

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
TUESDAY, NOVEMBER 18, 2014, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, NOVEMBER 18, 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, Mark McBrady, Dennis Repan, Sonya Williams-Rowe, Nancy Wright; Vice Mayor Arlene Alen; and Mayor Terry Nolan were present.
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.
 - 5.1. **Town's 10th Anniversary of Incorporation gathering on December 2nd, 2014 reminder.**

Town Manager Kimball gave an overview explaining the event would be held on December 2nd at 4:00 p.m. and each Councilmember has been assigned a simple task.

Councilmember Wright found a correction to be made to the vision statement in the trifold. It will be corrected.
 - 5.2. **2015 Holiday Schedule and scheduled meeting dates.**

TM Kimball explained there are no scheduled meetings in conflict with 2015 holidays.
6. **Consent Agenda.** None.
7. **Comments from the Public (on non-agendized items only).**

Jerry Brady spoke on historical issues; ethics complaints under Arizona law; reading the annotated edition, not just the A.R.S.; not naming the individual in the complaint until the procedure is complete.
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. **Revised Service contract with Abacus Project Management Inc. for a Space Assessment Study for future Town Hall considerations.** Award or decline the contract. (Continued from October 7 council meeting)

TM Kimball gave an overview: At the October 7th meeting it was discussed and Council

directed staff to renegotiate the scope of work. The contractor has reduced the scope of work accordingly and the price has been lowered. The difference between the first version and this second version is the elevation study was removed in the second contract and the 3D study was reduced from 10 to 3 hours.

Councilmember Hamilton made a motion to accept the original assessment study contract for the original scope of work, but if they can't do that, accept the second contract with a reduced scope of work, seconded by CM Wright. The motion passed by a (6-0-1) vote in favor, Councilmember McBrady recusing himself from the vote.

Town Manager Kimball explained the study will be designed to reflect the needs of the Town for the next 5-10 years. Council should decide how much involvement they wish to have in the "stakeholder" meetings. The police station and library will be discussed and if each council member has something they would like considered during the study, email Ms. Kimball so she can provide it to the contractor.

8.2. Resolution 14-114 authorizing the acquisition by donation of certain real property in the Town and authorizing and directing the Mayor, Town Manager and Town Attorney to acquire title to such property located at 12938 E. Main Street, Dewey-Humboldt (continued from the June 3, October 7 and November 4, 2014 meetings; direction to accept made at the November 4, 2014 Council meeting).

Councilmember McBrady commented on the environmental study; historic uses of the property and surrounding properties and his concern for environmental issues; asked if the town would be financially responsible if a clean-up was required of the property.

Councilmember Hamilton made a motion to accept Resolution 14-114 authorizing the acquisition by donation of certain real property in Town and authorizing and directing the Mayor, Town Manager and Town Attorney to acquire title to such property located at 12938 E. Main Street, Dewey-Humboldt. The motion was seconded by Councilmember Williams-Rowe.

Public comment was taken on this item.

Jerry Brady spoke on underground contaminates that would have come from the mine and smelter operations; multiple mine sites around the town being a major issue for the town.

Karen Brooks spoke on railroad sidings on the east side of town containing high ore concentrates and recommended testing that site.

The motion passed by a (6-1) vote in favor, Councilmember McBrady voting against.

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

9.1. Agreement between the Greater Prescott Regional Economic Partnership (GPREP) and the Town of Dewey-Humboldt. Accept, reject or modify the agreement.

Dane Beck, Secretary/Treasurer of GPREP Executive Board, was in attendance and answer questions. He spoke on the Business Action Team and the Board of Directors.

Councilmember Wright asked about attracting businesses to the area and whether anyone had shown an interest in Dewey-Humboldt. CM Hamilton spoke on people

coming into the area wanting more amenities, and with growth it will change the lifestyle of the area. He wants to preserve the rural and historic nature of the town.

Public comment was taken on this item.

Jerry Brady spoke on Lufthansa Air looking into Economic Development that would preserve the rural lifestyle of D-H. He stated without a comprehensive plan the current nature of the town will be difficult to preserve.

Karen Brooks spoke on the community's message at the community meetings to preserve the rural and live-and-let-live lifestyle. She recommended getting the community's feedback on Economic Development with the next General Plan revision.

Vice Mayor Alen made a motion to approve the agreement between the GPREP and the Town of Dewey-Humboldt, as presented, seconded by CM Williams-Rowe. It was approved by a (4-3) vote in favor, Council members Hamilton, Repan and Wright voting against.

9.2. Ethics Complaint (Wright v. Nolan) Committee Hearing Report to Council.

Mayor Nolan recused himself from this agenda item and stepped down from the dais.

Vice Mayor Alen read the report from the Ethics committee for this ethics violation complaint. She explained that since the committee had finalized their findings in this case they were bringing it forward to the Council.

Council discussed the purpose of the complaint process (learning process) and what the expectation of the outcome was. Councilmember McBrady stated the committee did not reach a unanimous decision (2-1). VM Alen asked the council to accept the findings and make a determination on sanctions or education and asked for a motion to approve the report.

Councilmember Hamilton made a motion to accept the findings of the Committee Hearing, seconded by CM Repan.

Mayor Nolan spoke on the complaint statements, explaining that staff was implicated in the complaint and the forest service personnel he communicated with was an employee but not one who makes those decisions. He asked that they strike-out the part that says staff was involved.

Councilmember Repan stated this request should have been brought up during the hearing and they are past that determination now.

VM Alen explained she is standing by the findings and they were not charged with taking actions against staff. She asked the Mayor if he had anything further to state.

Mayor Nolan stated he had been given the floor but was not being listened to.

Public comment was taken.

Jerry Brady spoke on the hearing proceedings; council members still having rights; the Mayor still being able to give his input and present information in his private capacity; no violation of state law.

A vote was taken on the motion which passed by a (4-1-2 vote) in favor, Councilmember McBrady voting against, CM Wright and Mayor Nolan both being recused from the vote.

Vice Mayor Alen asked Council to determine if it is a minor or major offense and what they would choose to do. Councilmembers Hamilton, Williams-Rowe, Repan and Vice Mayor Alen stated they felt it was a minor offense. Councilmember McBrady stated he did not think it was an offense. Vice Mayor Alen explained the Mayor had spoken at the hearing that he will call a meeting if this occurs again. No council members felt it was necessary to have an executive session with the Mayor on this issue.

Councilmember Repan made a motion to approve the determination that this was a minor violation, seconded by CM Hamilton. It passed by a (4-1-1-1) vote in favor, Councilmember McBrady voting against, CM Wright abstaining from the vote and Mayor Nolan recused from the agenda item.

Vice Mayor Alen concluded the matter was closed. Mayor Nolan returned to the dais.

10. Public Hearing Agenda.

None.

11. Comments from the Public.

Jerry Brady spoke on the ERRIC database; domestic threat assessment; insecurity of electronic databases unless encrypted; ethics complaint going out to the public – stating “it was a simple error so no charges were filed”.

12. Adjourn.

The meeting was adjourned at 7:50 p.m.

Terry Nolan, Mayor

ATTEST:

Judy Morgan, Town Clerk