

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

**Tuesday, September 18, 2012, 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. **Public Comment will be limited to 3 minutes per person, per agenda item.** 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 David Hiles, Mark McBrady, Dennis Repan, Denise Rogers, Nancy Wright; Vice Mayor John Dibble; 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.

Page 4 **4.1. Possible Interviews and Appointments of Commission and Committee Vacancies.**  
Possible interviews and appointments to the following vacancies: 2 – P & Z, 2 – OSAT and 2 – EIAC.

Page 8 **4.2. POW/MIA Recognition Proclamation.**

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

**6. Consent Agenda.**

Page 9 **6.1. Minutes. Minutes for the September 4, 2012 Regular Council Meeting.**

**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 will be imposed. The audience is asked to please be courteous and silent while others are speaking.

**8. Discussion Agenda – Unfinished Business.** Discussion and Possible Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting. **None.**

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

Pg 17 **9.1. Ratification of On-Call Engineer/Planning Services Selection.** Discussion and possible action.

Pg 19 **9.2. Selection of FY12/13 Pavement Preservation Project Contractor.** Discussion and possible action.

Pg 25 **9.3. FEMA National Flood Insurance Program-Community Rating System Verification Visit.**

Pg 31 **9.4. Release of Privileged Council/Client Memo from Town Attorney regarding Prayers at Council Meetings.** [CAARF CM Repan Request].

Pg 33 **9.5. Discussion and Possible Action on not Paying for the Town Attorney Opinion on Prayer/Invocations at Council Meetings.** [CAARF CM Wright Request].

Pg 35 **9.6. Consideration of Distributing Agendas Electronically and Issuing iPads or Similar Devices to the Mayor and Council.** [CAARF VM Dibble Request].

Pg 59 **9.7. Discussion and Possible Action on having Town Hall Open on Friday Afternoons.** [CAARF CM Wright Request].

Pg 61 **9.8. Discussion and Possible Action on Requiring the Owner of the Humboldt Center to go through the Proper Procedure to Split the Property Prior to Expending any Town Funds on an Appraisal or Title Search.** [CAARF CM Wright Request].

Pg 69 **9.9. 2013 Rural Economic Development Grant Program.** [CAARF Mayor Nolan Request].

## **10. Public Hearing Agenda.**

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**THIS CONCLUDES THE LEGAL ACTION PORTION OF THE AGENDA.**

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**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 limit 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, October 2, 2012, at 6:30 p.m.

Next Planning & Zoning Meeting: Thursday, October 4, 2012, at 6:00 p.m.

Next Town Council Work Session: Tuesday, October 9, 2012, at 2:00 p.m.

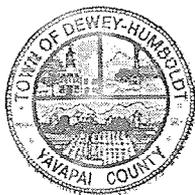
If you would like to receive Town Council agendas via email, please sign up at [AgendaList@dhaz.gov](mailto:AgendaList@dhaz.gov) and type Subscribe in the subject line, or call 928-632-7362 and speak with Judy Morgan, Town Clerk.

**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 \_\_\_\_\_, 2012, 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, Commission, Boards and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

### Personal information:

Name: Dee Parker email: dparker@dhaz.gov

Mailing & Physical Address: \_\_\_\_\_

Retired

Phone Number (please indicate home and work numbers): \_\_\_\_\_

Occupation: \_\_\_\_\_

How long have you lived in Dewey-Humboldt? 2 years. Are you over the age of 18?  Yes  No

Are any of your relatives employed by the Town? Who/Where: No

Emergency Contact: \_\_\_\_\_

Name

Phone

Relationship

Are you presently employed? (Check as many as apply)

Employed full-time  Employed part-time  Unemployed  Retired

Employment experience relevant to the position applied for: \_\_\_\_\_

**Position applied for:** Briefly describe your interest in volunteering for the Town's Council, Boards, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

I would like to be of assistance in the development and growth of our Community.

Growing up, I joined every team I could fit in my schedule both sports and debating, these taught me teamwork and loyalty. Joining even another team, I enlisted in the Army and learned who I am under pressure and leadership. Later I married, sharing and respect were lessons learned. I had a fulfilling career as an Account Executive for Experian in the Western States and held Corporate Seminars, teaching me judgment and integrity.

With these attributes and the education and completion of my BA from ASU, I believe I can bring a particular quality to this Advisory Commission.

5-10-12  
DATE

[Signature]  
SIGNATURE

If you have any questions about this application, please contact the Town Clerk at (928) 632-8562. Please mail the completed application to the Town of Dewey-Humboldt, Town Clerk, P.O. Box 69, Humboldt, AZ, 86329, fax to 928-632-7365, or email to [judymorgan@dhaz.gov](mailto:judymorgan@dhaz.gov).

**Town of Dewey-Humboldt**  
**Council, Boards, Commissions and Committees**

*(Please number in order of preference, 1<sup>st</sup> choice, 2<sup>nd</sup> choice, etc., if applying for more than one position)*

**COUNCIL**- Council serves as the legislative body and primary authority of the Town.

\_\_\_\_\_ *Town Council*

**BOARDS** – Boards are appointed by the Town Council and subject to open meetings law.

\_\_\_\_\_ *Board of Adjustment* – Five resident members that hear appeals by property owners regarding variances and interpretation of staff decisions regarding land use issues. Quasi-judicial, appeals of the Board's decisions are heard by Superior Court.

**COMMISSIONS** – Commissions are appointed by the Town Council and subject to open meetings law.

✓ \_\_\_\_\_ *Planning and Zoning Advisory Commission* – Seven member Commission that hears requests for rezoning, Planned Area Developments; makes recommendations to the Town Council.

**COMMITTEES** – Committees are voluntary and meet at their discretion based on interest and need.

\_\_\_\_\_ *Environmental Issues Advisory Committee* – Provides for the identification, assessment and monitoring of environmental/public health issues of concern to the Town.

\_\_\_\_\_ *Groundwater Resource Advisory Committee* – Provides for the collection of data, information and studies that will assist the Town in being a positive influence in the preservation of its citizens' rights to access groundwater and other appropriate water resources.

\_\_\_\_\_ *Clean Town Committee* – Provides volunteer services to the Town and its citizens in developing programs that address issues of accumulated trash, code enforcement and related concerns.

\_\_\_\_\_ *Open Space & Trails Committee* – Provides volunteer services to the Town for the collection of data, information and studies that will further the implementation of the goals and objectives of the Open Space & Trails Master Plan.

\_\_\_\_\_ *Other Committees as needed.*

For additional information regarding any of the above volunteer groups, please contact Judy Morgan, Town Clerk at 928-632-7362.



# TOWN OF DEWEY-HUMBOLDT

## Town Council, Commission, Boards and Committee Vacancy Application Form

Please complete this application form and thank you for your interest in serving.

**Personal information:**

Name: Aaron Knotts email: i

Mailing & Physical Address:

Phone Number (please indicate home and work numbers) \_\_\_\_\_ Occupation Counselor

Have long have you lived in Dewey-Humboldt? 4 years. Are you over the age of 18?  Yes  No

Are any of your relatives, employed by the Town? Who/Where: NO

Emergency Contact: \_\_\_\_\_  
Name Phone Relationship

Are you presently employed? (Check as many as apply)

Employed full-time  Employed part-time  Unemployed  Retired

Employment experience relevant to the position applied for: \_\_\_\_\_

**Position applied for:** Briefly describe your interest in volunteering for the Town's Council, Boards, Commissions and/or Committees. Describe your experience, education and /or other qualities that you feel would be of value to the Town. You may apply for more than one position. If doing so, please list in order of preference. If needed, you may attach a separate sheet of paper.

I have experience in behavior health for about 26 years  
During my work I worked on committee in raising money  
I also work as a Prison, and Sr. Pastor, setting up  
centers in Prisons. also worked with teens in drug  
community service

5-14-2012  
DATE

[Signature]  
SIGNATURE

If you have any questions about this application, please contact the Town Clerk at (928) 632-8562. Please mail the completed application to the Town of Dewey-Humboldt, Town Clerk, P.O. Box 69, Humboldt, AZ, 86329, fax to 928-632-7365, or email to judymorgan@dhaz.gov.

**Town of Dewey-Humboldt**

**Council, Boards, Commissions and Committees**

*(Please number in order of preference, 1<sup>st</sup> choice, 2<sup>nd</sup> choice, etc., if applying for more than one position)*

**COUNCIL** - serves as the legislative body and primary authority of the Town.

3 Town Council

**BOARDS** - appointed by the Town Council and subject to open meetings law.

         *Board of Adjustment* – Five resident members that hear appeals by property owners regarding variances and interpretation of staff decisions regarding land use issues. Quasi-judicial, appeals of the Board’s decisions are heard by Superior Court.

**COMMISSIONS** - appointed by the Town Council and subject to open meetings law.

         *Planning and Zoning Advisory Commission* – Seven member commission that hears requests for rezonings, planned Area Developments. Makes recommendations to the Town Council.

