

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

Tuesday, November 20, 2018, 6:30 P.M.

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

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

AMENDED AGENDA

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

1. Call To Order

2. Roll Call Town Council Members: Jack Hamilton, Mark McBrady, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan

3. Pledge of Allegiance

4. Invocation

5. 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.

6. Public Hearing Agenda -

Discussion and possible legal action may be taken.

A. Consideration of Adoption of a Resolution Approving the Readoption of the Town of Dewey-Humboldt's General Plan, first adopted by the Town Council on May 19, 2009.

1. Staff Report

2. Open Public Hearing and Receive Public Comments

3. Close Public Hearing

4. Discussion

5. Adopt a Resolution approving the Readoption of the Town's 2009 General Plan (approval requires an affirmative vote of 2/3 of the Town Council)

7. Public Comment on Non-agendized Items

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

8. Consent Agenda

All those items listed below are considered to be routine and may be enacted by one motion. Any Council Member may request to remove an item from the Consent Agenda to be considered and discussed separately.

A. Approval of Meeting Minutes:

- 1. **Special Meeting & Study Session of September 11, 2018**
- 2. **Regular Council Meeting of September 18, 2018**

B. Approval of the adoption of private roadway signs

C. Approval of Resolution 18-134 to adopt Yavapai County Ordinance No. 2018-2 Regulating Portable Communication Devices and Texting While Operating a Motor Vehicle

D. Direct Staff to preliminarily explore the viability of a potential, unimproved (ingress/egress) route for the Blue Hills pursuant to Mayor & Council discussion at the 11/6/18 Study Session

9. Reports; Town Manager’s Report

Update on Current Events. No legal action can be taken. Council may ask town staff to review an operational matter at this time, or may ask that a matter be put on a future agenda for actions or further discussion. Possible matters and projects are related to Town general administration, Finance, Public Works, Community Development.

10. General Business

Discussion and Possible Legal Action on any issue not previously presented to the Council or any issue which was not concluded, was postponed, or was tabled during a prior meeting.

A. Presentation by West Yavapai Guidance Clinic on 12/18/18 (Mayor Nolan – CAARF)

B. Discussion and possible action on a large animal ordinance (CM Hamilton – CAARF)

C. Discussion and possible approval of Resolution 18-133 Opposing Competitive Predator Hunts in Dewey-Humboldt and Yavapai County (CM Treadway – 11/6/18 CAARF)

D. Approval to revise 2019 Town Council Meeting Date schedule

E. Discussion and Approval of Hiring a Temporary, Part-time Employee to Provide Administrative Support for Firewise

11. Consideration of additional Special Session(s) This is an established agenda item for Council’s discussion on whether to add an additional Special Session and, if so, set the date.

12. Adjourn

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.

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 15th day of November, 2018, at _____ a.m./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.

For Your Information:

Next Town Council Work Session: Tuesday, December 4, 2018, at 2:00 p.m.

Next Planning & Zoning Meeting: Thursday, December 6, 2018, at 6:00 p.m.

Next Town Council Regular Meeting: Tuesday, December 18, 2018, at 6:30 p.m.

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



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

November 20, 2018 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item - #6. A. Public Hearing Agenda – Consideration of the Readoption of the Town of Dewey-Humboldt’s General Plan, first adopted by the Town Council on May 19, 2009

To: Mayor and Town Council Members
From: Tom Wilson, Town Manager
Date submitted: November 15, 2018

SUMMARY:

All Arizona cities and towns are mandated by State statutes to have a General Plan.

General Plans serve as an expression of a city or town’s local intent to maintain and improve itself. It provides guidance and direction to all interested parties and all citizens as to the land use expectations and requirements for developing and sustaining the community.

Incorporated in 2004, Dewey-Humboldt adopted its General Plan on May 19, 2009. Cities and towns are required every 10 years to either develop and adopt a new General Plan or re-adopt the current Plan. The process of developing and adopting a new General Plan is prescribed in extensive detail by State statutes and appropriately requires substantial, broad-based citizen/community engagement and comment. This process must be comprehensively documented and is necessarily lengthy. (See attached A.R.S. § Sec 9-461.05 and § Sec 9-461.06.)

In order to manage the costs and provide adequate time for the work of preparing a new General Plan, a two-step process is proposed

- 1) The Mayor and Council re-adopts the current Plan for a three year period;
- 2) The Mayor and Council appoints a General Plan steering committee to oversee the work of staff and consultant(s) in the preparation of a new General Plan.

There are two Public Hearings scheduled for the consideration of the Readoption of the Town’s current General Plan. This Public Hearing by the Planning and Zoning Commission is the first. The Mayor and Council will hold a second/final Public Hearing on November 20, 2018, after which the Town Council may readopt the 2009 General Plan for a three-year term, period beginning May 19, 2019.

RECOMMENDATION

The Planning Commission should review the report attached material, take public testimony, and after discussion, make a recommendation to the Town Council supporting, or not supporting, the Readoption of the General Plan for a three-year period.

Staff recommends that the Planning Commission recommend to Council the Readoption of the General Plan.



Sign In Sign Up

Public Health

- Arizona Revised Statutes (Last Updated: March 31,2016)
 - Title 9. Cities and Towns
 - Chapter 4. GENERAL POWERS
 - Article 6. Municipal Planning

Sec 9-461.05. General plans; authority; scope

Latest version.

A. Each planning agency shall prepare and the governing body of each municipality shall adopt a comprehensive, long-range general plan for the development of the municipality. The planning agency shall coordinate the production of its general plan with the creation of the state land department conceptual land use plans under title 37, chapter 2, article 5.1 and shall cooperate with the state land department

regarding integrating the conceptual state land use plans into the municipality's general land use plan. The general plan shall include provisions that identify changes or modifications to the plan that constitute amendments and major amendments. The plan shall be adopted and readopted in the manner prescribed by section 9-461.06.

B. The general plan shall be so prepared that all or individual elements of it may be adopted by the governing body and that it may be made applicable to all or part of the territory of the municipality.

C. The general plan shall consist of a statement of community goals and development policies. It shall include maps, any necessary diagrams and text setting forth objectives, principles, standards and plan proposals. The plan shall include the following elements:

1. A land use element that:

(a) Designates the proposed general distribution and location and extent of such uses of the land for housing, business, industry, agriculture, recreation, education, public buildings and grounds, open space and other categories of public and private uses of land as may be appropriate to the municipality.

(b) Includes a statement of the standards of population density and building intensity recommended for the various land use categories covered by the plan.

(c) Identifies specific programs and policies that the municipality may use to promote infill or compact form development activity and locations where those development patterns should be encouraged.

(d) Includes consideration of air quality and access to incident solar energy for all general categories of land use.

(e) Includes policies that address maintaining a broad variety of land uses, including the range of uses existing in the municipality when the plan is adopted, readopted or amended.

(f) For cities and towns with territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, includes consideration of military airport or ancillary military facility operations. On or before December 31, 2005, if a city or town includes land in a high noise or accident potential zone as defined in section 28-8461, the city or town shall identify the boundaries of the high noise or accident potential zone in its general plan for purposes of planning land uses in the high noise or accident potential zone that are compatible with the operation of the military airport or ancillary military facility pursuant to section 28-8481, subsection J.

(g) Includes sources of currently identified aggregates from maps that are available from state agencies, policies to preserve currently identified aggregates sufficient for future development and policies to avoid incompatible land uses, except that this subdivision shall not be construed to affect any permitted underground storage facility or limit any person's right to obtain a permit for an underground storage facility pursuant to title 45, chapter 3.1.

2. A circulation element consisting of the general location and extent of existing and proposed freeways, arterial and collector streets, bicycle routes and any other modes of transportation as may be appropriate, all correlated with the land use element of the plan.

D. For cities and towns having a population of more than two thousand five hundred persons but less than ten thousand persons and whose population growth rate exceeded an average of two per cent per year for the ten year period before the most recent United States decennial census and for cities and towns having a population of ten thousand or more persons according to the most recent United States decennial census, the general plan shall include, and for other cities and towns the general plan may include:

1. An open space element that includes:

(a) A comprehensive inventory of open space areas, recreational resources and designations of access points to open space areas and resources.

(b) An analysis of forecasted needs, policies for managing and protecting open space areas and resources and implementation strategies to acquire additional open space areas and further establish recreational resources.

(c) Policies and implementation strategies designed to promote a regional system of integrated open space and recreational resources and a consideration of any existing regional open space plans.

2. A growth area element, specifically identifying those areas, if any, that are particularly suitable for planned multimodal transportation and infrastructure expansion and improvements designed to support a planned concentration of a variety of uses, such as residential, office, commercial, tourism and industrial uses. This element shall include policies and implementation strategies that are designed to:

(a) Make automobile, transit and other multimodal circulation more efficient, make infrastructure expansion more economical and provide for a rational pattern of land development.

(b) Conserve significant natural resources and open space areas in the growth area and coordinate their location to similar areas outside the growth area's boundaries.

(c) Promote the public and private construction of timely and financially sound infrastructure expansion through the use of infrastructure funding and financing planning that is coordinated with development activity.

