.

Earl Goodwin spoke on the town putting the community services district overlapping the historic overlay and the properties being in such need of repair before opening.

Ms. Busby said she could talk with people about this issue if the town is interested.

3.4.4. Promotion and communication.

Ms. Lott spoke on promoting and marketing: marketing the museum to promote to the locals, through the website, publications, walking tour, newsletter, local paper; Mortimer Family Farms; Highway 69 Chamber of Commerce. The Town can create an economic development piece that lists businesses in town and a building inventory, talk with bus companies or tour groups to stop at the library, mine and horse packing tours, equine events, trail riding opportunities.

3.5. What's Next? Guided discussion.

3.5.1. Review potential short-term wins.

3.5.2. Actions and next steps.

Ms. Busby will create an action list to be emailed to the council. Get the visioning report from NAU. There was discussion on the Superfund site and the problems that can create in this promoting process. Other assistance ideas/groups suggested were: Brownfield grants, Community Plan Clearinghouse, Arizona Downtown Alliance, Arizona Preservation Society.

4. Adjourn.

The meeting was adjourned at 4:29 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL STUDY SESSION MINUTES
TUESDAY, JUNE 10, 2014, 2:00 P.M.**

A SPECIAL STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, JUNE 10, 2014, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** The meeting was called to order at 2:03 p.m.

2. **Roll Call.**

2.1. Town Council. Town Council Members Jack Hamilton, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; and Mayor Terry Nolan were present. Vice Mayor Arlene Alen was absent.

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

3.1. Scheduling of special meeting with Town Attorney to discuss Old Black Canyon Highway (direction made at the May 13 budget discussion meeting).

Council agreed to schedule the meeting for the July 8th Work Session at 2:00 p.m. There was brief discussion on why this meeting was being scheduled.

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

4.1. Revisit land donation made by Mr. Paul Manganella and reconsider Resolution No. 14-110 because of numbers of petitions received at Public Comment on June 3 2014. (Mayor Nolan CAARF request) (Resolution 14-110 authorizing and directing the Town Manager and Town Attorney to obtain a legal description, preliminary title report and Phase I Environmental Site Assessment and take necessary actions preparatory to accepting a donation of real property for town park purposes).

Mayor Nolan gave an overview. Councilmember Hamilton gave his opinion on wanting to keep this in a public session.

Councilmember McBrady made a motion to go into Executive Session for this agenda item, seconded by Mayor Nolan. The motion failed by a tie vote, Councilmembers Hamilton, Repan and Wright voting against.

Councilmember Repan spoke on the need to change the General Plan if intending to put in a park.

Mayor Nolan gave an overview explaining the donation of land was with strings attached to make it into a park. He asked Mr. Manganella about the well on the property.

Mr. Manganella spoke on the drainage on the property; a promise from banks to donate for the park; well on the property is 500 feet deep, good drinking water and ½ gallon a minute.

Mayor Nolan asked Mr. Manganella if he was willing to donate the land without the park stipulation. Mr. Manganella explained his general intention if for the property to be made into a park.

Public comment was taken on this item.

Al Moody spoke on his opinion about the donation reasons; asked about a judgment fine extension; drainage on the property; town's expenses if accepting donation; damage

done to asphalt by Mr. Manganella. Mr. Moody asked about who would pay the fines and fees associated with the property and if fines and fees aren't paid it might be considered a bribe. He spoke on the chip seal work and which roads are being paved.

Jerry Piper circulated pictures of the property after the grading was done, to the Council; the legality of the lot; his opposition to the park in that location; okay to place a municipal building on the property; wanting peace and quiet up there.

Councilmember McBrady spoke on being cautious due to concerns with Mr. Manganella's legal issues. Councilmember Hamilton spoke on not wanting a park up in the Blue Hills. There was discussion on CM McBrady's disclosure that he contacted the attorney to talk about this with her. Councilmember Wright spoke on the majority of the public not wanting a park in that location and the General plan not addressing parks, and urged the council to decide now whether they want a park. Councilmember Repan spoke on the overwhelming negative response from neighbors about having a park in the Blue Hills.

Councilmember Repan made a motion to withdraw Resolution 14-110-Preparatory Actions to Accept Donation for Town Park Purposes (9449 E. Newtown Ave.), seconded by Councilmember Hamilton.