**COMMITTEES** – entirely voluntary and meet at their discretion based on interest and need.

         *Environmental Issues Advisory Committee* – Provides for the identification, assessment and monitoring of environmental/public health issues of concern to the Town.

         *Groundwater Resource Advisory Committee* – Provides for the collection of data, information and studies that will assist the Town in being a positive influence in the preservation of its citizens rights to access groundwater and other appropriate water resources.

1 *Clean Town Committee* – Provides volunteer services to the Town and its citizens in developing programs that address issues of accumulated trash, code enforcement and related concerns.

2 *Other Committees as needed.*

For additional information regarding any of the above volunteer groups, please contact William Emerson, Town Manager, or Judy Morgan, Town Clerk at 928-632-7362.

# ***POW/MIA Recognition Proclamation***

*WHEREAS, The Town of Dewey-Humboldt calls on the President, Secretary of State, and Secretary of Defense to consistently raise with foreign counterparts the need for increased action to help account for our missing – alive and dead – and return them to the United States; and,*

*WHEREAS, The Town of Dewey-Humboldt commends and endorses the national commitment to account, as fully as possible, for Americans still missing from our nation's wars; and,*

*WHEREAS, Our Nation maintains a solemn commitment to leave no service member behind. Nearly 1,700 Americans are missing from the Vietnam War, approximately 8,000 unaccounted for from the Korean War, 120 from the Cold War, over 78,000 from WWII, 1 MIA in Iraq, and 1 POW in Afghanistan; and,*

*WHEREAS, Their families, friends, and other concerned Americans still must deal with uncertainty concerning their fates; and,*

*WHEREAS, The Obama Administration recently has reinforced its commitment to maintaining POW/MIA accounting as a priority of the United States, though concerns remain about adequate funding and personnel; and,*

*WHEREAS, U.S. Government intelligence and other evidence indicate that most countries in which U.S. losses occurred could provide greater assistance to answer questions about missing Americans; and,*

*WHEREAS, The Town of Dewey-Humboldt calls on Congress to ensure that POW/MIA-related government offices and organizations receive the funding and personnel necessary to accomplish the principled mission of accounting for our missing veterans, thus signaling nations around the world that America stands behind those who serve:*

*Now, Therefore, I, Terry Nolan, Mayor of the Town of Dewey-Humboldt, do hereby declare September 21, 2012, as **POW/MIA Recognition day**, in the Town of Dewey-Humboldt.*

*In Witness Thereof, I have hereunto set my hand this 18th day of September, 2012.*

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*Mayor Terry Nolan  
Town of Dewey-Humboldt*

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*Judy Morgan  
Town Clerk*

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, SEPTEMBER 4, 2012, 6:30PM**

**A REGULAR SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 4, 2012, 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 6:30PM.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Made.
  - 2.2. **Invocation.** Given by Councilmember Wright.
3. **Roll Call.** Town Council Members David Hiles, Dennis Repan, Denise Rogers, Nancy Wright; Vice Mayor John Dibble; and Mayor Terry Nolan were present; Council Member 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.

None.

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

Town Manager Yvonne Kimball mentioned the Humboldt Water System violation notification of exceeding levels of arsenic in the water. She stated the Humboldt Elementary School principal shared his concern and parent's concern with her about this issue and asked what the Town plans to do. Town Manager Kimball stated the water company is a private company and has no affiliation with the Town so there is nothing we can do at this moment. Town Manager Kimball wanted the Council to be aware that the community is concerned about this matter.

6. **Consent Agenda.**

- 6.1. **Minutes.** Minutes from the August 21, 2012 Regular Council meeting.

Councilmember Wright stated she had a slight correction on page 5 about her apology; it was in regards to a statement that Councilmember Wright thought had been made, not a vote.

Councilmember Wright made a motion to accept the minutes as amended, seconded by Vice Mayor Dibble. The motion passed unanimously.

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

Sandra Goodwin spoke in favor of the Town newsletter; it contributes a great deal to the community about what is going on and she thanked the Council.

Jack Hamilton expressed his support for Council training and suggested each Councilmember write down two or three main ideas they learn at training and give to the Town Manager to distribute in order to share as much learned information as possible.

Rose Eitemiller spoke on the Humboldt Water System; the Town should be involved and support the community.

**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. Resolution 12-103 to reflect decisions regarding Humboldt Station Properties.**

Discussion and possible action.

Town Manager Kimball stated this item was previously discussed with the Town Attorney at the August 14th meeting regarding purchasing the Humboldt Station property; the attorney drafted a resolution to review.

Councilmember Rogers spoke against the words eminent domain in the resolution.

Public comment was taken on this item.

Jack Hamilton spoke in favor of the Town looking for a new building and would like to see the resolution expanded to include more properties.

Bob Greene spoke in favor of finding a suitable location for Town Hall but does not support buying the current location; consider leasing property from the Bureau of Land Management or the State for 99 years; consider a Town Hall complex so equipment is stored at same location, saving employee productivity; future needs; current buildings will become a maintenance nightmare in the future; consider a new building.

Earl Goodwin suggested best practice for Towns is never to own its Town Hall; no need to bring private sector business into Town's management structure; future is unknown - future Town Councils, employee count, best location for Town center; not in the business of being landlords; taking a property off the tax rolls means those taxes are shifted to everyone else in town.

Jerry Brady spoke on available funds for community development when the Town has a plan to remediate the Iron King mine site from US Department of Agriculture Rural Economic Development Commission; possible use of the site for a Town Hall and other facilities of that type.

David Nystrom reminded Council that they went down this path already and decided not to purchase this building because it did not make sense and spoke against pursuing a new Town Hall at this time.

Mayor Nolan stated this is for discussion and to look at property, have it appraised, see what it is worth, but not buying anything yet.

Councilmember Wright spoke against the resolution, stating once there is an appraisal the Council will feel obligated to do something. She stated it puts Council in an awkward position because the seller is a Councilmember.

Councilmember Rogers made a motion to remove eminent domain from the resolution, seconded by Vice Mayor Dibble.

Town Manager Kimball stated she could consult the attorney about the wording of the resolution as there may be a reason it is worded as such. There was discussion about eminent domain, Town purchasing requirements and looking at other properties.

Councilmember Hiles made a motion to pass the resolution as it is worded, seconded by Councilmember Repan. The motion failed by a 3-3 vote with Councilmembers Rogers, Wright, and Vice Mayor Dibble voting against, and Councilmember McBrady absent.

Vice Mayor Dibble withdrew his second on the motion to remove eminent domain from the resolution.

**8.2. Discussion of Proposed Joint Council and P&Z Meeting.** Continued from August 21<sup>st</sup> meeting. [CAARF-Request by CM Repan] Discussion and possible action.

Councilmember Repan stated he was looking for specifics as to what will be discussed at the joint meeting with Planning & Zoning regarding the sign code so all can be better prepared for the meeting. He noted at the last Planning & Zoning meeting one of the Commissioners made a suggestion to take the sign code and bring an iteration back to P&Z for review.

Councilmember Wright agreed with Councilmember Repan and stated it is P&Z's job; they have had the sign code for two years and need to finish it; suggested P&Z should meet longer or more than once a month; Council already met jointly with P&Z in April and told them what Council thought was important.

Public comment was taken on this item.

Jack Hamilton spoke on Council not understanding they have an effect on the community and trying to run everything without delegating; lost two members on Planning and Zoning, two members on OSAT, did away with BOA; community is not involved and people leave when they realize their input is not wanted.

Jerry Brady spoke in support of notebook computers for Town Council; ability to make individual recommendations and integrate them into a document, giving concise direction.

Councilmember Repan made a motion to remove the proposed joint meeting from the agenda until Council sees the iteration of what P&Z is currently working on, seconded by Councilmember Wright. The motion passed by a 5-1 vote with Mayor Nolan voting against and Councilmember McBrady absent.

**8.3. Old Black Canyon Highway right-of-way acquisition, ownership and maintenance issues.** "Next Step" discussion and possible action.

Town Manager Kimball state the attorney contacted four companies for the Town and received four quotes, two of which are piecemeal approach, one low and one high bid.

Councilmember Hiles made a motion to go with the lowest bid, seconded by Councilmember Dibble.

There was discussion regarding the specifications that the attorney provided and if the companies knew exactly what the Town was asking for. Town Manager Kimball stated

the attorney's office handled all aspects of this request at their request so they could be consistent. Town Manager Kimball can clarify that information from the attorney.

Public comment was taken on this item.

Jerry Brady spoke on the attorney's recommendation to get a title abstract at a previous meeting; complex ownership history; recommended getting a title abstract.

Bob Greene stated he has obtained all of the records from the Black Canyon Highway Association which is now in the hands of the Dewey-Humboldt Historical Society; the Town might want to borrow them for research.

The motion to go with the lowest bid passed by unanimous vote.