3. An environmental planning element that contains analyses, policies and strategies to address anticipated effects, if any, of plan elements on air quality,

water quality and natural resources associated with proposed development under the general plan. The policies and strategies to be developed under this element shall be designed to have community-wide applicability and shall not require the production of an additional environmental impact statement or similar analysis beyond the requirements of state and federal law.

4. A cost of development element that identifies policies and strategies that the municipality will use to require development to pay its fair share toward the cost of additional public service needs generated by new development, with appropriate exceptions when in the public interest. This element shall include:

(a) A component that identifies various mechanisms that are allowed by law and that can be used to fund and finance additional public services necessary to serve the development, including bonding, special taxing districts, development fees, in lieu fees, facility construction, dedications and service privatization.

(b) A component that identifies policies to ensure that any mechanisms that are adopted by the municipality under this element result in a beneficial use to the development, bear a reasonable relationship to the burden imposed on the municipality to provide additional necessary public services to the development and otherwise are imposed according to law.

~~5. A water resources element that addresses:~~

(a) The known legally and physically available surface water, groundwater and effluent supplies.

(b) The demand for water that will result from future growth projected in the general plan, added to existing uses.

(c) An analysis of how the demand for water that will result from future growth projected in the general plan will be served by the water supplies identified in subdivision (a) of this paragraph or a plan to obtain additional necessary water supplies.

E. The general plan shall include for cities of fifty thousand persons or more and may include for cities of less than fifty thousand persons the following elements or any part or phase of the following elements:

1. A conservation element for the conservation, development and utilization of natural resources, including forests, soils, rivers and other waters, harbors, fisheries,

wildlife, minerals and other natural resources. The conservation element may also cover:

- (a) The reclamation of land.
- (b) Flood control.
- (c) Prevention and control of the pollution of streams and other waters.
- (d) Regulation of the use of land in stream channels and other areas required for the accomplishment of the conservation plan.
- (e) Prevention, control and correction of the erosion of soils, beaches and shores.
- (f) Protection of watersheds.

2. A recreation element showing a comprehensive system of areas and public sites for recreation, including the following and, if practicable, their locations and proposed development:

- (a) Natural reservations.
- (b) Parks.
- (c) Parkways and scenic drives.
- (d) Beaches.
- (e) Playgrounds and playfields.
- (f) Open space.
- (g) Bicycle routes.
- (h) Other recreation areas.

3. The circulation element provided for in subsection C, paragraph 2 of this section shall also include for cities of fifty thousand persons or more and may include for cities of less than fifty thousand persons recommendations concerning parking facilities, building setback requirements and the delineations of such systems on the land, a system of street naming and house and building numbering and other matters as may be related to the improvement of circulation of traffic. The circulation element may also include:

(a) A transportation element showing a comprehensive transportation system, including locations of rights-of-way, terminals, viaducts and grade separations. This element of the plan may also include port, harbor, aviation and related facilities.

(b) A transit element showing a proposed system of rail or transit lines or other mode of transportation as may be appropriate.

4. A public services and facilities element showing general plans for police, fire, emergency services, sewage, refuse disposal, drainage, local utilities, rights-of-way, easements and facilities for them.

5. A public buildings element showing locations of civic and community centers, public schools, libraries, police and fire stations and other public buildings.

6. A housing element consisting of standards and programs for the elimination of substandard dwelling conditions, for the improvement of housing quality, variety and affordability and for provision of adequate sites for housing. This element shall contain an identification and analysis of existing and forecasted housing needs. This element shall be designed to make equal provision for the housing needs of all segments of the community regardless of race, color, creed or economic level.

7. A conservation, rehabilitation and redevelopment element consisting of plans and programs for:

(a) The elimination of slums and blighted areas.

(b) Community redevelopment, including housing sites, business and industrial sites and public building sites.

(c) Other purposes authorized by law.

8. A safety element for the protection of the community from natural and artificial hazards, including features necessary for such protection as evacuation routes, peak load water supply requirements, minimum road widths according to function, clearances around structures and geologic hazard mapping in areas of known geologic hazards.

9. A bicycling element consisting of proposed bicycle facilities such as bicycle routes, bicycle parking areas and designated bicycle street crossing areas.

10. An energy element that includes:

(a) A component that identifies policies that encourage and provide incentives for efficient use of energy.

(b) An assessment that identifies policies and practices that provide for greater uses of renewable energy sources.

11. A neighborhood preservation and revitalization element, including:

(a) A component that identifies city programs that promote home ownership, that provide assistance for improving the appearance of neighborhoods and that promote maintenance of both commercial and residential buildings in neighborhoods.

(b) A component that identifies city programs that provide for the safety and security of neighborhoods.

F. The water resources element of the general plan does not require:

1. New independent hydrogeologic studies.

2. The city or town to be a water service provider.

G. The land use element of a general plan of a city with a population of more than one million persons shall include protections from encroaching development for any shooting range that is owned by this state and that is located within or adjacent to the exterior municipal boundaries on or before January 1, 2004. The general plan shall establish land use categories within at least one-half mile from the exterior boundaries of the shooting range that are consistent with the continued existence of the shooting range and that exclude incompatible uses such as residences, schools, hotels, motels, hospitals or churches except that land zoned to permit these incompatible uses on August 25, 2004 are exempt from this exclusion. For the purposes of this subsection, "shooting range" means a permanently located and improved area that is designed and operated for the use of rifles, shotguns, pistols, silhouettes, skeet, trap, black powder or any other similar sport shooting in an outdoor environment. Shooting range does not include:

1. Any area for the exclusive use of archery or air guns.

2. An enclosed indoor facility that is designed to offer a totally controlled shooting environment and that includes impenetrable walls, floor and ceiling, adequate ventilation, lighting systems and acoustical treatment for sound attenuation suitable for the range's approved use.

3. A national guard facility located in a city or town with a population of more than one million persons.

4. A facility that was not owned by this state before January 1, 2002.

H. The policies and strategies to be developed under these elements shall be designed to have community-wide applicability and this section does not authorize the imposition of dedications, exactions, fees or other requirements that are not otherwise authorized by law.

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2017 Arizona Revised Statutes

Title 9 - Cities and Towns

§ 9-461.06 Adoption and amendment of general plan; expiration and readoption

Universal Citation: AZ Rev Stat § 9-461.06 (2017)

9-461.06. Adoption and amendment of general plan; expiration and readoption

A. In municipalities that have territory in a high noise or accident potential zone as defined in section 28-8461, the legislature finds that in general plans and amendments to general plans land use compatibility with the continued operation of a military airport or ancillary military facility as defined in section 28-8461 is a matter of statewide concern.

B. The general plan and any amendment to such plan shall be adopted or readopted in the manner provided in this article.

C. The governing body shall:

1. Adopt written procedures to provide effective, early and continuous public participation in the development and major amendment of general plans from all geographic, ethnic and economic areas of the municipality. The procedures shall provide for:

(a) The broad dissemination of proposals and alternatives.

(b) The opportunity for written comments.

(c) Public hearings after effective notice.

(d) Open discussions, communications programs and information services.

(e) Consideration of public comments.

2. Consult with, advise and provide an opportunity for official comment by public officials and agencies, the county, school districts, associations of governments, public land management agencies, the military airport if the municipality has territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, other appropriate government jurisdictions, public utility companies, civic, educational, professional and other organizations, property owners and citizens generally to secure maximum coordination of plans and to indicate properly located sites for all public purposes on the general plan.

D. At least sixty days before the general plan or an element or major amendment of a general plan is noticed pursuant to subsection E of this section, the planning agency shall transmit the proposal to the planning commission, if any, and the governing body and shall submit a copy for review and further comment to:

1. The planning agency of the county in which the municipality is located.
2. Each county or municipality that is contiguous to the corporate limits of the municipality or its area of extraterritorial jurisdiction.
3. The regional planning agency within which the municipality is located.

4. The Arizona commerce authority or any other state agency that is subsequently designated as the general planning agency for this state.
5. The department of water resources for review and comment on the water resources element, if a water resources element is required.
6. If the general plan or an element or amendment of the general plan is applicable to territory in the vicinity of a military airport or ancillary military facility as defined in section 28-8461, the military airport.
7. If the general plan or an element or major amendment of the general plan is applicable to property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461, the attorney general. For the purposes of this paragraph, "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.
8. Any person or entity that requests in writing to receive a review copy of the proposal.

E. If the municipality has a planning commission, after considering any recommendations from the review required under subsection D of this section the planning commission shall hold at least one public hearing before approving a general plan or any amendment to such plan. When the general plan or any major amendment is being adopted, planning commissions in municipalities having populations over twenty-five thousand persons shall hold two or more public hearings at different locations within the municipality to promote citizen participation. Notice of the time and place of a hearing and availability of studies and summaries related to the hearing shall be given at least fifteen and not more than thirty calendar days before the hearing by:

1. Publication at least once in a newspaper of general circulation published or circulated in the municipality, or if there is none, the notice shall be posted in at least ten public places in the municipality.
2. Such other manner in addition to publication as the municipality may deem necessary or desirable.

F. Action by the planning commission on the general plan or any amendment to the plan shall be transmitted to the governing body of the municipality.

G. Before adopting the general plan, or any amendment to it, the governing body shall hold at least one public hearing. Notice of the time and place of the hearing shall be given in the time and manner provided for the giving of notice of the hearing by the planning commission as specified in subsection E of this section.