Councilmember Hamilton spoke on a possible ethics violation - McBrady contacting the Attorney without proper protocol being followed. Ms. Kimball explained the situation under which this occurred. Councilmember Hamilton withdrew his statement.

A vote was taken on the motion which passed by a 6-0 vote in favor.

4.1.1. Recess into and hold an executive session pursuant to A.R.S. § 38-431.03(A)(7) Discussions or consultations with designated representatives of the public body in order to consider its position and instruct its representatives regarding negotiations for the purchase, sale or lease of real property located at 9449 E. Newtown Avenue (owner address 925 S. Wicklow Place) in Dewey-Humboldt.

Council did go into Executive Session by a vote.

4.1.2. Reconvene into Regular Meeting.

n/a – see above.

4.2. 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.

Council reviewed the meetings scheduled for this month. June 17 at 2:00 p.m. a special budget meeting will be held, a regular meeting on June 17th at 6:30 p.m. for the public hearing on final budget and adoption. Council reached consensus to add a June 24th meeting at the regular meeting time of 6:30 p.m., in order to adopt the budget before the end of the fiscal year.

5. Comments from the Public.

Paul Manganella spoke on the location of the Newtown/PNF Trailhead to the property he is wanting to donate; benefits of donation to the town; who might donate to build the park. Mayor Nolan explained to Mr. Manganella that the council just decided to not accept the donation due to the park stipulation, but he thanked Mr. Manganella for his offer.

6. **Adjourn.** The meeting was adjourned at 2:50 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk

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Town of Dewey-Humboldt

Estimates of Expenses and Notice of Public Hearing and Special Meeting

The Town invites all interested residents to attend the following meetings and public hearings about the Town budget for July 2014 to June 2015. All of the meetings will be held in the Town Council Chambers at 2735 S. Hwy 69, Suite 10, Humboldt, AZ 86329.

3:30 p.m. June 3, 2014	Council Budget Review Meeting
6:30 p.m. June 17, 2014	Council Budget Public Hearing and Final Adoption

These are the estimates from the “tentative” budget, which are likely to change prior to adopting the Final Budget in response to Council and resident discussions.

	EXPENDITURE SUMMARY BY FUNDING SOURCE (REVENUE)				
	GENERAL REVENUES	HURF REVENUES	GRANTS	CASH FUND BALANCE ALL FUNDS	TOTAL
Estimates of Revenues and Expenditures					
Revenues and Available CF Balance	1,505,000	290,537	1,877,000	328,373	4,000,910
Expenditures					
Town Council	174,801				174,801
Magistrate	86,355				86,355
Public Safety	380,238				380,238
Town Clerk	205,975				205,975
Finance	84,685				84,685
Legal & IT Support	48,480				48,480
Cost Over-run Contingency				295,000	295,000
Community Development	217,735				217,735
Public Works & Engineering					
Operational	265,281	92,000			357,281
Capital Expenditures	42,000	231,360	1,877,000		2,150,360
Other					-
Budgeted Expenditures	\$ 1,505,550	\$ 323,360	\$ 1,877,000	\$ 295,000	\$ 4,000,910

A complete copy of the Tentative Budget is available on-line at www.dhaz.gov, at Town Hall, and at the Town Library located at 2735 S. Corral St., Humboldt, AZ 86329. Please give us a call at 928-632-7362 if you have any questions.

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RESOLUTION N^o 14-102

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, COUNTY OF YAVAPAI, ARIZONA, ADOPTING THE DEWEY-HUMBOLDT FY2015 BUDGET; AND PROVIDING FOR AN EFFECTIVE DATE.

Whereas, the Town of Dewey-Humboldt has an important responsibility to its citizens to carefully account for public funds, to manage its finances wisely, and to plan for the adequate funding of services desired by the public, including the provision and maintenance of public facilities; and

Whereas, the Town of Dewey-Humboldt FY2015 Budget (the "Budget") has been developed by the Town of Dewey-Humboldt to deliver quality services in an affordable, efficient and cost-effective basis providing full value for each tax dollar; to maintain an adequate financial base to sustain a sufficient level of municipal services, thereby preserving the quality of life in the Town of Dewey-Humboldt; and to have the ability to withstand local and regional economic fluctuations, to adjust to changes in the service requirements of our community, and to respond to changes in Federal and State priorities and funding as they affect the Town's residents; and

Whereas, the Budget has been carefully reviewed by Council, who believes that it fairly provides for the provision of public goods and services furthering the health, safety, and welfare of the Town's citizens.