**8.4. Dewey-Humboldt Historical Society Boiler Location Conflict Update.** Discussion and possible action.

Town Manager Kimball spoke on the Dewey-Humboldt Historical Society boiler conflict, stating the third party survey the Town conducted on the Second Street right-of-way showed a 70-foot wide right-of-way instead of a 50-foot wide right-of-way as Staff previously thought; the entire boiler is located on public right-of-way; that property has been using the Town right-of-way for parking. Town Manager Kimball gave three options: 1) remove the boiler completely, but need to deal with the parking issue; 2) enter agreement with the Historical Society; draft license agreement as opposed to lease agreement; Council would have to decide on terms for fencing, parking, access to public utilities, etc.; 3) abandon the right-of-way which Staff does not recommend.

Councilmember Repan inquired about the 30 foot issue under the license agreement and if it would take care of the boiler. Town Manager Kimball confirmed it would.

Vice Mayor Dibble made a motion to go with option 2, the license agreement, seconded by Councilmember Rogers.

Councilmember Wright spoke on her understanding that Staff was supposed to handle this as a code enforcement issue and now it is back in front of Council when staff should be enforcing the code. Town Manager Kimball explained that the survey came back with findings not as expected and thought she should inform the Council since they have expressed support for the Historical Society.

Vice Mayor Dibble spoke in favor of Staff bringing this item back to Council that there was a change in what was originally thought and hopes in the future they will continue to do so; wants an easier process, a friendlier town and has high hopes for the historical museum.

Councilmember Hiles stated option 2 seemed a reasonable resolution and called for a question. The question failed by a 5-1 vote with Councilmember Hiles voting in favor and Councilmember McBrady absent.

Public comment was taken on this item.

Bob Greene spoke on license versus lease agreements.

Rose Eitemiller spoke on parking on the right-of-way was not an issue when it was a church; the Town has more important things to consider such as roads and water.

Jerry Brady spoke on seeing the survey map; established pattern of use at the location; the findings of a title abstract would be surprised.

David Nystrom expressed his appreciation for Council trying to resolve the issue and suggested the Historical Society take the lead in resolving this issue instead.

The motion to go with option 2, the license agreement, passed by a 5-1 vote with Councilmember Wright voting against and Councilmember McBrady absent.

**8.5. Butte Street Park related acquisitions.** Discussion and possible action/direction.

Open Space and Trails Committee Chairperson Sandra Goodwin stated that Council was familiar with this information and the layout of the park as it is not the first time they have seen it. OSAT was able to add two trash cans because of the great prices from Arizona Correctional Industries.

Councilmember Wright asked if the park would be wheelchair accessible. Ms. Goodwin stated the plan is to make it wheelchair accessible; there is handicap parking at one end of the park and when the park is finished there will be a path leading from the handicapped parking through the park.

Councilmember Repan made a motion to direct staff to proceed with the purchase order for park equipment, seconded by Vice Mayor Dibble.

Ms. Goodwin stated the park equipment will be anchored with chains and cemented into the ground to secure them.

Councilmember Rogers asked Ms. Goodwin to let her know the grand opening date by the middle of this month for the Town newsletter.

The motion to direct staff to proceed with the purchase order for park equipment passed unanimously.

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

**9.1. Yavapai County Finance Department Missing Payment Request for Sheriff Services.** Review, discussion and possible action.

Town Manager Kimball stated Yavapai County notified the Town that there was a missing payment in 2010 for services already rendered; Accountant Deni Thompson verified the missing payment in the amount of \$28,702. Town Manager Kimball stated it has to come out of the Contingency Fund due to the dollar amount.

Councilmember Rogers asked how it happened. Town Manager Kimball stated the County just recently found the missing payment. Ms. Thompson located documents from FY09/10 where the process was to pay for service provided at the end of the month. In FY10/11 the agreement changed and the County requested payment ahead of service. With the change in schedule it may have been missed.

Councilmember Repan asked if there was any penalty accrual. Town Manager Kimball replied no.

Councilmember Repan made a motion to pay this item out of the contingency fund, seconded by Councilmember Wright. The motion passed unanimously.

**9.2. Town Housing Rehabilitation Program Issue.** Discussion and possible action.

Town Manager Kimball received a letter regarding a CDBG housing rehabilitation grant funded project; the recipient is no longer in good health and will be moving out of the residence. Town Manager Kimball stated NACOG suggested Staff handle this matter.

There was discussion about Staff handling the matter and NACOG's role in administering the grant.

Councilmember Hiles made a motion to authorize Staff to handle this matter, seconded by Councilmember Repan.

Public comment was taken on this item.

Jerry Brady spoke on fiduciary responsibility to administer the grant; penalties for early release of the property; ADA requirements; appropriate for staff to consult with NACOG.

The motion to authorize Staff to handle this matter passed unanimously.

**9.3. Discussion and possible action on the amount of time allowed for public comment on any agenda item – non-agendized, individual agenda items and public comment.** [CAARF-Request by CM Wright]

Councilmember Wright spoke in favor of public comment but stated 3 minutes should be sufficient for each speaker; one speaker should not have 1 minute and another speaker allowed 5 minutes; time limit should be imposed on every speaker.

Councilmember Rogers spoke in favor of receiving public comment but sometimes it could be briefer and sometimes becomes more of a conversation.

Public comment was taken on this item.

Bob Greene spoke in favor of the 3 minute time limit; take a serious look at the 20 minute total comment time at the end of the meeting; if there are 150 people at the meeting, they cannot all be heard.

Jack Hamilton spoke in favor of the 3 minute time limit; if 150 people want to speak, 20 minute limit should not apply.

Jerry Brady spoke in favor of the 3 minute time limit; enact a new ordinance to change it; Modern Rules of Order has instructions on how to proceed.

David Nystrom spoke on 3 minutes being sufficient time; Council also has email and a mailbox at Town Hall; extend time limit if someone has special or unique information that Council wants to hear or deems useful; Town Council should be diligent about comments being on topic.

There was discussion about the 20 minute time limit. Councilmember Wright stated when citizens have similar comments the group could choose a spokesman to speak for the group.

Councilmember Wright made a motion to limit all public comment to 3 minutes per person, per agenda item, seconded by Councilmember Rogers.

Councilmember Wright amended the motion to remove #7, public comment on non-agendized items, and allow 3 minutes public comment per agenda item per person. The motion failed for lack of a second.

The motion to limit all public comment to 3 minutes per person, per agenda item passed with a 5-1 vote with Mayor Nolan voting against and Councilmember McBrady absent.

**9.4. Discussion and possible action to direct staff to start an index of attorney opinions/issues for the Town.** [CAARF-Request by CM Wright]

Councilmember Wright spoke on correspondence received from the attorney; when a new Council comes in they may have the same questions for which an opinion may have already been paid for by the Town; creating an index to look through would be helpful for Council and Staff.

There was discussion on the logistics of creating an index of correspondence; building prior years' information as well as current and future years; newly-elected Councilmembers able to review previous years' information. Town Manager Kimball stated Staff will be able to produce an index for correspondence since she started; previous years' information will take some research.

Public comment was taken on this item.

Jack Hamilton spoke on the intent of an index is for opinions going forward, to build it for the future.

Bob Greene spoke on wording the motion properly because of counsel/client privilege and the index becoming open to the public.

Jerry Brady spoke on creating an index and it becoming a public record.

Councilmember Repan made a motion to get an opinion from the Town Attorney if an index is something the Town can consider and how to approach it. Councilmember Repan amended the motion to include finding out whether the documents become public record, seconded by Mayor Nolan. The motion passed by a 5-1 vote with Councilmember Hiles voting against and Councilmember McBrady absent.

**9.5. Release of Privileged Council/Client Memo from Town Attorney dated 8/16/12: Medical Marijuana-9<sup>th</sup> Circuit Decision.** [CAARF-Request by CM Repan]

Councilmember Repan stated the privileged Council/Client memo from the Town Attorney on 8/16/12 regarding medical marijuana should go to Planning & Zoning because Council has directed them to look at the medical marijuana issue; it would be beneficial for P&Z and the general public.

Councilmember Repan made a motion to release said memo to the general public and Planning and Zoning, seconded by Councilmember Hiles. The motion passed unanimously.

**10. Public Hearing Agenda.** None.

**11. Comments from the Public.**

Bob Greene recommended Council be very specific when making a motion so Staff has clear direction; simple decisions can mean a more efficiently run town.

Jack Hamilton spoke on the frequency of contacting the attorney, the cost of doing so and impact on the budget.

Jerry Brady spoke on public participation at public meetings.

**12. Adjourn.** The meeting was adjourned at 9:01PM.

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Terry Nolan, Mayor

ATTEST:

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Judy Morgan, Town Clerk



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

---

**TOWN COUNCIL REGULAR MEETING**  
**September 18, 2012- 6:30 pm Town Council Meeting Chambers**

**Agenda Item # 9.1**

**To: Mayor and Town Council Members**  
**From: Yvonne Kimball, Town Manager**

**Recommendation: to ratify on-call engineer /planning services list**

**Date submitted: September 13, 2012**

**Summary:**

At the Council's direction, we advertised for on-call engineering/planning services. 14 firms responded to the request for qualifications.