H. The adoption or readoption of the general plan or any amendment to such plan shall be by resolution of the governing body of the municipality, after notice as provided for in subsection E of this section. The adoption or readoption of or a major amendment to the general plan shall be approved by affirmative vote of at least two-thirds of the members of the governing body of the municipality. All major amendments to the general plan proposed for adoption by the governing body of a municipality shall be presented at a single public hearing during the calendar year the proposal is made. The general plan, or any amendment to the plan, shall be endorsed in the manner provided by the governing body to show that it has been adopted by the governing body. If the municipality includes property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461, the governing body of the municipality shall send notice of the approval, adoption or readoption of the general plan or major amendment to the general plan to the attorney general by certified mail, return receipt requested, within three business days after the approval, adoption or readoption. If the attorney general determines the approval,

adoption or readoption of the general plan or major amendment to the general plan is not in compliance with section 28-8481, subsection J, the attorney general shall notify the municipality by certified mail, return receipt requested, of the determination of noncompliance. The municipality shall receive the notice from the attorney general within twenty-five days after the notice from the municipality to the attorney general is mailed pursuant to this subsection. The effective date of any approval, adoption or readoption of, or major amendment to, the general plan shall be thirty days after the governing body's receipt of the attorney general's determination of noncompliance. Within thirty days after the receipt of a determination of noncompliance by the attorney general as prescribed by this section, the governing body of the municipality shall reconsider any approval, adoption or readoption of, or major amendment to, the general plan that impacts property in the high noise or accident potential zone of a military airport or ancillary military facility as defined in section 28-8461. If the governing body reaffirms a prior action subject to an attorney general's determination of noncompliance pursuant to this section, the attorney general may institute a civil action pursuant to section 28-8481, subsection L. If the governing body timely sends notice pursuant to this subsection and the attorney general fails to timely notify the governing body of a determination of noncompliance, the general plan or major amendment to the general plan shall be deemed to comply with section 28-8481, subsection J. If the motion to adopt or readopt a general plan or an amendment to the general plan fails to pass, the governing body may reconsider the motion in any manner allowed by the governing body's rules of procedure, but any subsequent motion for the adoption or readoption of the general plan or a major amendment to the general plan must be approved by an affirmative vote of at least two-thirds of the members of the governing body. For the purposes of this subsection, "major amendment" means a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element. The municipality's general plan shall define the criteria to determine if a proposed amendment to the general plan effects a substantial alteration of the municipality's land use mixture or balance as established in the municipality's existing general plan land use element.

I. If the municipality does not have a planning commission, the only procedural steps required for the adoption of the general plan, or any amendment to such plan, shall be those provided in this article for action by the governing body.

J. A copy of the adopted general plan of a municipality shall be sent to the planning agency of the county within which the municipality is located, and such plan or any portion of the plan may be adopted as a part of the county general plan.

K. A general plan, with any amendments, is effective for up to ten years from the date the plan was initially adopted and ratified pursuant to subsection M of this section, or until the plan is readopted pursuant to this subsection and ratified pursuant to subsection M of this section or a new plan is adopted pursuant to this subsection and ratified pursuant to subsection M of this section, and becomes effective. On or before the tenth anniversary of the plan's most recent adoption, the governing body of the municipality shall either readopt the existing plan for an additional term of up to ten years or shall adopt a new general plan as provided by this article.

L. Except for general plans that are required to be submitted to the voters for ratification pursuant to subsection M of this section, the adoption or readoption of a general plan, and any amendment to a general plan, shall not be enacted as an emergency measure and is subject to referendum as provided by article IV, part 1, section 1, subsection (8), Constitution of Arizona, and title 19, chapter 1, article 4.

M. The governing body of a city or town having a population of more than two thousand five hundred persons but less than ten thousand persons and whose population growth rate exceeded an average of two per cent per year for the ten year period before the most recent United States decennial census, and any city or town having a population of ten thousand or more persons, shall submit each new general plan adopted pursuant to subsection K of this section to the voters for ratification at the next regularly scheduled municipal election or at a special election scheduled at least one hundred twenty days after the governing body adopted the plan pursuant to section 16-204. The governing body shall include a general description of the plan and its elements in the municipal election pamphlet and shall provide public copies of the plan in at least two locations that are easily accessible to the public and may include posting on the municipality's official internet website. If a majority of the qualified electors voting on the proposition approves the new plan, it shall become effective as provided by law. If a majority of the qualified electors voting on the proposition fails to approve the new plan, the current plan remains in effect until a new plan is approved by the voters pursuant to this subsection. The governing body shall either resubmit the proposed new plan, or revise the new plan as provided by this section, for subsequent submission to the voters at the next regularly scheduled municipal election or at a special election scheduled at least one hundred twenty days after the governing body readopted the new or revised new plan. All subsequent adoptions and submissions of the new plan or revised plans must comply with the procedures prescribed by this section until the plan is ratified.

N. In applying an open space element or a growth element of a general plan a municipality shall not designate private land or state trust land as open space, recreation, conservation or

agriculture unless the municipality receives the written consent of the landowner or provides an alternative, economically viable designation in the general plan or zoning ordinance, allowing at least one residential dwelling per acre. If the landowner is the prevailing party in any action brought to enforce this subsection, a court shall award fees and other expenses to the landowner. A municipality may designate land as open space without complying with the requirements of this subsection if the land was zoned as open space and used as a golf course pursuant to a zoning ordinance adopted pursuant to article 6.1 of this chapter before May 1, 2000 and the designation does not impose additional conditions, limitations or restrictions on the golf course, unless the land is state trust land that was not planned and zoned as open space pursuant to title 37, chapter 2, article 5.1.

O. A person, after having participated in the public hearing pursuant to subsection H of this section, may file a petition for special action in superior court to review the governing body's decision that does not comply with the mandatory requirement prescribed in section 9-461.05, subsection C, paragraph 1, subdivision (g) within thirty days after the governing body has rendered its decision. The court may affirm, reverse or remand to the governing body, in whole or in part, the decision reviewed for further action that is necessary to comply with the mandatory requirements prescribed in section 9-461.05, subsection C, paragraph 1, subdivision (g).

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RESOLUTION NO. 18-132

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, READOPTING THE 2009 TOWN OF DEWEY-HUMBOLDT GENERAL PLAN FOR THE TOWN FOR AN ADDITIONAL THREE YEARS PURSUANT TO A.R.S. SECTION 9-461.06 PROVIDING FOR ENDORSEMENT; AND PROVIDING THAT THIS RESOLUTION WILL BE EFFECTIVE AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW; AND PROVIDING FOR REPEAL OF CONFLICTING RESOLUTIONS; AND PROVIDING FOR SEVERABILITY.

WHEREAS, the Common Council of the Town of Dewey-Humboldt continues to reflect the Council's vision for the Town as a low-density, rural community; and

WHEREAS, the Common Council of the Town of Dewey-Humboldt adopted its first General Plan on May 19, 2009; and

WHEREAS, State law (A.R.S. §9-461.06K) provides that: "On or before the tenth anniversary of a (General) plan's most recent adoption, the governing body...shall either readopt the existing plan for an additional term of up to ten years or shall adopt a new general plan as provided by this article."; and

WHEREAS, the general plan of the Town of Dewey-Humboldt has served the Town for more than nine years without any revision or amendment; and

WHEREAS, since 2009 State law has added new provisions, requirements and processes for the preparation, review and adoption of new general plan; and

WHEREAS, the Town of Dewey-Humboldt wishes to adopt a new comprehensive general plan in the most economically efficient manner but will not be able to do so prior to the tenth anniversary of the adoption of the 2009 General Plan; and

WHEREAS, the Common Council of the Town held a public hearing to hear public comment regarding the readoption of the "2009 Dewey-Humboldt General Plan" on November 20, 2018, at the Dewey-Humboldt Town Hall; and

NOW THEREFORE BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL of the Town of Dewey-Humboldt, Arizona, that Resolution N°. 18-132 is hereby adopted providing for the readoption of the Town of Dewey-Humboldt's 2009 General Plan for a three-year period beginning May 19, 2019.

BE IT FURTHER RESOLVED, that all resolutions and parts of resolutions in conflict with this Resolution are hereby repealed and if any section, subsection, sentence, clause, phrase, or portion of this Resolution or any part of this Resolution, is for any reason held be invalid or

unconstitutional by decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

BE IT FURTHER RESOLVED that the Town Clerk is hereby authorized to endorse and is directed to record a copy of this Resolution with the Yavapai County Recorder evidencing the readoption of the 2009 Town of Dewey-Humboldt General Plan for an additional three years beginning May 19, 2019.

BE IT FURTHER RESOLVED, that this resolution shall be effective at the soonest date after its passage and approval, according to law.

PASSED AND ADOPTED by a two-thirds vote of the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona this 20th day of November, 2018.

AYES: _____

NAYES: _____

ABSENT: _____

EXCUSED: _____

ABSTAINED: _____

APPROVED this 20th day of November, 2018

Terry Nolan, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Gibson, Town Clerk

Susan Goodwin, Town Attorney

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
SPECIAL MEETING & STUDY SESSION MINUTES
SEPTEMBER 11, 2018, 2:00 P.M.**

A SPECIAL MEETING & STUDY SESSION OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 11, 2018, AT TOWN HALL AT 2735 S. HIGHWAY 69, DEWEY-HUMBOLDT, ARIZONA, MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order.** Mayor Nolan called the meeting to order at 2:04 p.m.
2. **Roll Call.** Town Council Members Jack Hamilton, Mark McBrady, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan. Council Member Amy Timmons was absent.
3. **Special Meeting.** Legal action may be taken.