Now, Therefore, Be it resolved by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona:

1. The Dewey-Humboldt FY2015 Budget shall be adopted as follows:
 - 1.1. The Budget is hereby adopted as an official Budget of the Town of Dewey-Humboldt for fiscal year 2015 (beginning on July 1, 2014, and ending on June 30, 2015).
 - 1.2. The Budget shall be implemented, monitored, and maintained by the officials and staff of the Town for a period of one year (FY2015) with the support of this resolution.
2. Effective Date. That this resolution shall be effective as of the 1st day of July 2014.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona, this ___ day of June 2014.

Terry Nolan, Mayor

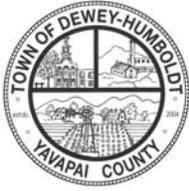
ATTEST:

APPROVED AS TO FORM:

Judy Morgan, Town Clerk

Town Attorney

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

TOWN COUNCIL REGULAR SESSION

June 17, 2014, 6:30 p.m. Town Council Meeting Chambers

Agenda Item # 10.2 Intergovernmental Agreement (IGA) with Yavapai County Building Department for Building Safety Services

To: Mayor and Town Council Members

From: Yvonne Kimball, Town Manager

Date submitted: June 11, 2014

Recommendation: Accept the IGA

Summary:

Beginning July 1, 2014, the Town will conduct Building Safety services in-house. To wit, we will begin to independently interpret the adopted building codes, conducting plan review and inspection services accordingly. We will continue to take in permit applications at town office.

Towards that effort, Council and I had several discussions in the past. We are in the process of hiring a temporary Building Official/Inspector to assist the Town Manager in setting up the "building functions" and conduct inspection services.

For transition, Yavapai County Development Services Department has agreed to complete the cases that have been handled by their personnel. D-H will begin with new requests/permits. County and Town staff also negotiated the IGA so that the County will cover the town on an as-needed basis, such as personnel absence, commercial inspections if the Town's in-house staff is not qualified to handle (our main workload and priority is about residential inspections).

I believe this arrangement offers some ease for mind knowing the operation will be covered should the unexpected or difficulty occur.

**INTERGOVERNMENTAL AGREEMENT
TOWN OF DEWEY-HUMBOLDT/YAVAPAI COUNTY**

Building Safety Support Services

THIS AGREEMENT is entered into this ___ day of _____, 2014, by and between Yavapai County, a political subdivision of the State of Arizona (hereinafter the "County"), and the Town of Dewey-Humboldt, a municipal corporation of Arizona (hereinafter the "Town").

WHEREAS, the County, through its Development Services Department, provides services related to Building Safety Support as needed, in the unincorporated areas of Yavapai County; and

WHEREAS, the Town wishes to enter into an agreement whereby the County will provide certain Building Safety Support Services as needed, within the corporate boundaries of the Town, for the benefit of the Town and its residents; and

WHEREAS, the parties are authorized pursuant to A.R.S. §11-952, to enter into agreements for joint or cooperative action.

NOW, THEREFORE, the parties agree as follows:

1. County Services Provided. The County, through its Development Services Department agrees to provide the following services (the "County Services Provided") to the Town Building Department on an as-needed basis:

- 1.1 Commercial and Residential and building inspections within five (5) business days of request, on average, for inspection, based on Town codes.
- 1.2 Residential plan review within fifteen (15) business days, on average, of submittal of complete plans in proper format, based on Town codes.
- 1.3 Involvement of a Senior Plans Examiner or Chief Building Official in pre-application meetings, but the Town will not have the right to request such attendance more than two (2) times per month.
- 1.4 Involvement of a County plan reviewer on large commercial projects, as needed.
- 1.5 The Yavapai County Building Official will be available, at reasonable and mutually agreed times to provide 'advice and consult' services, including written determinations based on interpretations of the adopted Building Codes, to the Town Building Department in the absence of the Town Building Official, as provided for by Town Code Chapter 7, Article 7-4.