A selection committee comprised of Ed Hanks, Public Works Supervisor, Barry Smiley (a town resident and an experienced engineer), Jack Hamilton (an active town resident), and Andre Dolhyj (a town resident and a civil engineer) met and went over the proposals. The committee would like to recommend to the Council the following on-call engineering service list (by alphabetic order):

- ~ AZTEC Engineering, Phoenix
- ~ Civiltec Engineering, Prescott
- ~ Shephard Wesnltzer, Inc, Prescott

On behalf of the staff, I thank our volunteers who were involved in the selection committee task. They graciously donated their time, shared their expertise and passion for the Town. They were instrumental in the selection.

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**TOWN COUNCIL REGULAR MEETING**  
**September 18, 2012– 6:30 pm Town Council Meeting Chambers**  
**Agenda Item # 9.2**

**To: Mayor and Town Council Members**  
**From: Yvonne Kimball, Town Manager**

**Recommendation: To award 2012 Pavement Preservation Contract**

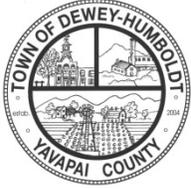
**Date submitted: September 13, 2012**

**Summary:**

The 2012 Pavement Preservation Project was advertised. We received 3 bids. Local contractor Earth Resource Cooperation appears to be the lowest responsible bidder pending upon further review. Earth Resource Cooperation submitted a bid in the total amount of \$23,229.40. Earth Resource Cooperation is also the contractor for the current CDBG project.

The two other bids were in the amounts of \$30,240.60 and \$79,782.25.

\$40,000 was budgeted for this project. Project will begin upon execution of the contract.



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#### Recommended roads for Fog Coating Fall of 2012

- 1) Old Black Canyon Highway –from McCabe to EDD’s Sand Trail –  
.26 Miles/1355LF/3011 SY
- 2) Dewey Road –from Kachina to the Private transition –  
.68 Miles/3570LF/7934 SY
- 3) Kachina Place –from intersection of Horseshoe Lane to Pony Lane –  
.25 Miles/1240LF/2756 SY
- 4) Meadow Road – from Foothills Drive to Dirt transition –  
.6 Miles/3140 LF/6978 SY
- 5) Pony Place –from Kachina Pl. to Horseshoe Ln. –  
.2 Miles/1039LF/2309 SY
- 6) Quarter Horse Ln. –from Foothills Dr. to Sierra Rd. –  
.53 Miles/2803LF/6288 SY

#### Recommended roads for Crack Sealing

- 1) Main Street from Highway 69 to End - .4 Miles
- 2) Old Black Canyon Highway from McCabe to EDD’s Sand Trail – .26 Miles
- 3) Dewey Road from Kachina Pl. to the private transition – .68 miles
- 5) Meadow Road - .6 Miles

# Dewey-Humboldt 2012 Pavement Preservation

## CONTRACT

THIS AGREEMENT, made and entered into this \_\_\_\_ day of \_\_\_\_\_, 2012, by and between \_\_\_\_\_, County of \_\_\_\_\_, and State of Arizona, party of the first part, hereinafter designated the CONTRACTOR, and the Town of DEWEY-HUMBOLDT, a municipal corporation, organized and existing under and by virtue of the State of Arizona, party of the second part, hereinafter designated the OWNER.

WITNESSETH: That the said Contractor, for and in consideration of the sum to be paid him by the said Owner, in the manner and at the time hereinafter provided, and of the other covenants and agreements herein contained, and under the penalties expressed in the bonds provided, hereby agrees, for himself, his heirs, executors, administrators, successors, and assigns as follows:

ARTICLE I—SCOPE OF WORK: The Contractor shall furnish any and all labor, materials, equipment, transportation, utilities, services and facilities required to perform all work for the construction of **Dewey-Humboldt 2012 Pavement Maintenance** and to completely and totally construct the same and install the material therein for the Owner, in a good and workmanlike and substantial manner and to the satisfaction of the Owner through its Engineers and under the direction and supervision of the Engineer, or his properly authorized agents and strictly pursuant to and in conformity with the Plans and Specification prepared by the Engineers for the Owner, and with such modifications of the same and other documents that may be made by the Owner through the Engineer or his properly authorized agents, as provided herein.

ARTICLE II—CONTRACT DOCUMENTS: The Call for Bids, Plans, Standard Specifications and Details, Special Provisions, Addenda, if any, and Proposal, as accepted by the Mayor and Council, Performance Bond, Payment Bond, Certificates of Insurance, and Change Orders, if any, are by this reference made a part of this Contract to the same extent as if set forth herein in full.

ARTICLE III—TIME OF COMPLETION: The Contractor further covenants and agrees at his own proper cost and expense, to do all work as aforesaid for the construction of said improvements and to completely construct the same and install the material therein, as called for by this agreement free and clear of all claims, liens, and charges whatsoever, in the manner and under the conditions specified within the time, or times, stated in the proposal pamphlet.

ARTICLE IV—PAYMENTS: For and in consideration of the faithful performance of the work herein embraced as set forth in the Contract Documents, which are a part hereof and in accordance with the directions of the Owner, through its Engineer, and to his satisfaction, the Owner agrees to pay the said Contractor the amount earned, computed from actual quantities of work performed and accepted or materials furnished at the unit bid price on the Proposal made a part hereof, and to make such payment within forty-five (45) days after final inspection and acceptance of the work.

ARTICLE V—SUDAN AND IRAN: Contractor warrants that it does not have scrutinized business operations in Sudan or Iran, as prohibited by A.R.S. §§ 35-391.06 and 35-393.06, and further acknowledge that any subcontractor who is contracted by Contractor to perform work pursuant to this Agreement shall warrant that they do not have scrutinized business operations in Sudan or Iran.

ARTICLE VI—COMPLIANCE WITH FEDERAL AND STATE LAWS: The Contractor understands and acknowledges the applicability to it of the American with Disabilities Act, the Immigration Reform and Control Act of 1986 and the Drug Free Workplace Act of 1989. The following is only applicable to construction contracts: The Contractor must also comply with A.R.S. § 34-301, "Employment of Aliens on Public Works Prohibited", and A.R.S. §34-302, as amended, "Residence Requirements for Employees."

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

A breach of the Contractor Immigration Warranty shall constitute a material breach of the Contract and shall subject the Contractor to penalties up to and including termination of the Contract at the sole discretion of the City.

The City retains the legal right to inspect the papers of any Contractor or Subcontractors employee who works on this Contract to ensure that Contractor or Subcontractor is complying with the Contractor Immigration Warranty. Contractor agrees to assist the City in regard to any such inspections.

The City may, at its sole discretion, conduct random verification of the employment records of the Contractor and any of its Subcontractors to ensure compliance with the Contractor's Immigration Warranty. Contractor agrees to assist the City in regard to any random verifications performed.

Neither the Contractor nor any of its Subcontractors shall be deemed to have materially breached the Contractor Immigration Warranty if the Contractor or Subcontractor establishes that it has complied with the employment verification provisions 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, Subsection A.

The provisions of the Article must be included in any contract the Contractor enters into with any and all of its Subcontractors who provide services under this Contract or any subcontract. "Services" are defined as furnishing labor, time or effort in the State of Arizona by a contractor or subcontractor. Services include construction or maintenance of any structure, building or transportation facility or improvement to real property.

The Contractor hereby agrees to indemnify and save harmless the Town of DEWEY-HUMBOLDT, and any jurisdiction or agency issuing permits for any work included in the project, their officers, agents, and representatives from all suits, actions, loss, damage, expense, cost, or claims of any character or any nature brought on account of any injuries or damage sustained by any person or property arising out of the work done in fulfillment of the construction of the improvement under the terms of this agreement, or on account of any act or omission by the Contractor or his agents, or from any claims or amounts arising or recovered under Workmen's Compensation laws or any other law, bylaw, ordinance, or order or decree.

Contractor warrants that it does not have scrutinized business operations in Sudan or Iran, as prohibited by A.R.S. §§ 35-391.06 and 35-393.06, and further acknowledge that any subcontractor who is contracted by Contractor to perform work pursuant to this Agreement shall warrant that they do not have scrutinized business operations in Sudan or Iran.

IN WITNESS WHEREOF, four (4) identical counterparts of this contract each of which shall be for all purposes be deemed an original thereof, have been duly executed by the parties herein above named, on the date and year first above written.

The Contractor agrees that this Contract, as awarded, is for the stated work, and understands that payment for the total work will be made on the basis of indicated amount(s), as bid in the Proposal.

ATTEST:

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

\_\_\_\_\_  
(CONTRACTOR—Party of the First Part)

By \_\_\_\_\_  
Name and Title

WITNESS: If Contractor is an Individual

(Corporate Seal)

ATTEST:

Town of DEWEY-HUMBOLDT, a municipal corporation  
(Owner—Party of the Second Part)

\_\_\_\_\_  
\_\_\_\_\_  
Town Clerk

By  
Mayor

APPROVED AS TO FORM:

\_\_\_\_\_  
Town Attorney(s)  
By:

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**TOWN OF DEWEY-HUMBOLDT**  
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**TOWN COUNCIL REGULAR MEETING**  
**September 18, 2012- 6:30 pm Town Council Meeting Chambers**  
**Agenda Item # 9.3**

**To: Mayor and Town Council Members**  
**From: Yvonne Kimball, Town Manager**

**Date submitted: September 12, 2012**

**Summary:**

Yavapai County Flood Control Department requested the Mayor's signature to authorize FEMA's visit for flood insurance program purpose.

