

**TOWN OF DEWEY-HUMBOLDT  
TOWN COUNCIL  
REGULAR MEETING MINUTES  
TUESDAY, DECEMBER 16, 2014, 6:30 P.M.**

**A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, DECEMBER 16, 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 6:32 p.m.
2. **Opening Ceremonies.**
  - 2.1. **Pledge of Allegiance.** Done.
  - 2.2. **Invocation.** Given by Councilmember Nancy Wright.
3. **Roll Call.** Town Council Members Arlene Alen, Mark McBrady, Dennis Repan, Doug Treadway, Nancy Wright; Vice Mayor Jack Hamilton; and Mayor Terry Nolan were present.
4. **Announcements Regarding Current Events, Guests, Appointments, and Proclamations.**

Mayor Nolan announced the outcome of his Window Painting Contest for the school kids, explaining the event went very well.

Councilmember Repan spoke on a statement made to him by the Mayor that there was an ethics complaint against him. It proved incorrect and he wanted it to be part of the record.
5. **Town Manager's Report.** Update on Current Events.
  - 5.1 **Town Fiscal Year 2013-2014 financial statement and audit report overview.**

Town Manager Kimball gave an overview and then turned over the presentation to Deni Thompson, Town Accountant. Ms. Thompson reviewed the audit reports within the packet explaining it was a good audit this year.

Public comment was taken on this item.

Jerry Brady made a recommendation to show the federally directed or mandated revenues separately from other sources of funding.

There was discussion on how federal funds are currently handled by noting them within the budget document; software programs the town currently uses and annual charges for some of these; the change in personnel within the audit company they have been using. Staff offered to go out for an RFP for Auditing Services if the council desires but if they don't they will give the current auditors another year.
6. **Consent Agenda.** None.
7. **Comments from the Public (on non-agendized items only).**

Jerry Brady spoke on a newspaper article on public notices and suggested the town look at a permanent online database.
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.

**9.1. Transaction Privilege Tax (TPT) Consulting Service Agreement with Don Zelechowski, CPA.** Approve, reject or modify the agreement.

Mayor Nolan explained this is being brought back with a contract for the Council's approval. A modification to the contract was identified: consultant fee limited to \$5k/year as well as reimbursable costs (C).

There were discussions on how the process will work – educating people, with enforcement through ADOR; state changes to TPT licensing and having more synchronization between ADOR and the town; town's inexperience in this area and bringing someone in who will strengthen that experience and knowledge base; council monitoring the benefits of this service; term of the contract and limit of compensation being the defining elements of the contract.

Vice Mayor Hamilton made a motion to approve the agreement with one exception, 1.5.2 excluding the automatic renewal. The motion was seconded by Councilmember Wright.

There were discussions on personal experience with TPT and ADOR; ADOR reports monthly and yearly and getting help with these reports from Mr. Zelechowski; how long TPT licenses are in effect; comparing the costs for this service to additional monies recouped versus considering cost is for education in this area; automatic renewal versus termination clause.

Public comment was taken on this item.

Jerry Brady spoke on providing fiduciary compliance to obtain federal funds.

Town Manager Kimball explained ADOR doesn't care as much about D-H tax collection as the town does; council expressing a need to educate the taxpayers and this service will do that; no guarantee of improved TPT revenues as there are many variables which hinder monitoring.

Ms. Thompson explained the contractor will guide them to understand the process, to know what to look for on the reports, and how to talk with the people when they call for help. She will make some Standard Operating Procedures (SOPs) on how to do this process moving forward.

Ms. Kimball explained she could request the contractor attend a council meeting for further questions from council; TPT will target two main businesses in town: construction and rentals.

A vote was taken on the motion and it was approved unanimously.

**9.2. Discussion and possible action on getting RFQ's to have a Town Attorney on retainer.** [CAARF requested by CM Wright]

Councilmember Wright gave an overview on her request; stated obtaining answers to questions is sometimes long in coming; would like to know what it would cost to have someone on retainer so they can be at each Council meeting.

There were discussions on having the current attorney attend all Council meetings and the extra cost to the budget; getting costs for other attorney's to provide their services; whether the performance of the current attorney has met expectations with certain issues.

Town Manager Kimball offered to forward the Town Attorney's contract to Council for their review. The term auto-renews in November unless they choose not to. The annual costs for these services have been between \$30-40k per year. The attorney is willing to attend every meeting if council directs, but council has indicated they don't want her at every meeting. An RFQ would need to go out if the Council is looking toward hiring another firm. Town Attorney, Susan Goodwin has indicated previously that if the town goes out for an RFQ they will not respond to it. Ms. Kimball estimated it would cost an additional \$17-18k per year to have the attorney attend every Council meeting although other attorney services may offset it since answers are coming at the meeting.

There were discussions on not needing attorney attendance at every meeting since current method is working fine; who requests the attorney's attendance at a meeting and why; opinions and responses that are heard at a meeting are public, but if not solicited at a public meeting they are received as confidential and require council waive the confidentiality rights to make public; this attorney does not charge for travel time; The firm of Curtis, Goodwin, Sullivan, Udall & Schwab, PLC is well-respected in the field.

Public comment was taken on this item.

Jerry Brady spoke on the Council not being personally represented by the town attorney.

No action was taken. Council moved on to the next agenda item.

**9.3. [Request for attendance at the] 16<sup>th</sup> Annual Arizona Rural Transportation Summit.**  
[CAARF requested by Mayor Nolan]

Mayor Nolan gave an overview on his request. He explained various meetings will be held at the summit that will benefit the town if he attended (workshops and networking opportunities).

There were discussions on costs for attendance; a letter from CYMPO requesting the Mayor's attendance as he is a board member; networking on issues pertaining to roads is beneficial to the town; requiring a written report from the Mayor if attending.

Councilmember McBrady made a motion to approve the Mayor attending the 16<sup>th</sup> Annual Arizona Rural Transportation Summit, seconded by CM Treadway.

There were discussions on requiring an oral report on the benefits to the town; who else might be qualified to attend. CM Alen explained she has attended in the past.

Public comment was taken.

Jerry Brady spoke in support of the Mayor's attendance at the summit as it is the most important issue for the town with the main focal point for learning things and for networking by asking ADOT about OBC Hwy and easements over the Agua Fria River.

Councilmember Wright stated she thought CM Alen should attend as well and her costs should be covered by the town, asking this be added to the original motion. CM Alen stated she thought she was available to attend. The maker of the motion and seconder

agreed to the modification of the motion (Approve the Mayor and CM Alen attending the 16<sup>th</sup> Annual Rural Transportation Summit). A vote was taken and the motion passed by a 6-1 vote in favor, CM Repan voting against.

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

**11. Comments from the Public.**

Jerry Brady spoke on requesting information and moving toward pre-publication reviews and inviting anyone who wants to review his documents to do so.

**12. Adjourn.** The meeting was adjourned at 8:17 p.m.

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Terry Nolan, Mayor

ATTEST:

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Judy Morgan, Town Clerk