Mayor Nolan moved Agenda Item C ahead of Agenda Item A.

Mayor Nolan talked about the anniversary of the 911 attacks that happened 17 years ago. He said we honor the innocent lives lost, the heroes who saved others, those who continue to serve our country and our veterans.

C. Suicide Prevention Month Proclamation Official

Mayor Nolan gave the yearly statistics on suicide. Mayor Nolan proclaimed the month of September 2018 as Suicide Prevention Month.

John Schuderer, retired mental health and substance abuse counselor, Chairperson of Yavapai County Suicide Prevention Coalition and a survivor of suicide spoke about suicide. Dewey-Humboldt had four suicides last year. The coalition is working in conjunction with Yavapai County Community Health Services and they would love to work more closely with our Town. The more eyes and ears we have on each other, the safer our community will be. Mr. Schuderer stated the Coalition is available for presentations for churches, clubs, HOAs, etc. He said our proclamation helps support what they are doing.

A. Executive Session

Council may vote to hold an Executive Session for the purpose of obtaining legal advice from the Town's attorney on any matter listed on the agenda pursuant to A.R.S. § 38.431.03(A)(3).

The Mayor and Council did not adjourn into Executive Session.

Vote to recess to Executive Session

1. **An Executive Session pursuant to A.R.S. §38-431.03(A)(1) for discussion or consideration of the resignation of Magistrate Judge Catherine Kelley pursuant to A.R.S. §38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding options for providing Magistrate Court services including Judge Kelley's proposed Court transition plan; and pursuant to A.R.S. §38-431.03(A)(4) for discussion or consultation with the Town Attorney in order to consider its position and instruct the Town Attorney regarding the Town's position regarding a contract with the Justice of the Peace related to the provision of Magistrate Court services**

Close Executive Session/Reconvene Special Meeting

B. Discussion and possible action regarding the resignation of Magistrate Judge Catherine Kelley and her proposed Court transition plan and/or the reorganization of the Town Magistrate Court or its merger with the Justice of Peace Court, and/or give direction to Staff

Magistrate Judge Kelley addressed the Mayor and Town Council regarding her resignation and her proposed Court transition plan or merger with the Justice of Peace Court in Mayer, AZ. Judge Kelley presented different options on what actions could be taken.

Councilmember Hamilton asked if money for fines would go to Mayer if the Court was moved there. Judge Kelley stated it depends on what jurisdiction box is checked on the ticket.

Councilmember Treadway asked where can we get the best service for our community. He stated the cost and space issues at the Mayer location concerned him and wanted to know how Town Court Supervisor Christopher felt about the transition. TCS Christopher stated she believed the citizens of Dewey-Humboldt would be better served if the Court stayed here. She felt the Town could hire a Judge that would care about the citizens and they need the convenience of the Court being here. Some walk here and can't afford to travel to Mayer. They know her, and Town Staff is good with them. She also felt that the Mayer Court is very busy.

Vice Mayor Hughes stated it would be more of an inconvenience for the citizens if it were moved to Mayer. TCS Christopher agreed, and stated the Court recently installed a payment lock box. Those payments would need to be picked up every day because our system automatically defaults late payments, resulting in citizens losing their driver's license and a warrant being issued for their arrest.

Councilmember Wendt asked if the IGA numbers that were presented were the exact numbers. Judge Kelley stated we are not certain of those numbers because they need to be specific to the Town. CM Wendt thanked Judge Kelley for her service to the community.

CM Hamilton stated the Court needed to stay here, even if it costs more. In addition, TCS Christopher works for the Council and we wouldn't be able to manage her in Mayer.

There was further discussion with Judge Kelley and the Council regarding an option of having Judge Rummer from the Mayer Court coming here.

Councilmember McBrady stated he appreciated Judge Kelley's presentation and he does not want the Court to go to Mayer. Citizens should be able to come to the Court here for help. If Judge Rummer wants to come here, we can explore this option. Judge Kelley suggested having a conversation with Judge Rummer.

CM Wendt reiterated her support of keeping the Court here based on everything presented today.

CM Treadway agreed with the other Councilmembers to keep the Court here.

Mayor Nolan stated we can advertise the position of Town Magistrate.

Public Comment

Jerry Brady stated Judge Kelley has done a reasonable job and the Council should review the numbers as presented.

CM Hamilton made a motion to keep the Court in Dewey-Humboldt, seconded by CM Wendt.

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The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – nay. The motion passed 5-1.

CM Hamilton made a motion that the Town of Dewey-Humboldt will appoint a Town Magistrate Pro-Tem from the same panel as Yavapai County, seconded by Vice Mayor Hughes.

The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed 6-0.

CM McBrady made a motion to allow Town Staff to advertise the position, seconded by Vice Mayor Hughes.

The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed 6-0.

Mayor Nolan recessed the meeting for 10 minutes at 3:17 p.m.

D. Canvass of Primary Election (August 28, 2018) Results (Acceptance of the Canvass of results from Yavapai County Election Department)

Town Clerk Gibson gave a recap of the Election Results. Mayor Nolan and all of the Councilmembers received a majority of the vote for their seats, therefore, according to our Town Ordinance § 30.046 all are declared elected to the office for which they were a candidate, no further election shall be held.

CM Hamilton made a motion to approve the candidacy and the vote, seconded by Vice Mayor Hughes.

The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed 6-0.

E. Discussion regarding 2018 Holiday Schedule

Town Manager Wilson discussed with the Council the 2018 Holiday schedule and requested closing Monday, December 24, and Monday, December 31, thus giving the Staff two additional days for the 2018 Holiday schedule.

CM Wendt made a motion to approve adding two additional days to the 2018 Holiday schedule, seconded by CM Treadway.

The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed 6-0.

F. Adjourn Special Meeting

Vice Mayor Hughes made a motion to adjourn the Special Meeting, seconded by CM Hamilton.

The vote result was CM Hamilton – aye; CM McBrady – aye; CM Timmons – absent; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed 6-0.

Special Session adjourned at 3:35 p.m.

4. **Study Session.** No legal action to be taken

A. Review and discussion of an ordinance, amending Dewey-Humboldt Town Code, Title III Administration, Chapter 30 Town Council and Officials, Council Meetings, §30.105 Council Agenda; §30.107 Time of Adjournment; and §30.108 Agenda Packets, Subsection (A), related to council meetings and agendas (As directed by Council 5/1/18)

TM Wilson discussed with the Council the composition of the Agenda Committee meeting. The Agenda Committee recommended adding an additional clause that the Mayor may cancel or reschedule an Agenda Committee meeting. The rest of the ordinance would remain unchanged. He recommended this be addressed on the next Regular Session meeting.

Public Comment

Lynn Collins stated she would like to see all Agenda Meetings recorded, and discussed when and where public comment can be added to a Town Council Agenda. TM Wilson stated State law requires that there be non-agendized public comment on every Regular Agenda and it requires the public be allowed to speak under Public Comment on every item that is on the Agenda. Study Sessions also allow public comment on Study Session items. This could be added to a Regular Session for adoption. Any item on a Consent Agenda may be pulled at the Council's discretion.

B. Discussion regarding the delegation of the authority to approve Special Event Liquor License approvals

There was discussion with the Council and Town Attorney Goodwin regarding who has the authority to approve a Special Event Liquor License when there is a time-constraint. TA Goodwin stated she could add appropriate language for a Special Event Liquor License clarifying who has approval authority. TM Wilson stated we will draft a recommendation for the Council which can be addressed on the next Regular Session meeting.

5. **Adjourn.**

Mayor Nolan adjourned the meeting at 3:52 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

**TOWN OF DEWEY-HUMBOLDT
TOWN COUNCIL
REGULAR MEETING MINUTES
SEPTEMBER 18, 2018, 6:30 P.M.**

A REGULAR MEETING OF THE DEWEY-HUMBOLDT TOWN COUNCIL WAS HELD ON TUESDAY, SEPTEMBER 18, 2018, AT TOWN HALL AT 2735 S. STATE ROUTE 69, DEWEY-HUMBOLDT, ARIZONA. MAYOR TERRY NOLAN PRESIDED.

1. **Call To Order** Mayor Nolan called the meeting to order at 6:30 p.m.
2. **Pledge of Allegiance** Led by Veteran Luis Pena
3. **Invocation** Given by Council Member Timmons
4. **Roll Call** Town Council Members: Jack Hamilton, Mark McBrady, Amy Timmons, Doug Treadway, Victoria Wendt, Vice Mayor John Hughes and Mayor Terry Nolan were present.

5. Announcements regarding Current Events; Guests; Appointments; and Proclamations

Mayor Nolan advised that the Public Hearing was moved forward in the meeting. He also advised of the protocol of Council input and Public Comment input guidelines.

A. Art Week Proclamation Mayor Nolan read and presented the proclamation to Cindi Shaffer of the Prescott Area Artist Studio Week Tour organization.