Staff recommends Council authorize the Mayor to execute the document on behalf of the Town.

# YAVAPAI COUNTY

## Flood Control District

500 S. Marina Street, Prescott, AZ 86303  
Prescott - (928) 771-3197 Fax: (928) 771-3427



10 S. 6<sup>th</sup> Street, Cottonwood, AZ 86326  
Cottonwood - (928) 639-8151 Fax: (928) 639-8118

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August 1, 2012

Honorable Terry Nolan, Mayor  
Town of Dewey-Humboldt  
PO Box 69  
Humboldt, AZ 86329

Re: FEMA National Flood Insurance Program - Community Rating System (CRS) Verification Visit

Dear Mayor Nolan:

Yavapai County Flood Control District performs floodplain management for the unincorporated areas of the County, and for the Town of Dewey-Humboldt. The residents in your community were receiving CRS credit through Yavapai County, however, since the community incorporated a separate application for your community was prepared by the District and accepted by FEMA in 2007.

Every year since then the District has recertified that it is implementing the activities for which it has earned credit. This process is completed each year with a deadline of October 1<sup>st</sup>.

Also, each community's program is reviewed and verified during a visit to the community by Insurance Services Office Inc. (ISO) hired by FEMA. Cycle verifications are conducted every five years after the original application date for Class 6-9. To keep the verification visits consistent with the other communities the District performs floodplain management, it was decided to complete a verification visit for the Town even though the original application was submitted only three years ago. A cycle verification has been conducted and completed for the Town by the District in 2010.

I have enclosed the CRS Form. Please review and sign the form and RETURN IT TO ME as soon as possible, so that I can complete the verification packet to the ISO/CRS Coordinator. The District would appreciate any input the Town may have for additional information for the CRS program.

May I suggest again, that the Town consider taking over the authority of Floodplain Administrator. Please be assured that should the Town so choose to take over this responsibility, the District, along with the State, would be available to discuss the details and assist in making this a smooth transition.

Please don't hesitate to call Lynn Whitman or me, if you have any questions. Thank you for your cooperation.

Sincerely,  
YAVAPAI COUNTY FLOOD CONTROL DISTRICT

Charles A. Cave, P.E., CFM  
Flood Control District Director, CRS Coordinator

CAC/gs

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

### Section 1. Community Data

If there are any changes or corrections to the information in this section, please line out the old item and write in the correction.

Community: **Dewey-Humboldt, Town of** State: **AZ** NFIP Number: **040061**

Recertification Date: **10/01/2012**

Chief Executive Officer:

Name: **Hon. Terry Nolan** Title: **Mayor**

Address: **2735 S. Highway 69, Suite 10, Dewey-Humboldt, AZ 86320**

CRS Coordinator:

Name: **Mr. Charles Cave** Title: **Director**

Address: **500 South Marina Street, Prescott, AZ 86303**

Coordinator's Phone: **(928) 771-3197** Fax: **(928) 771-3427**

**Email address:** [charles.cave@co.yavapai.az.us](mailto:charles.cave@co.yavapai.az.us)

We are maintaining, to the best of my knowledge and belief, in force all flood insurance policies that have been required of us as a condition of federal financial assistance for insurable buildings owned by us and located in the Special Flood Hazard Area shown on our Flood Insurance Rate Map.

### Section 2. Certification

I hereby certify that this community is continuing to implement the activities noted below as credited under the Community Rating System and described in our original application and subsequent modifications.

Signed: \_\_\_\_\_  
Hon. Terry Nolan, Mayor

Date: \_\_\_\_\_

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

### Section 3. Community Activities

Your community has been verified as receiving CRS credit for the following activities. If your community is still implementing these activities the CRS Coordinator needs to put his or her initials in the blank and attach the appropriate items. The numbers refer to the activity number which is found in the CRS Coordinator's Manual.

- \_\_\_ 310 We are maintaining Elevation Certificates on all new and substantially improved buildings in our Special Flood Hazard Area.
- \_\_\_ 310 **Attached** are copies (maximum 5) of Elevation Certificates for new and substantially improved buildings in our Special Flood Hazard Area completed since October 1, 2011. [\_\_\_ Initial here if there were no new or substantially improved buildings completed since October 1, 2011].
- \_\_\_ 310 We continue to make copies of Elevation Certificates on newer properties available at our present office location. [\_\_\_ Initial here if your office address has changed in the past year. Please provide new address with this form.]
- \_\_\_ 320 We are providing Flood Insurance Rate Map information and information on the flood insurance purchase requirement to inquirers. [\_\_\_ Initial here if the office address or the manner in which requests may be submitted has changed in the last year. Please provide the new office address or manner of submittal with this form.
- \_\_\_ 320 **Attached** is a copy of the document that told lenders, insurance agents, and real estate offices about this service this year, including informing insurance agents about the availability of elevation certificates. [\_\_\_ Initial here if the information is included in your annual outreach project to the community or is part of your community's outreach projects strategy. Mark the attachment to Activity 330 to show where this service is publicized.]
- \_\_\_ 320 **Attached** is a copy of one page of the log, a letter, or other record that we kept on this service this year.
- \_\_\_ 320 We are continuing to keep our FIRM updated and maintain old copies of our FIRM.
- \_\_\_ 330 **Attached** is a copy of one page of the log, a letter, or other record that we kept on this service this year.
- \_\_\_ 330 **Attached** is a description of this year's annual outreach project to floodplain residents.
- \_\_\_ 330 **Attached** is a copy of this year's annual outreach project to the community.
- \_\_\_ 330 **Attached** is a copy of this year's annual outreach project(s) we conducted this year.

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

Dewey-Humboldt, AZ

FEMA #040061

- 340 People looking to purchase floodprone property are being advised of the flood hazard through our credited hazard disclosure measures.
- 350 Our public library continues to maintain flood protection materials.
- 360 We continue to provide flood protection assistance to inquirers.
- 360 **Attached** is a copy of the document that told others about this service this year. [ Initial here if the information is included in your annual outreach project to the community or to the flood plain properties. Mark the attachment to Activity 330 to show where this service is publicized.]
- 360 **Attached** is a copy of one page of the log, a letter, or other record that we kept on this service this year.
- 410 We continue to use our additional regulatory flood data before a new development can proceed in our floodplain.
- 430 We continue to enforce the floodplain management provisions of our zoning, subdivision and building code ordinances for which we are receiving credit. [ Initial here if you have amended your floodplain regulations. Attach a copy of the amendment.
- 430 We continue to enforce our zoning ordinance in the credited low-density zones and/or areas of our community receiving credit for land development criteria. [ Initial here if you have changed the allowable density of development in any of your zoning districts, rezoned parcels in the floodplain or changed your land development criteria. Attach a copy of the amendment.
- 440 We continue to use and update our digitized mapping system.
- 440 We continue to use and update our digitized parcel record system.
- 440 We continue to maintain our elevation reference marks.
- 440 We continue to maintain our erosion data maintenance system.
- 450 We continue to enforce the stormwater management provisions of our zoning, subdivision and building code ordinances for new developments in the watershed. [ Initial here if you have amended your stormwater management regulations. Attach a copy of the amendment.]
- 450 We continue to enforce the requirement that all new buildings outside the SFHA must be elevated above the street or otherwise protected from drainage problems.

## COMMUNITY RATING SYSTEM ANNUAL RECERTIFICATION

Dewey-Humboldt, AZ

FEMA #040061

- 510 **Attached** is a copy of our floodplain management plan's annual progress report.
- 510 We have provided copies of this progress report to our governing board, local media, and the state NFIP Coordinating office.
- 540 We continue to implement our drainage system maintenance program.
- 540 **Attached** is a copy of a typical inspection report and a copy of the record that shows that any needed maintenance was performed.
- 540 We continue to implement our Capital Improvement Projects program to improve drainage or correct drainage problems.
- 610 We have maintained and tested our flood threat recognition system.
- 610 **Attached** is a report evaluating how our flood warning program worked during the flood(s) we had this year. [ Initial here if your community did not have a flood that qualifies for evaluating the program (i.e., a flood that damaged more than 10 buildings, caused more than \$50,000 in property damage, or caused the death of one or more persons.)]
- 610 **Attached** is a copy of this year's outreach document that told people about the flood warnings and safety measures. [ Initial here if the information is included in your annual outreach project to the community or to flood plain properties. Mark the attachment to Activity 330 to show where the flood warnings and safety measures are explained.]