2. Payment for Services. In consideration for the County Services Provided, the Town agrees to pay the fees for the County Services Provided per the County schedule, as revised from time to time and attached hereto as Exhibit A. Payment shall be made monthly by the Town within fifteen (15) calendar days from receipt of a statement of Services Provided by the County.

3. Term of Agreement.

- 3.1 Initial Term and Automatic Renewal. The initial term of this agreement shall commence on **July 1, 2014**, and shall terminate on June 30, 2016. It shall thereafter be deemed automatically renewed for up to five (5) successive one-year terms unless written notice of intent not to renew is given by either party to the other

party no less than one hundred twenty (120) calendar days prior to the expiration of the then-current initial or renewal term.

3.2 Cancellation. Either party may cancel this Agreement for any reason with sixty (60) calendar days' advance notice in writing to the other party.

3.3 Termination for Breach. In the event of a breach of any term or condition of this Agreement by either party, the party claiming breach shall provide written notice to the other party, said notice setting forth the factual basis for the determination that a breach has occurred. If the breach is not remedied within fifteen (15) calendar days of receipt of notice, the party claiming breach may terminate this Agreement without further notice.

4. Miscellaneous.

4.1 Contractor Immigration Warranty.

A. Under the provisions of A.R.S. §41-4401, each party hereby warrants to the other that each party and all of its subcontractors (if any) will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulation that relate to their employees and A.R.S. §23-214(A) (hereinafter "Contractor Immigration Warranty").

B. A Breach of the Contractor Immigration Warranty shall constitute a material breach of this Agreement and shall subject the breaching party to penalties up to and including termination of this Agreement at the sole discretion of the non-breaching party.

C. Each party retains the legal right to inspect the papers of any contractor or subcontractor employee of the other party who works on this Agreement to ensure that the contractor or subcontractor is complying with the Contractor Immigration Warranty. Each party agrees to assist the other party in regard to any such inspections.

D. Each party may, at its sole discretion, conduct random verification of the employment records of the other party and any of its subcontractors to ensure compliance with Contractor's Immigration Warranty. Each party agrees to assist the other party in regard to any random verifications performed.

E. A party will not be considered in material breach of this Agreement or the Contractor Immigration Warranty if the party establishes that it has complied with the employment verification provision prescribed by sections 274A and 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. §23-214(A).

F. The foregoing provisions of subparagraphs A-E of this article must be included in any contract that a party enters into with any and all its subcontractors who provide service under this Agreement or any subcontract.

4.2 Indemnification and Insurance. To the extent permitted by law, each party shall appear, defend, save, hold harmless, and indemnify the other party, its officers, employees, or agents for any liability created in connection with performance by the indemnifying party under this Agreement. Both parties shall obtain and maintain general liability insurance in such amounts as may be required to protect itself and the other party from claims, damages or other losses arising out of performance under this Agreement.

4.3 Severability. The invalidity of any provision of this Agreement as determined by a Court of competent jurisdiction, shall in no way effect the validity of *any* other provision hereof, so long as the original intent of the

parties is not defeated thereby.

- 4.4 Applicable Law. The terms and conditions of this agreement shall be construed and governed in accordance with the laws of the State of Arizona. Venue is proper in Yavapai County Superior Court.
- 4.5 Disputes; Trial by Court. The parties expressly covenant and agree that in the event of a dispute arising from this Agreement, each of the parties hereto waives any right to a trial by jury. In the event of litigation, the parties hereby agree to submit to a trial before the Court.
- 4.6 Disputes; Attorneys' Fees. The parties expressly covenant and agree that in the event of litigation arising from this Agreement, neither party shall be entitled to an award of attorneys' fees, either pursuant to the Agreement, pursuant to A.R.S. 12-341.01(A) and (B), or pursuant to any other state or federal statute.
- 4.7 Entire Agreement. This Intergovernmental Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and it may only be amended, modified or waived by written instrument signed by the authorized agents of the parties hereto.
- 4.8 Notices. Notices relating to this Intergovernmental Agreement shall be deemed to have been duly delivered upon personal delivery, or as of the second business day after mailing by United States mail, postage prepaid, addressed as follows:

Town: Town of Dewey-Humboldt
 Town Manager
 PO Box 69
 Humboldt, AZ 86329

County: Yavapai County
 County Administrator
 1015 Fair Street
 Prescott, AZ 86305

With copy to: Yavapai County
 Development Services Director
 1120 Commerce Drive
 Prescott, AZ 86301

These addresses may be changed by either party by giving notice in writing. Such changes shall be deemed to have been effectively noticed five (5) calendar days after being mailed to each party by the party changing the address.