B. Domestic Violence Prevention Proclamation Mayor Nolan read the proclamation.

Councilmember Treadway reported that the 2020 Census is beginning in January. Anyone looking for part-time or full-time positions, applications are being accepted online to 2020census.gov and full time positions are at usajobs.gov.

Councilmember Wendt reminded the community that there is a Firewise meeting in the Council Chambers tomorrow night, 9/19/18, and she encouraged attendance.

Vice Mayor Hughes reminded the Community of the Agua Fria Festival events this weekend on Saturday, September 22, 2018.

6. Town Manager's Report None

7. Consent Agenda

A. Approval of Meeting Minutes

1. **Special Meeting of May 29, 2018**
2. **Regular Meeting of June 19, 2018**
3. **Regular Meeting of July 17, 2018**
4. **Study Session of August 14, 2018**

Councilmember Hamilton noted a revision to be made on the May 29, 2018, minutes on Page 9 of 63, the title for Councilmember Hamilton needed to be changed from Vice Mayor to Councilmember. Councilmember Treadway noted a revision on the July 17, 2018, Page 27, the figure for the HURF fund figure should be changed to a decrease from \$75,000 to \$70,000.

B. Approval of Second Amendment to Accountability Contract between the Town of Dewey-Humboldt, Arizona and the Dewey-Humboldt Historical Society

C. Approval of Contract for Legal Services (Town Prosecutor)

Councilmember Hamilton made a motion to approve the Consent Agenda as amended, seconded by Vice Mayor Hughes. Mayor Nolan called for a vote. CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; VM Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

8. Public Comment on Non-agendized Items

David Nystrom – Stated he is the President and Board Chair of the Dewey-Humboldt Historical Society thanked the Council for the approval of the Accountability Contract. He spoke of the upcoming Agua Fria Festival being the largest ever. There are more vendors and the parade will be the largest since 1907. He thanked the Town for their financial support as a sponsor. The festivities begin at 9 a.m. and run until 3 p.m. on Saturday, September 22, 2018.

Phillip Bagwell – Recommended that with the new traffic light the installation of a sign limiting the use of Jake brakes would be a good idea.

Karen Brooks – Encouraged the purchase of Agua Fria Festival buttons.

9. Public Hearing Agenda

Discussion and Possible Legal Action may be taken.

- A. Request for a Use Permit UP 17-003 for approximately 2.99 acres of real property, applied for by Luis Pena, representing Heli Swift Aviation, located at 2845 S. State Route 69, also known as Yavapai County Assessor's Parcel Number 402-08-069W in the C3-35 (Commercial and Minor Industrial) zoning district to allow the operation of a helicopter training facility, which utilizes flightless helicopter trainers on concrete pad, and with the trainer being stored inside a building when not in use**

1. Staff Report

Town Manager Wilson described the process that occurred subsequent to the above application. The zoning baseline is appropriate for the proposed use in the C33-35 (Commercial and Minor Industrial) by matter of right. He described the circumstances that brought the Town to the Use Permit because it is contiguous with property on Omega Drive, which required evaluation of the potential activity and what the impact may be. Mr. Pena requests the Use Permit and proposes that he will comply with any conditions the Council believes are appropriate in order to make the interface between his commercial activity and the residential zoning is compatible and comfortable as possible. The Council's determination has to be based on significant legal findings. They cannot arbitrarily say "it doesn't feel good" decision. They have to give due consideration to the applicant, when the applicant says they will take measures to mitigate or control the interface which is disruptive or a problem. TM Wilson noted that Council could include specific conditions, criteria by which it can be managed. There can be time limits and constraints laid out that Mr. Pena is prepared to accept. The conditions can be adjusted. There was a demonstration provided of the static operation of the trainer to determine noise values, which were provided in the packet to Council and Public. Staff recommends that this Use Permit be approved, if Council finds appropriate conditions it is believed that Mr. Pena would faithfully execute those conditions.

Luis Pena the owner of Heli Swift Aviation thanked the Council for their time and consideration of his project. He stated that he moved to Yuma, Arizona, in 2010 to join his wife and family after his military service. He described a situation where his life and twelve other U.S. Marine's lives were saved by a helicopter pilot. When he returned home from five years in the Marine Corps in 2012, he pursued training as an aviation student while attending Yavapai College. He loves aviation and wants to extend the gift of aviation to the community and can do this at an affordable price, in a safe manner. He will commit to road maintenance and beautification of the site. He displayed a drawing of his elevation site plan. He stated that he will take the committee's comments into consideration and will work diligently to make his business a success and win the hearts and minds of the community.

Councilmember Wendt said she was at the demonstration and was concerned that the trainer did not lift off the pad. Mr. Pena said there was lift although it could not leave the ground due to the straps citing safety reasons. CM Wendt inquired of his experience and Mr. Pena said he has been trained since 2012 and he is a commercial helicopter pilot and certified flight instructor, which are the required licenses. CM Wendt asked about safety measures on site. Mr. Pena noted that the unit has limited lift and he has control from an I-Pad and a kill switch. CM Wendt had inquires about fuel. Mr. Pena said they use normal gas and will have a 200 gallon above ground fuel tank.

Councilmember Timmons inquired if the unit in the demonstration is the same unit to be used in training. Mr. Pena confirmed this. CM Timmons asked why the demo date was changed. Mr. Pena stated he changed the date due to a scheduling conflict.

2. Open Public Hearing

Mayor Nolan opened the Public Hearing at 7:08 p.m. Town Manager Wilson noted that Council received copies of all communications from the community in written form, as well as a legal protest received. Town Attorney Goodwin noted that she had not seen the petition, but it was probably what is known as a "legal protest". She cited that Statute 9462.04 only applies to zoning, not Use Permits.

CM McBrady questioned the information provided by Attorney Goodwin and referred to a regulation that referred to zoning changes. Council moved on while Attorney Goodwin researched this further.

Jackie Mathis – spoke in disfavor of the Use Permit citing the intolerable noise and dust. She sees no logic in putting the helicopter school in this neighborhood.

Myron King – spoke in disfavor of the Use Permit citing the private, one-lane road and traffic issues, as well as potential damage to his landscaping. He noted that Council needs to take into consideration eventual legal issues.

Kirk Brawner – spoke in support of the Use Permit citing the advantages of the school and two scholarship opportunities to become a helicopter pilot. He noted that Mr. Pena has met all the requirements and will be providing improvement to the road, as well as 5,000 gallons of water on site, that could benefit the neighborhood in fire situations. It is time to make the right decision and allow the school to happen.

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Carmen King – spoke in disfavor of the Use Permit citing that Mr. Pena did not come and talk to her in advance about his plans. She spoke in appreciation of the water tanks. She cited the narrow roads.

Barton Lee McLain – spoke in disfavor of the Use Permit. She spoke of having unanimous support of every person with a residential lot contiguous with the site. Ms. McLain spoke of the Pena's finances. She stated if this passes, the community is prepared to file a referendum.

Diana Pena – stated that she is the wife of Luis Pena. She noted that the previous woman's statement was false regarding their finances. She stated that she had overheard a statement the Pena's were not wanted because they are Hispanic. She said they have good intentions for their business but does not understand why people came to lie about things without knowing.

Leigh Cluff – spoke in disfavor of the Use Permit noting concerns for safety and noise. She did not feel the demonstration was conducted accurately. She disagreed that the Fire Department will use the Pena's water for emergencies.

Phillip Bagwell – stated that if Council approves the Use Permit they might consider asking them to no open the facility on Saturdays for the sake of tranquility.

Kenneth Coulter – spoke of having made an inquiry of an Embry-Riddle Flight Instructor for information on the training aircraft and the requirements surrounding licensing and qualifications. He has yet to receive a response.

Steven Burton – inquired about the parking and noted that it is a one-lane street, not a two-lane street.

Gary Neese – spoke in disfavor of the Use Permit citing Dewey-Humboldt fighting to maintain its "Country Town" motto. The U.S. Military gets their trainings by simulator. He noted this is commercial and all about money. He also spoke of drones coming and how will this be controlled, if you let this one (Mr. Pena) do what he wants to.

Lynn Collins – spoke of reading in the Staff Recommendations that this complies with the Town's General Plan. She read in the GP that zoning decisions are supposed to protect property owner's views. She believed this should be considered.

Karen Brooks – Inquired how wide the road is and does the Town maintain the road? Is the road maintained to the south end of Mr. Pena's property, if he made a longer driveway? There is an existing slab at the south end of the property, was it there when they bought and do they intend to build a home on the south end of the property. She would like to see a new site fence, maybe 10 feet, to block the view from the roads.

Gary Mortimer – not here to speak for or against, just wants to bring up points. The contention he hears is not good for the community and thinks it may not be the right location. He recommended a possible land exchange for other commercial property. He spoke of future commercial planning and growth . Mr. Mortimer said that he was at the demonstration and it seemed quiet, but then spoke of actual helicopters in flight being noisier.

3. Close Public Hearing

The Public Hearing was closed at 7:44 p.m.