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**COUNCIL AGENDA ACTION REQUEST FORM**

**Meeting Type:**  Regular  Special  Work Session

**Meeting Date:** September 18, 2012

**Date of Request:** September 7, 2012

**Type of Action:**  Routine/Consent  Regular

**Requesting:**  Action  Report Only

**Agenda Item Text (a brief description for placement on the agenda; please be exact):**  
Discussion and possible action on not paying for the Town Attorney opinion on  
prayer/invocations at Council meetings.

**Purpose and Background Information (Detail of requested action).** It is my understanding that this opinion was not requested by the Town and the information is not for the 9th District Court. It should have been handled, if the attorney thought it necessary, gratis by a phone call to the Town Manager giving her a "heads-up".

**Staff Recommendation(s):** \_\_\_\_\_

**Budgeted Amount:** \_\_\_\_\_

**List All Attachments:** \_\_\_\_\_

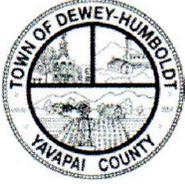
**Type of Presentation:** Oral

**Special Equipment needed:**  Laptop  Remote Microphone  
 Overhead Projector  Other: \_\_\_\_\_

**Contact Person:** CM Wright

**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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**Phone 928-632-8562 • Fax 928-632-7365**

**COUNCIL AGENDA ACTION REQUEST FORM**

**Meeting Type:**  Regular  Special  Work Session

**Meeting Date:** proposed for September 18, 2012 - at town managers discretion

**Date of Request:** September 9, 2012

**Type of Action:**  Routine/Consent  Regular

**Requesting:**  Action  Report Only

**Agenda Item Text (a brief description for placement on the agenda; please be exact):**  
Consideration of distributing agendas electronically and issuing iPads or similar devices to the Mayor and Council.

**Purpose and Background Information (Detail of requested action).** Many Towns are going paperless either with iPads or are converting from lap tops to iPads  
There have been few complaints, if any, and many benefits in staff time copying, less paper used and less wear and tear on the equipment decreasing breakdowns

**Staff Recommendation(s):** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Budgeted Amount:** \_\_\_\_\_

**List All Attachments:** maricopa.ppt and cottonwood.ppt (in case desired)

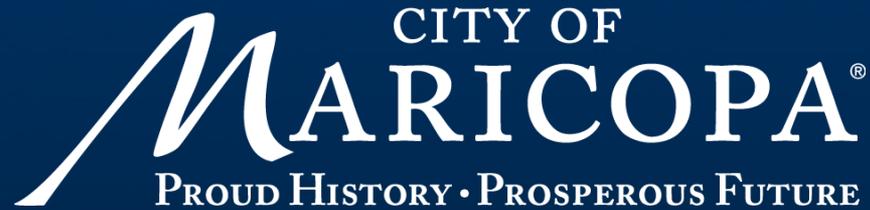
**Type of Presentation:** \_\_\_\_\_

**Special Equipment needed:**  Laptop  Remote Microphone  
 Overhead Projector  Other: \_\_\_\_\_

**Contact Person:** CM John Dibble

**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.**

S:\FORMS1\Council Action Request Form Template.docx



# **Councils Going Paperless: The Pros and Cons of Electronic Agendas**

Vanessa Bueras, City Clerk



# History

- The City of Maricopa incorporated on October 15, 2003
- By July 1, 2004 staff was making 12 copies of a 200 page council packet, on average
- By July 1, 2007 staff was making 24 copies of a 350 page council packet, on average
- By early 2008, staff was spending approximately 12 hours copying and compiling packets



# Timeline

- **April 25, 2008:** The City Council approved the use of the Granicus solution as sole source provider. Shortly thereafter the City Council all received laptops so they would be able to review their packet before and during Council meetings
- **September 2, 2008:** First City Council meeting where the Granicus solution was used
- **January 2012:** Began using the Legistar solution and moved to using iPads



# Benefits

- Savings in paper and equipment usage
- General public sees the same information that the City Council/Staff sees
- Reduces the amount of Public Record Requests for staff reports, contracts, resolutions, ordinances, etc.
- Meetings are video taped and readily accessible on our website
- City Council lugs around an iPad as opposed to a huge binder that is heavy and bulky



# Granicus-Legistar Solution

- Agenda Management
- Meeting Management
- Management of Boards and Committees Information
- Records Request and Research
- System Administrators limiting the need to contact Granicus for Admin Changes



Edit

# Agendas

Transportation Committee on 2012-08-15 6:00 PM	8/15/12 6:00 PM
Planning & Zoning Commission on 2012-08-13 6:00 PM	8/13/12 6:00 PM
Heritage District Citizen Advisory Committee on 2012-08-09 6:00 PM	8/9/12 6:00 PM
City Council Regular Meeting on 2012-08-07 7:00 PM	8/7/12 7:00 PM
City Council Work Session on 2012-08-07 6:00 PM	8/7/12 6:00 PM
City Council Regular Meeting	7/17/12 7:00 PM
City Council Regular Meeting on 06/19/2012 7:00 PM	6/19/12 7:00 PM
City Council Regular Meeting on 05/15/2012 7:00 PM	5/15/12 7:00 PM
City Council Work Session on 05/15/2012 6:00 PM	5/15/12 6:00 PM
Heritage District Citizen Advisory Committee on 05/10/2012 6:00 PM	5/10/12 6:00 PM



Updated 8/16/12 10:57 AM



Agendas



Bookmarks



Notes



Videos



1. Call to Order

2. Roll Call

3. Proclamations, Acknowledgements and Awards

3.1 PRES 12-058 The Mayor and City Council shall hear the Maricopa Operation Welcome Home presentation.



3.2 PRES 12-060 The Mayor and City Council shall hear a presentation on a grant award from the Pinal County Attorney's Office for the Maricopa in Motion, mobile recreation program.



4. Report from the Mayor

5. Report from the City Manager

6. Call to the Public

7. Minutes

7.1 MIN 12-066 Approval of Minutes from the July 17, 2012 City Council Work Session.



7.2 MIN 12-067 Approval of Minutes from the July 17, 2012 City Council Regular Meeting.



Updated 8/7/12 4:56 PM



Agendas



Bookmarks



Notes



Videos



### Item Details

Item Title

10.5 SPR 12-08 The Mayor and City Council shall discuss and possibly take action on approval of Site Plan Review Case #SPR12-08, the site plan for the proposed Donald N. Pearce Fire Station. Discussion and Action.

Recommended Action:

[Empty text box for Recommended Action]

Department:

[Empty text box for Department]

My Notes

[Large yellow highlighted area for My Notes]

Attachments

-  Exhibit A Narrative
-  Exhibit B Site Plan
-  Exhibit C Landscape Plan
-  Exhibit D (1 of 2) Photometric Plan
-  Exhibit E Elevations
-  Exhibit F Traffic Impact Statement
-  Exhibit G PNZ Actions

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12 records Group Export

Name	Meeting Date	Meeting Time	Meeting Location	Meeting Details	Agenda	Minutes	Video
<a href="#">Merit Board</a>	8/28/2012	5:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">Budget, Finance and Operations Council Subcommittee</a>	8/23/2012	2:00 PM	City Hall	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">City Council Regular Meeting</a>	8/21/2012	7:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">City Council Work Session</a>	8/21/2012	6:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">Board of Adjustment</a>	8/21/2012	4:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">Transportation Committee</a>	8/15/2012	6:00 PM	City Hall	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	<a href="#">Minutes</a>	Not available
<a href="#">Youth Council</a>	8/14/2012	6:00 PM	Maricopa Public Library	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">Planning &amp; Zoning Commission</a>	8/13/2012	6:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	<a href="#">Minutes</a>	Not available
<a href="#">Heritage District Citizen Advisory Committee</a>	8/9/2012	6:00 PM	City Hall	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available
<a href="#">City Council Regular Meeting</a>	8/7/2012	7:00 PM	MUSD Board Room	<a href="#">Meeting details</a>	<a href="#">Agenda</a>	Not available	Not available





Please note: this meeting's minutes have not been finalized yet. Actions taken on legislation and their results are not available.