- 4.9 Recording. This Agreement shall be recorded by the County in the Office of the Yavapai County Recorder upon its proper approval and execution by the authorized representatives of both parties, pursuant to A.R.S. §11-952(G).
- 4.10 Conflict of Interest. This Agreement is subject to the A.R.S. §38-511 pertaining to conflicts of interest, the pertinent provisions of which are incorporated by reference herein.

APPROVALS

YAVAPAI COUNTY

TOWN OF DEWEY-HUMBOLDT

Chip Davis, Chair of the Board of Supervisors

Terry Nolan, Mayor

Date: _____

Date: _____

ATTEST:

ATTEST:

Clerk of the Board

Judy Morgan, Town Clerk

Date: _____

Date: _____

Pursuant to A.R.S. §11-952(D), the foregoing agreement has been reviewed by the undersigned Deputy County Attorney, 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 County of Yavapai.

Pursuant to A.R.S. §11-952(D), 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 under the laws of this State to the Town of Dewey-Humboldt.

County Attorney

Susan Goodwin, Town Attorney

Exhibit A

THE YAVAPAI COUNTY BOARD OF SUPERVISORS DOES HEREBY RESOLVE THAT THESE FEES ARE NECESSARY AND JUSTIFIED FOR THE ENFORCEMENT AND ADMINISTRATION OF THE MODEL CODES AND ORDINANCES GOVERNING GRADING AND CONSTRUCTION WITHIN THIS COUNTY AS PROVIDED BY A.R.S. § 11-251.08.

VALUATION & FEE SCHEDULE

TOTAL VALUATION	FEE
\$1.00 to \$5,000.00	\$100.00
\$5,001.00 to \$25,000.00	\$100.00 for the first \$5,000.00 plus \$12.50 for each additional \$1,000.00, or fraction thereof, to and including \$25,000.00.
\$25,001.00 to \$50,000.00	\$349.75 for the first \$25,000.00 plus \$9.00 for each additional \$1,000.00, or fraction thereof, to and including \$50,000.00.
\$50,001.00 to \$100,000.00	\$574.75 for the first \$50,000.00 plus \$6.25 for each additional \$1,000.00, or fraction thereof, to and including \$100,000.00.
\$100,001.00 to \$500,000.00	\$887.25 for the first \$100,000.00 plus \$5.00 for each additional \$1,000.00, or fraction thereof, to and including \$500,000.00.
\$500,001.00 to \$1,000,000.00	\$2,887.25 for the first \$500,000.00 plus \$4.25 for each additional \$1,000.00, or fraction thereof, to and including \$1,000,000.00
\$1,000,001.00 and up	\$5,012.25 for the first \$1,000,000.00 plus \$2.75 for each additional \$1,000.00, or fraction thereof.

Other Inspections and Fees:

1. Inspections outside of normal business hours.....\$ 100.00 per hour*
2. Re-inspection fees assessed under provisions of Adopted Codes.....\$ 100.00
3. Inspections for which no fee is specifically indicated;\$ 100.00 per hour*
site investigation, courtesy, special inspections
4. Additional plan review required by changes,
Additions or revisions to plans... (minimum charge-one hour).....\$ 50.00 per hour*
5. Use of outside consultants for plan review, building
inspection, or both..... Actual Costs**
6. Fee for Application Extension.....\$ 25.00
7. Fee for Permit Extension.....\$ 25.00
8. Fee for 2nd Permit Extension... (Site Investigation Included).....\$ 50 00
9. Fee for Temporary Certificate of Occupancy.....\$300.00 Residential
.....\$500.00 Commercial

*Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.

**Actual costs include administrative and overhead costs.