4. Commission Discussion and Possible Action

Louis Pena came forward to respond to the Public Comment. He noted that comments regarding his finances were completely incorrect. The comment that the simulator creates 15-knot winds was incorrect. The reason that he chose this spot was obviously for visibility and it was zoned correctly. He came to Town and they said go ahead. He bought the land and the simulator. He wants to contribute to this community. He again denied the remarks regarding his finances. Any business would create traffic. He will do his best to accommodate everybody and wants the community to be okay with it.

There was extensive Council discussion and questions for Mr. Pena regarding the landscaping; fencing; water tanks; the training requirements and certifications; street improvements; alternate traffic routing; training facility hours;

CM McBrady asked that a citizen that spoke once be allowed to speak again. Attorney Goodwin explained that the Public Hearing was closed unless they voted to start over again.

Kirk Brawner spoke for Mr. Pena in regard to road maintenance and explained that Mr. Pena is willing to put down repurposed asphalt at first and he would take care of the majority, but would like to see the community members who would benefit from this contribute, as well.

There was discussion on Use Permit time lengths. Town Manager Wilson said that the normal time period is five years but that you can sequence reviews throughout the five years and explained some of the conditions that were being recommended. Attorney Goodwin added that in recent years the Courts are saying that if the Use Permit holder is in compliance and has made a substantial capital investment, unless they fall out of compliance, the Use Permit would remain in place. She feels Arizona courts would fall in line with this. Town Manager Wilson explained to the Council that Town Staff is charged with

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making sure the applicant complies with the conditions or the matter would be brought back to Council for evaluation and potential revocation.

Councilmember McBrady asked if the Attorney Goodwin had an answer for his previous inquiry. Attorney Goodwin replied that the statute does not apply to Conditional Use Permits. It applies to zoning ordinances that imposes conditions or changes on property. The issuance of a Use Permit is carrying out the provisions of an already adopted land use regulations. CM McBrady disagreed and read further language. Attorney Goodwin clarified this further and reiterated that she does not think it applies.

Councilmember Wendt spoke of visibility and traffic safety issues, as well as possible downgrading of other property values and that she thought Mr. Pena would have consulted with neighbors. She spoke of the initial belief that this was going to be accomplished in a building but when he came in with a plan, it was a real helicopter and the Town Staff said it would need a Use Permit. If the Town had known this in the beginning, it could have been resolved. She has concerns that the school is incompatible with the surrounding area. TM Wilson noted that there was a misunderstanding on Mr. Brown's (former Community Development Director) part of what was actually proposed. It was unclear communication and Mr. Brown accepted responsibility for not understanding, but ultimately Town Manager Wilson is responsible.

Councilmember Treadway spoke of giving this a lot of thought and having attended the demonstration. He researched the OSHA website and shared some of his findings and was surprised that barking dogs are louder than the trainer. If the permit were approved, the Council can put enough safeguards in place to revoke the permit if there was non-compliance.

CM McBrady spoke of concern about the road. Mr. Brawner said they intended to use repurposed asphalt, but that Mr. Pena should not bear the entire burden. CM McBrady said this is not an individual, it is a business. Mr. Brawner noted there is another business on the road. CM McBrady spoke of the dust and traffic and that the business should be responsible for dust control all the way to 3rd Street and would like this included in the conditions.

CM McBrady said he wanted to make a motion to ask them to do something about putting some type of surface on the road to keep the dust down. The motion failed due to lack of a second to the motion.

CM Timmons spoke of Council considering the impact of the trade school. She spoke of traffic increased and conditions in the code that were not addressed, as well as the downgrading of property that cannot be rectified. As a resident, if she had to live by that, she would want more stringent enforcement of the noise levels. She told Ms. Pena this matter had nothing to do with race. She does not feel it is the appropriate place for a helicopter school.

CM Hamilton spoke of someone saying this was a country town and should be maintained without growth. He said you cannot sustain the Town without growth and there is need for more business. He spoke of the benefit of the water tanks and that the traffic concerns were ADOT's responsibility. He spoke of the commercial corridor along 69 and 169 being bordered by residential. Businesses will not come here, if they have to get a Use Permit. The Town needs to grow and needs more commercial. He agreed with the man who recommended no Saturday trainer operation. He is in agreement with the Use Permit with the modifications noted.

CM McBrady made a motion to have the business put in some type of approved town road surface that keeps the dust down and go from the business all the way to Old Black Canyon because of the amount of traffic increase it will have, it will also help his business, I am sure, that is my motion. CM Timmons seconded the motion. Attorney Goodwin clarified that the nature of the motion would be an additional condition to the Use Permit.

CM Hamilton noted that you are then asking someone to do something over some else's private property. He does not know how you can mandate something that you do not have control over. Town Manager Wilson said that they should make a condition on this - if they are able to obtain the private property owner's consent to that.

CM McBrady said he wanted to change his motion to include this.

Vice Mayor Hughes disagreed and said that you are going to try to bribe or persuade a business owner to pave someone else's driveway, as a condition of granting their special use permit. You aren't going to give you a permit unless they pave the road up front. If you are making this a condition to someone to have to do something other than their own property, it's against the law, it's unconstitutional. Attorney Goodwin said that generally as a condition of the Use Permit the Town can impose conditions such as road dedication or road paving that are reasonably related to the Use Permit, if the amount of traffic increases, but they would need other property owner's permissions. She further noted that there has been a lot of discussion about compliance with conditions and it can be revoked, if they don't comply with dust mitigation and landscaping plans. Once they submit the plan, they have met the condition. You need to determine who approves the plan and failure to comply with the plan is a violation of the Use Permit. TM Wilson said this would be an excellent addition to the plan.

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Mayor called for the vote on Councilmember McBrady's motion. CM Hamilton – nay; CM McBrady – aye; CM Timmons – aye; CM Treadway – nay; CM Wendt – aye; VM Hughes – nay; Mayor Nolan – nay. The vote failed by a 4 – 3 margin.

CM Timmons began to make a motion but rescinded as she indicated it would be voted down.

Councilmember Hamilton spoke of making a motion to include the modifications to the permit to what the attorney told us about the plans, not being a plan but being more than that, I would also like to limit to not using the trainer on Saturday. Attorney Goodwin clarified that to have the plan approved by the Community Development Department and that any failure to comply constitutes a violation of the Use Permit. Town Wilson clarified the language: The plans in Items 4. and 5. must be approved by the Community Development Department and any failure to comply with the approved plan constitutes a violation of the conditions of the Use Permit. The motion was seconded by Vice Mayor Hughes. Town Manager Wilson added clarification that there is a prohibition for trainer prototype use on Saturdays in this motion.

CM Timmons inquired if the Saturday use prohibition would increase the Monday through Friday use of the trainer. TM Wilson said that, unmodified, there is a restriction on the hours of the trainer during the normal workweek of 9-5 and no Saturdays.

Mayor Nolan asked for a roll call vote. CM Hamilton – aye; CM McBrady – abstained; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

Mayor Nolan asked to make a stipulation that they increase the height of the fence with screening another two feet above the height of the current fence. TM Wilson asked if this was a motion. Mayor Nolan confirmed this. Attorney Goodwin asked if it was one or two feet. Mayor Nolan confirmed two feet on the north and west side, seconded by CM Hamilton.

Mayor Nolan asked for a roll call vote. CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

Councilmember Hamilton made a motion to approve the Use Permit as amended. Attorney Goodwin said that the Council has to state in the motion that the Council makes the findings that are required by Section 153.91 (A). She read the findings to approve the Use Permit are that: it is compatible with permitted uses in the underlying zoning districts; it is in compliance with the Town's General Plan and applicable Town applications; and meets or exceeds the criteria described in this Use Permit section, which was what had been discussed.

Councilmember Hamilton revised his motion to approve the Use Permit UP 17-003 and incorporate the findings, seconded by Vice Mayor Hughes.

Mayor Nolan called for the vote. CM Hamilton – aye; CM McBrady – nay; CM Timmons – nay; Councilmember Treadway – aye; CM Wendt – nay; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed by a 4–3 margin.

Mayor Nolan called for a five-minute recess at 8:50 p.m. and reconvened the meeting at 8:55 p.m.

10. Unfinished Business - None

Discussion and Possible Legal Action on any issue which was not concluded, was postponed, or was tabled during a prior meeting.

11. New Business

Discussion and Possible Legal Action on matters not previously presented to the Council.

A. Approval of 2018-19 Greater Prescott Regional Economic Partnership (GPREP) Agreement

Councilmember Hamilton noted that there was no money involved and supported belonging but pointed out that, as shown during this meeting, the Town's commercial property will not be developed. There was Council discussion regarding the GPREP membership and possible benefits.

Councilmember Hamilton made a motion to approve the 2018-19 Greater Prescott Regional Economic Partnership Agreement, seconded by Vice Mayor Hughes. Mayor Nolan called for the vote. CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

Public Comment

Karen Brooks spoke of being a Town Council-elect. She took great offense to Councilmember Hamilton's comment about how the new Council may possibly vote, as he has no idea how she will vote.

B. Requesting Council perform a performance evaluation review for the Town Manager (CM Treadway CAARF)

C. Executive Session

Council may vote to hold an Executive Session for the purpose of obtaining legal advice from the Town's attorney on any matter listed on the agenda pursuant to A.R.S. § 38.431.03(A)(3).