Details

Name: [City Council Regular Meeting](#) Agenda status: Final

Meeting date/time: 8/7/2012 7:00 PM Minutes status: Draft

Meeting location: MUSD Board Room

Published agenda: [Agenda](#) Published minutes: Not available

Meeting video: [Video](#)

Meeting Items (26)

26 records Group Export Show: Legislation only

File #	Ver.	Agenda #	Name	Type	Title	Action	Result	Action Details	Video
<a href="#">PRES 12-058</a>	1	3.1	Operation Welcome Home	Presentation	The Mayor and City Council shall hear the Maricopa Operation Welcome Home presentation.			Not available	Not available
<a href="#">PRES 12-060</a>	2	3.2	Pinal County Attorney Grant Award	Presentation	The Mayor and City Council shall hear a presentation on a grant award from the Pinal County Attorney's Office for the Maricopa in Motion, mobile recreation program.			Not available	Not available
<a href="#">MIN 12-066</a>	1	7.1	Minutes	Minutes	Approval of Minutes from the July 17, 2012 City Council Work Session.			Not available	Not available
<a href="#">MIN 12-067</a>	1	7.2	Minutes	Minutes	Approval of Minutes from the July 17, 2012 City Council Regular Meeting.			Not available	Not available
<a href="#">PH 12-015</a>	1	8.1	Public Hearing - Taft Ave	Public Hearing	The Mayor and City Council shall hear public comment regarding a request to abandon the public hearing from the City Council.			Not available	Not available



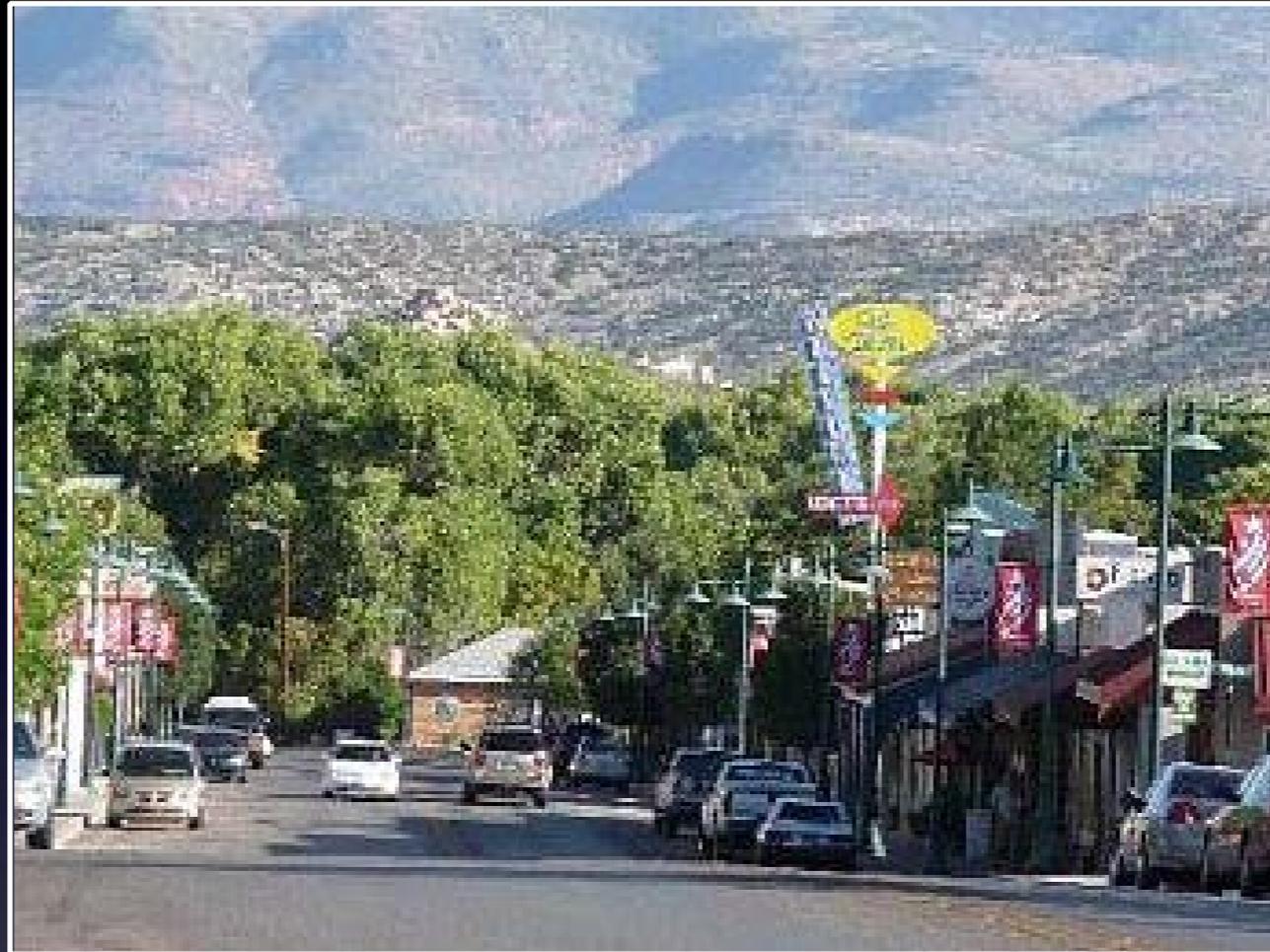
# Financial Impact

- Basic Granicus Solution: \$15,500/year
- Legistar: \$4,500/year
- iPads: \$500 each
- App for iPad: Free



# Questions?





# Taking your Council Paperless

Matthew McLean, Deputy Clerk  
City of Cottonwood

# How we got here.

Brief history of the project

# Why we went with the iPad

- Portability
- Ease of use
- Does just about everything



# Some of the programs we use

- Packets are done in PDF format
- iAnnotate on the iPad
- We are in the process of implementing an agenda automation program
- Use of the "cloud"

# Pros to having a paperless agenda packets

- Less Paper
- Easier to find things
- Better tracking systems available



# Cons to having a paperless agenda

- Less paper
- Future compatibility
- Historical records can only be stored paper



# Process involved in taking agendas paperless

- Talk with other council members to find out what they like
- Try out different products and software
- You don't have to do it all at once

# Pick the right one for you

- Tablet versus Laptop versus Desktop
- Apple vs. Microsoft vs. Android
- Not everyone likes technology



And yes, this  
presentation was  
made on an iPad

Thank you



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**TOWN OF DEWEY-HUMBOLDT  
COUNCIL AGENDA ACTION REQUEST FORM**

**Meeting Type:** Regular

**Meeting Date:** September 18, 2012

**Date of Request:** September 11, 2012

**Type of Action:** Regular

**Requesting:** Action

**Agenda Item Text (a brief description for placement on the agenda; please be exact):**

Discussion and action on requiring the owner of the Humboldt Center to go through the proper procedure to split the property prior to expending any Town funds on an appraisal or title search.

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

According to the Yavapai County website the Humboldt Center property is in one parcel (402-08-079B). If this is the case, in order to get a proper appraisal and title search the property would first need to be split so the Town will know what portion they are purchasing. The first thing prior to expending taxpayer funds for an appraisal or title search would be to see if the lender will all the split. To do this the property owner needs to follow Town Code 152 to split the parcel (See attached). **The following questions need to be answered:**

1. Will the mortgage lender allow the split to take place?
2. If the mortgage is for the entire parcel, should not the Council have documentation first that the lender will allow the split before expending taxpayer funds? The lenders for the Kachina land owners would not even allow a swap without threatening to call the mortgage.
3. Is the document from Yavapai County showing there is but one parcel (402-08-079B) for the whole of Humboldt Center correct and the latest and most accurate representation of the property? If not, where is that document?
4. Has the property to be split been surveyed by a licensed land surveyor to show what the Town wishes to purchase?
5. If a lot spit is required before a purchased is allowed, is Council going to enforce the code on a fellow Councilmember the same as they would for a citizen?

**Staff Recommendation(s):** Unknown

**Budgeted Amount:** Unknown

**List All Attachments:** Yavapai County parcel document and Town Code.

**Type of Presentation:** Oral

**Special Equipment needed:** Overhead Projector

**Contact Person:** CM N Wright

**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.**

Date: September 11, 2012

To: Town Council

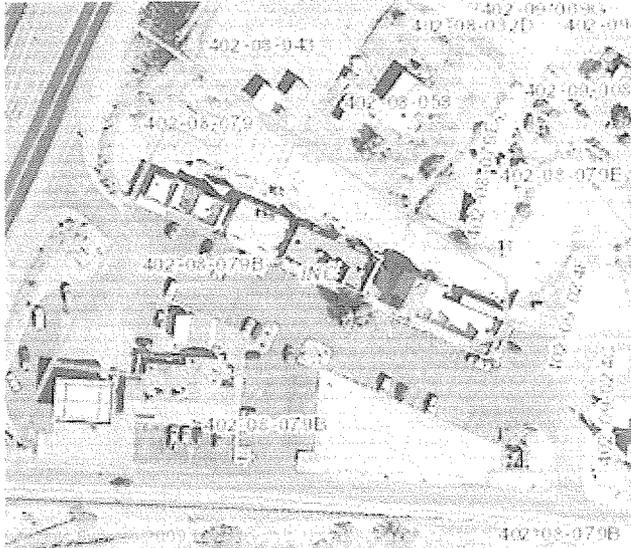
From: CM N Wright

Subj: Agenda Item

After Council voted to approve Resolution 12-103, Councilperson Rogers whether we needed to specify the parcels that needed to be appraised. The Mayor felt it was not necessary as they would know which ones.

The documentation the Council received has always indicated multiple parcels for Humboldt Station. I then went online to see what parcels covered the area the Town might wish to purchase. When I put in the parcel numbers listed on the documentation I could get no results. This was because several parcels were combined to make up the Humboldt Center. I was then able to find the parcel number for it.

Because, I believe, Council thought the property was already split I am requesting this item be placed on the agenda. It seems to me that before we spend taxpayer's money for an appraisal or title search we need to know the bank will allow the split. I know the owner had difficulty refinancing prior to a new lease as the lender wanted to have a new lease in place first. I assume the whole parcel is mortgaged so it would seem the first step is to make sure it can be split before considering doing an appraisal.