Council may vote to recess the Regular Meeting to hold an Executive Session, which will not be open to the public, for the following purposes:

Vote to recess to Executive Session

Councilmember Hamilton made a motion that Council go into Executive Session to discuss the performance of the Town Manager and for discussion and consultation for legal advice regarding the contract, seconded by Councilmember Treadway. Mayor Nolan called for the vote. CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

The meeting was recessed at 9:02 p.m. Town Manager Wilson left the meeting.

1. An executive session pursuant to A.R.S. § 38-431.03(A) (1) for discussion or consideration of employment and assignments of the Town Manager, including a performance evaluation, and pursuant to A.R.S. § 38-431.03(A) (3) for discussion or consultation for legal advice with the Town Attorney regarding the employment contract with the Town Manager.

Council opened the Executive Session at 9:07 p.m.

Mayor Nolan left the Executive Session at 9:19 p.m. and returned at 9:22 p.m.

Councilmember Timmons made a motion to extend the meeting to 10:30 p.m., seconded by Vice Mayor Hughes. The Mayor called for the vote. CM Hamilton – aye; CM McBrady – aye; CM Timmons – aye; CM Treadway – aye; CM Wendt – aye; Vice Mayor Hughes – aye; Mayor Nolan – aye. The motion passed unanimously.

Close Executive Session The Executive Session was closed at 10:32 p.m.

12. Adjourn The meeting was reconvened and adjourned at 10:34 p.m.

Terry Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk



TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

November 20, 2018 – 6:30 p.m. Town Council Meeting Chambers

To: Mayor and Town Council Members
From: Tom Wilson, Town Manager
Date submitted: November 7, 2018

CONSENT AGENDA ITEMS

Agenda Item - #8. B. Private Roadway Signs

Color – White background w/Green lettering or reversed as in Prescott Valley on its regular signs – Green background w/White lettering

Description of Program

Citizen(s) fill out a “simple” Private Roadway Sign Request

Road Location - _____

Names of Road - _____

Payment - \$350.00 for sign costs which includes installation

Potential Issue \implies property authorization for sign placement/install

Agenda Item - #8. C. Approval of Resolution 18-134 adopting Yavapai County Ordinance No. 2018-2 Regulating Portable Communication Devices and Texting While Operating a Motor Vehicle

RESOLUTION Nº 18-134

A RESOLUTION OF THE MAYOR AND TOWN COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, ADOPTING YAVAPAI COUNTY ORDINANCE NO. 2018-2 REGULATING PORTABLE COMMUNICATION DEVICES AND TEXTING WHILE OPERATING A MOTOR VEHICLE

WHEREAS, the Town has an important responsibility to its citizens to ensure their health and safety;

WHEREAS, the Town Council has reviewed and is in support of Yavapai County Ordinances 2018-2 Regulating Portable Communication devices and Texting while Operating a Motor Vehicle;

NOW THEREFORE, be it resolved by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona that they shall adopt and enforce the attached Yavapai County Ordinance No. 2018-2 Regulating Portable Communication Devices and Texting While Operating a Motor Vehicle and this Resolution shall be effective immediately.

PASSED AND ADOPTED by the Mayor and Town Council of the Town of Dewey-Humboldt, Arizona, this 20th day of November 2017.

Mayor Nolan, Mayor

ATTEST:

Julie Gibson, Town Clerk

APPROVED AS TO FORM:

Susan Goodwin, Town Attorney
Gust Rosenfeld PLC



YAVAPAI COUNTY BOARD OF SUPERVISORS

ORDINANCE NO. 2018-2

**AN ORDINANCE OF THE YAVAPAI COUNTY BOARD OF SUPERVISORS
REGULATING PORTABLE COMMUNICATION
DEVICES AND TEXTING WHILE OPERATING A MOTOR VEHICLE**

WHEREAS, the Yavapai County Board of Supervisors is authorized in A.R.S. §11-251(17) to adopt provisions necessary to preserve the health of the county, and in A.R.S. §11-251(31) to make and enforce all local, police, sanitary and other regulations not in conflict with general law; and

WHEREAS, A.R.S §§28-626(B) and 11-251.05 authorize the adoption of additional traffic regulations that are not in conflict with other state traffic or transportation regulations; and

WHEREAS, texting while driving a motor vehicle and the use of portable communication devices has increased in recent years; and

WHEREAS, the use of portable communication devices and texting while driving a motor vehicle have contributed to the increase of injuries, deaths, property damage, health care costs and auto insurance rates; and

WHEREAS, motorists who operate portable communication devices and/or text while driving a motor vehicle are statistically more likely to become involved in a traffic accident; and

WHEREAS, it is the desire of the Yavapai County Board of Supervisors to promote public health and safety;

THEREFORE, be it resolved, that the Yavapai County Board of Supervisors adopts this Ordinance to be effective throughout Yavapai County, excluding sovereign tribal nations.

SECTION I: DEFINITIONS

“HANDS-FREE MOBILE DEVICE” shall mean one of the following:

- A device that has an internal feature or function, or that is equipped with an attachment or addition, whether or not permanently part of such device, which is not held by the driver during motor vehicle use. The device must not obstruct the driver’s view of the front or sides of the motor vehicle or interfere with the safety or operating equipment of the motor vehicle.
- A device that is programmed entirely before a person begins to drive or operate a motor vehicle such as a Global Positioning Device.

“PORTABLE COMMUNICATIONS DEVICE” shall mean the following portable devices: any mobile telephone, personal digital assistant (PDA), device with mobile data access, laptop computer, pager, electronic game, or computing device.

“MOTOR VEHICLE”, “DRIVE” and “DRIVER” have the same meaning as those terms are defined in Title 28, Chapter 1, Arizona Revised Statutes, Transportation. Driving includes, but is not limited to, any time a vehicle is in the traveled portion of a public roadway, whether or not the vehicle is in motion.

SECTION II: ILLEGAL ACTIVITIES

A person shall not drive a motor vehicle while holding in his or her hand, typing on or otherwise manually operating a portable communications device.

SECTION III: EXEMPTIONS

Notwithstanding Section II, the following activities are not prohibited by this Ordinance:

- When a person uses a hands-free mobile device that is not being held in his or her hand, typed on or otherwise manually operated so as to distract the driver.
- When a person makes a call to communicate an emergency to a law enforcement agency or fire department, a hospital or physician’s office, or an ambulance.
- When a person is driving an authorized law enforcement or emergency vehicle and the use of the portable communications device is in the performance of official duties.
- When a person is driving a school bus or transit vehicle that is subject to Arizona Revised Statutes or United State Department of Transportation regulations that supersede this ordinance.
- When a driver is using a two-way radio or a private Land Mobile Radio System, within the meaning of Title 47 Code of Federal Regulations Part 90, while in the performance and scope of work-related duties, and who is operating a fleet vehicle or under a commercial vehicle license; or a driver holding a valid amateur operator license issued by the Federal Communications Commission using a half-duplex two way radio.
- When a person is driving a motor vehicle on private property.
- When a driver has pulled off of the traveled portion of the roadway in a safe and legal location and placed the vehicle in park in order to operate a handheld portable communications device.

SECTION IV: ENFORCEMENT AND PENALTIES

Enforcement shall be the responsibility of city, county and state of Arizona law enforcement representatives.

A law enforcement officer may stop a motor vehicle if the officer has reasonable cause to believe a violation of this Ordinance is occurring.

A violation of this Ordinance is a civil traffic violation.

A person found to be in violation of this Ordinance and not involved in a motor vehicle crash or collision is subject to a civil penalty of \$100 dollars plus any other penalty assessments and surcharges authorized by law.

A person found to be in violation of this Ordinance and involved in a motor vehicle crash is subject to a civil penalty of \$250 dollars plus any other penalty assessments and surcharges authorized by law.

Violations of this Ordinance shall be administered pursuant to the procedures for civil traffic violations as set out in Title 28, Chapter 5, Arizona Revised Statutes (A.R.S. §28-1591 et seq.).

SECTION V: EFFECTIVE DATE

This Ordinance is effective 30 days after adoption by the Yavapai County Board of Supervisors.

SECTION VI: INTERPRETATION AND SEVERABILITY

In the interpretation of this Ordinance, the singular may be read as the plural, the masculine gender as the feminine or neuter, and the present tense as the past or future, where context so dictates.

In the event any particular clause or section of this Ordinance should be declared invalid or unconstitutional by any court of competent jurisdiction, the remaining portions shall remain in full force and effect. Toward that end, the provisions of these regulations are declared to be severable.

**APPROVED AND ADOPTED BY THE YAVAPAI COUNTY BOARD OF SUPERVISORS
this 3rd day of October, 2018.**

/s/ Rowle P. Simmons
Chairman, Board of Supervisors

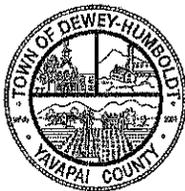
ATTEST:

/s/ Kim Kapin
Clerk of the Board

Approved as to form:

Martin Brennan
Deputy Yavapai County Attorney

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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: Nov 20, 2018

Date of Request: Oct 23, 2018

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):

Presentation by West Yavapai Guidance Clinic
on Dec 18, 2018

Purpose and Background Information (Detail of requested action).

update on Crisis Stabilization Unit

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other:

Contact Person: Maya 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.