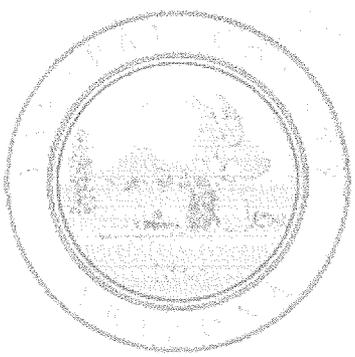


**Parcel ID** 402-08-079B  
**Check Digit** 5  
**Owner** HUMBOLDT STATION INC  
**Owner's Mailing Address** PO BOX 815 HUMBOLDT, AZ 86329  
**Secondary Owner** N/A  
**Recorded Date** N/A  
**Last Transfer Doc Docket** N/A  
**Last Transfer Doc Page** N/A  
**Physical Address** 2735 S State Route 69  
**Incorporated Area** Town of Dewey-Humboldt

**Assessor Acres** 0.97  
**School District** Humboldt Unified SD #22  
**Improvements (8)**  
**Type:** Commercial Yard Improvements  
**Floor area:** 1  
**Effective/constructed:** 2004  
**Type:** Mini-Mart Convenience Stores  
**Floor area:** 1924  
**Effective/constructed:** 1989  
**Type:** Office Building  
**Floor area:** 3308  
**Effective/constructed:** 2001  
**Type:** Office Building  
**Floor area:** 1024  
**Effective/constructed:** 1994  
**Type:** Barber/Beauty Shop  
**Floor area:** 512  
**Effective/constructed:** 1994  
**Type:** Neighborhood Shopping Center  
**Floor area:** 1632  
**Effective/constructed:** 2002  
**Type:** Neighborhood Shopping Center  
**Floor area:** 2520  
**Effective/constructed:** 1999  
**Type:** Restaurant  
**Floor area:** 1929  
**Effective/constructed:** 1992

**Subdivision**  (Recorded Docs) N/A  
**Subdivision Type** N  
**Fire District** Central Yavapai FD  
**County Zoning Violation** No Zoning Violation

<b>Assessment</b>	
<b>2013 Full Cash Value</b>	<b>2012 Full Cash Value</b>
\$645,830	\$830,891
<b>2013 Limited Value</b>	<b>2012 Limited Value</b>
\$645,830	\$830,891
<b>2013 Assessment Ratio</b>	<b>2012 Assessment Ratio</b>



18.3

**2013 Legal Class**

Mixed

**2013 Net Assessed Full Cash Value**

\$118,377

**2013 Net Assessed Limited Value**

\$118,377

**Taxes**

**Tax Area Code**

2280



**Recent Sale Date**

1951-01-01

**Deed Type**

UNKNOWN

**Sale Docket**

N/A

**Sale Page**

N/A

19.1

**2012 Legal Class**

Mixed

**2012 Net Assessed Full Cash Value**

\$158,357

**2012 Net Assessed Limited Value**

\$158,357

**2011 Taxes Billed**

\$19,321

**Sale Amount**

N/A

**Disclaimer:** New Assessor Data is now being displayed as the County has successfully transferred into a new system. Any parcel information on this website that is not yet entered into the New Assessor system yet will not have parcel information. Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

**§ 152.02 DEFINITIONS.**

For the purpose of this chapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**LAND SPLIT.** The division of improved or unimproved land whose area is two and one-half acres or less into two or three tracts or parcels of land for the purpose of sale or lease where no new street is involved.

**§ 152.03 CLASSIFICATION OF LAND SPLITS AND SUBDIVISIONS.**

(A) *Land split.*

(1) Land split creating not more than three parcels and where no new street is involved.

(2) Requirements and processing. Proposed land splits shall require a pre-application conference (§ 152.04), documentation of land division history, review of preliminary documents, final application submittal and all documents and filing fees required in accordance with § 152.05.

(d) The chart and notes below summarize the procedures and requirements of the various types of land splits, divisions and subdivisions. Procedural steps are described fully in the following sections.

Requirements for the town	Pre-App Mtg	Application and fee	Plan and Division history	Record of survey	Sketch Plan - staff	Water Certificate	Preliminary Plat		Final Plat	
							Plan'g Comm	Council	Plan'g Comm	Council
Land Split - area <2.5 acres into 3 or less parcels	X	X	X	X						

**§ 152.04 PRE-APPLICATION CONFERENCE.**

(A) A pre-application meeting with Community Development Department staff is required as part of any application submittal for a land split or subdivision. This meeting is intended to review the initial proposal prior to preparation of final applications or sketch plans while the proposed land split or subdivision is still in conceptual form. The meeting is also intended to

provide the appropriate information to an applicant regarding, but not limited to, conformance with zoning requirements, subdivision classification and regulations, the purpose of these regulations and the town's general plan or specific area plans, considerations for access, floodplains and drainage areas, water and septic systems. During the meeting, staff will also provide advice and assistance regarding filing procedures, improvements required, and subdivision and street design considerations.

(B) The applicant should have conceptual-type drawings and documents showing the proposed land split, proposed access, and as applicable, the lot/street layout, topography, and drainage issues. The purpose of the pre-application meeting is to provide preliminary identification of potential issues. Concerns set forth in this pre-application meeting shall be addressed in the plat or final application submittal. The pre-application conference is not intended as a complete analysis. Attendance of the applicant's engineer and/or development team is strongly encouraged but not required. The applicant is required to contact a staff member to set up an appointment.

#### § 152.05 LAND SPLITS AND LARGE LAND DIVISION PROCEDURE.

(A) *Preliminary processing.*

(1) Proposed land splits and large land divisions shall require a pre-application conference (see § 152.04), at which the property owner and department shall discuss the proposal, regulations and options for further consideration of proceeding with a land split application described below.

(2) Application, together with filing fees, and the following documents shall be filed by the applicant.

(a) Legal description and assessors parcel number.

(b) A land split or large land division drawing showing the proposed land split or division, fully dimensioned and prepared at a scale which maintains legibility, showing the following information:

1. The boundaries of the original parcel prior to the land split.
2. Proposed parcels, with parcel lines fully dimensioned.
3. The rights-of-way adjacent to or within the property, including streets and recorded easements and proposed easements to be recorded for ingress/egress and utilities.
4. The locations and dimensions of any existing structures with setbacks of existing buildings and structures from existing and proposed property lines.
5. The placement of existing wells and septic systems.

(c) Documentation of the land division history of the parcel. Documentation may consist of assessor's maps and records, deeds, title history search, or any other information that would credibly show the number of land divisions that have occurred from the original parcel since July 1, 2005.

(d) If applicable, a copy of any easement and/or required agreement, or other legal document which permits shared facilities.

(B) *Review of preliminary documents.* The documents submitted noted above in preliminary processing shall be reviewed by the department for the following, which could result in the denial of the land split:

(1) The parcels resulting from the split or division not conforming to size, width/depth requirements and other zoning regulations;

(2) A parcel or adjacent property becoming landlocked, without legal access; and/or

(3) The division of land, based on the documentation of its land division history, would result in a subdivision as defined in § 153.005 (i.e. four or more parcels)

(C) *Final application submittal.* Upon satisfactory review and determination by the Department and prior to final approval and recording, the property owner shall submit:

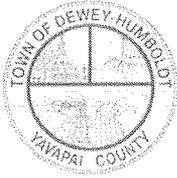
(1) A completed application, filing and recording fees; and

(2) A record of survey of the proposed land split or large land division produced by a registered land surveyor (RLS) licensed in the State of Arizona; the record of survey shall be sealed and signed by the RLS and contain the boundaries of the original parcel prior to the land split or large land division, the proposed parcels with parcel lines fully dimensioned, and the rights-of-way adjacent to or within the property, including streets and recorded easements and proposed easements to be recorded for ingress/egress and utilities;

(3) The record of survey shall contain the recording data (book and page numbers) of the access easements for ingress and egress, existing or proposed for creation of the land split or large land division; such easements shall meet the standards specified in § 152.09 Subdivision and Street Design Standards. Note: the recorded access easement shall contain a provision for the construction of the roadway within the access easement and its maintenance by the property owner until such time as the town may accept the roadway easement, after inspection finding that the roadway has been built to town design standards.

(4) The record of survey for a large land division shall contain a statement indicating that such created parcels or lots may not be further divided or split without complying with requirements of the subdivision regulations of the town. Such statement shall be included in the deed of title to each parcel or lot.

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

**COUNCIL AGENDA ACTION REQUEST FORM**

Meeting Type:  Regular     Special     Work Session

Meeting Date: Sept 18, 2012

Date of Request: Sept 13 - 2012

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):**

2013 Rural Economic Dev. Grant prog

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

Topic in Motimer's application again

**Staff Recommendation(s):**

Budgeted Amount: N/A

List All Attachments: N/A

Type of Presentation: verbal

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.**