Dewey-Humboldt

OCT 23 2018

Received



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

Town Council Presentation Request Form

Requests to make a formal Town Council presentation must be approved by the Town Council as a whole at a council meeting. The request form is used to accompany a council member's Council Agenda Action Request Form (CAARF) which would sponsor the presentation request. The Form must be submitted at least four weeks to the sponsoring council member prior to the requested Town Council meeting date. The CARF will be discussed at a council meeting for the Council to determine whether to approve the presentation request. The Town Council meets the first Tuesday of the month at 2:00 p.m. for study sessions. The Council also meets the third Tuesday of the month at 6:30 p.m. The Town Council attempts to limit the length of individual presentations to 30 minutes unless the Council votes to extend that time. If any special equipment is requested, please notify the Town Clerk no less than 72 hours before the Council meeting.

Nature and Description of Presentation (Please note that this form does not apply to commendation and /or proclamation presentations, and individuals who wish to speak at the Comments from the public item on an agenda):

Update on Crisis Stabilization Unit, after
one year of service to Yavapai County,
By West Yavapai Guidance Clinic

Please describe the number of participants, any audio or visual equipment that you will set up and utilize, and how long you will require to set up your equipment.

powerpoint - let us know if you would
like it ahead to pre-load

Individual, agency, and/or organization attending Town Council meeting:

Name: Laura Norman Phone: 928-445-5211 x3615

Council Meeting Date Requested: _____; alternate date: _____

Requested by:

Name: Laura Norman Phone: 928-445-5211 x3615

Address: 3343 N. Windsor Email: L.NORMAN@wygc.org
Prescott Valley

If you have any questions about the application process, please contact the Town Clerk's Office at (928) 632-7362. Please return this form to the sponsoring council member, Dewey- Humboldt Town Hall, 2735 S. Highway 69, P.O. Box 69, Humboldt, AZ 86329, by fax to (928) 632-7365 or by email to the council member (Town Council contact information can be found at www.dhaz.gov/contacts).

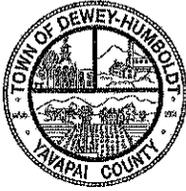
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Dewey-Humboldt

OCT 15 2018

Received

38/47



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: 11/26/18

Date of Request: 11/5/18

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):

DISCUSSION AND POSSIBLE ACTION ON A LARGE ANIMAL
ORDINANCE (SEE ATTACHMENT)

Purpose and Background Information (Detail of requested action).

TO MAKE IT THAT FARM ANIMAL OWNERS HAVE TO FENCE IN
THEIR ANIMALS, RATHER THAN HAVE OTHER LAND OWNERS HAVING
TO FENCE THEM OUT. (THIS IS HOW IT IS CURRENTLY)

Staff Recommendation(s):

Budgeted Amount:

List All Attachments:

Type of Presentation:

Special Equipment needed: Laptop Remote Microphone
 Overhead Projector Other:

Contact Person: JACK HAMILTON

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.

Dewey-Humboldt

NOV 5 2018

IT SHALL BE UNLAWFUL FOR A RESPONSIBLE PERSON FOR A FARM ANIMAL, TO PERMIT SUCH FARM ANIMAL TO RUN AT LARGE WITHIN THE CORPORATE LIMITS OF THE TOWN.

Dewey-Humboldt

NOV 5 2018

Received _{40/47}

RESOLUTION NO. 18-133

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF DEWEY-HUMBOLDT, ARIZONA, OPPOSING COMPETITIVE PREDATOR HUNTS IN DEWEY-HUMBOLDT AND YAVAPAI COUNTY.

WHEREAS, the Town of Dewey-Humboldt was incorporated to recognize and protect its special rural country character and the unique ecosystem of the Agua Fria River region, and

WHEREAS, an organization that promotes recreational calling of predators such as coyotes, bobcats, foxes and coatimundi in order to shoot and kill them indiscriminately, and

WHEREAS, there has been advertised a “Holiday” competitive coyote “calling and kill” in Dewey-Humboldt, and

WHEREAS, predators are an integral part of the Dewey-Humboldt/Agua Fria ecosystem and play a critical role in maintaining a healthy balance of plants and animals in the ecosystem by preying on species such as rabbits, mice and other rodents, and

WHEREAS, the indiscriminate killing of predators, even when done legally, does not serve any legitimate wildlife management purpose and instead upsets the natural balance of the area’s ecosystem, and

WHEREAS, residents and visitors use the extensive public lands in Yavapai County for hiking, dog walking, bird watching, seasonal game hunting, horseback riding, and other outdoor activities compatible with maintenance of a healthy ecosystem, and the activities of the killing contest attendees pose a threat to their safety and well-being.

NOW, THEREFORE, BE IT RESOLVED that the Town of Dewey-Humboldt opposes any and all future competitive killing hunts in Dewey-Humboldt and Yavapai County.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Dewey-Humboldt, Arizona this 20th day of November, 2018.

Terry Nolan, Mayor

ATTEST:

APPROVED AS TO FORM:

Julie Gibson, Town Clerk

Susan Goodwin, Town Attorney

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Town of Dewey-Humboldt

2019 Holidays and Scheduled Meeting Dates

Holidays

New Year's Day	01-01-19	Tuesday (observed)
MLK Day	01-21-19	Monday
President's Day	02-18-19	Monday
Memorial Day	05-27-19	Monday
Independence Day	07-04-19	Thursday
Labor Day	09-02-19	Monday
Veterans' Day	11-11-19	Monday (observed)
Thanksgiving Day	11-28 & 29-19	Thursday and Friday
Christmas Day	12-25-19	Wednesday

Council Meeting Dates (Tuesdays)

2:00 pm	6:30 pm
<u>Work Sessions</u>	<u>Regular</u>
01-08-19 (Moved from 1-1-19)	01-15-19
02-05-19	02-19-19
03-05-19	03-19-19
04-02-19	04-16-19
05-07-19	05-21-19
06-04-19	06-18-19
07-02-19	07-16-19
08-06-19	08-13-19 (Moved from 8-20-19)
09-03-19	09-17-19
10-01-19	10-15-19
11-05-19	11-19-19
12-03-19	12-17-19

P&Z Meeting Dates (Thursdays)

6:00 pm
<u>P & Z</u>
01-03-19
02-07-19
03-07-19
04-04-19
05-09-19
06-06-19
07-04-19 (Holiday)
08-08-19
09-05-19
10-03-19
11-07-19
12-05-19

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

TOWN COUNCIL REGULAR MEETING

November 20, 2018 – 6:30 p.m. Town Council Meeting Chambers

Agenda Item - #10. E. Discussion and Approval of Hiring a Temporary, Part-time Employee to Provide Administrative Support for Firewise

To: Mayor and Town Council Members

From: Tom Wilson, Town Manager

Date submitted: November 13, 2018

Summary:

At the October 2nd Council Meeting, Councilmember Wendt (by CAARF) presented an update of the status of the Firewise organization and the Council discussed the potential of establishing a Firewise, Dewey-Humboldt Committee or Commission.

The Council's discussion concluded with no action at present in relation to making Firewise a formal Dewey-Humboldt Committee or Commission. Councilmember Wendt affirmed she would continue a leadership role in Firewise as it formalized its organizational structure and defined leadership and administrative/operational roles for volunteers. Without formal action, the Council also discussed providing temporary/part-time assistance.

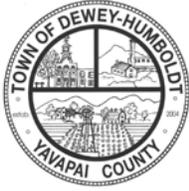
Subsequent discussions with Councilmember Wendt, have identified Firewise's needs that will become essential by the first of the 2019 year. As Council will remember, the 2018/19 Budget provided, as one of the Budget Initiatives, for two part-time/temporary positions at 16 hours each per week. One position was for assistance to the Friends of the Library with programming and advertising, and one position was to assist in the potential reactivation of programming at the Community Center. Staff is working with Sandra Goodwin to fill the Friends of the Library position; however, at present, the Community Center effort has not been defined and does not seem to be viable for this budget year.

Staff would ask that the Council approve using the second authorized part-time/temporary position to address the Firewise need for assistance in this budget year, as we work on defining Community Center needs and establishing an implementation program, perhaps for 2019/20.

Recommendation:

Council approve utilizing one of this budget year's authorized part-time/temporary positions to provide administrative assistance to Firewise.

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TOWN OF DEWEY-HUMBOLDT
P.O. BOX 69
HUMBOLDT, AZ 86329
Phone 928-632-7362 ▪ Fax 928-632-7365

Tentative Meeting Items for 2018

December 4, 2018 Study Session Council

- ⊕ tbd

December 6, 2018 Planning and Zoning

- ⊕ tbd

December 18, 2018 Regular Council

- ⊕ Presentation by West Yavapai Guidance Clinic (CAARF – Mayor Nolan)
- ⊕ Financial Audit FY 17-18 (Henry & Horne)
- ⊕ Mayor’s Annual Update on External Memberships
- ⊕ Presentation to Outgoing CM’s & Comments
- ⊕ Oath of Office for elected TC & Comments
- ⊕ Council Regional Organization Appointments
- ⊕ Appointment of Vice Mayor

Items contained within are tentative in nature. Exact meeting agendas are subject to changes without notice. Official agendas for scheduled meetings will be published according to the Open Meeting Law and other applicable codes and regulations. Please contact Town Clerk at 632-7362 if you have questions regarding meeting agendas.