

AMENDED AGENDA # 2

**FEBRUARY 4, 2009
REGULAR SESSION**

ADDING ITEM 8A

" " 8B

" " 8C

AMENDED AGENDA #2



REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 4, 2009
at 6:30 P.M.

If you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off when you enter Council Chambers. Remove your hats for the Pledge of Allegiance. All Presentations are limited to 10 minutes.

1. **Call to Order**
 2. **Roll Call**
 3. **Pledge of Allegiance**
 4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – January 21, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) February 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 2) February 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - 3) March 4, 2009 at 6:30 p.m. – Regular Session
 - 4) March 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 5) Marcy 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - c) **Possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for use of the triangle parking lot and trail adjacent to Butler Park and the District Office and authorization for the Mayor to execute the contract documents.** (Staff Resource: Lynda Moore)
 5. **Call to the Public for Items not on the Agenda.**
 6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
 7. **Presentation by Mike Showers relative to the Performing Arts Studio.**
- Mayor Gioia requested item #8: **AND 8A**
8. **Discussion, consideration, and possible direction to staff relative to improving signage that will direct tourists to the Townsite/Business District.**
 - 8A. **DISCUSSION, CONSIDERATION, AND POSSIBLE AUTHORIZATION FOR THE MAYOR TO ACT ON ISSUES TO RETAIN FORT VERDE STATE PARK; THE STATE LEGISLATURE IS RECOMMENDING THE PARK BE CLOSED.**
 - 8B. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACCEPTANCE OF COUNCIL MEMBER CHARLEY GERMAN'S RESIGNATION, WITH APPRECIATION FOR HIS DEDICATION AND SERVICE TO THE COMMUNITY.**
 - 8C. **DISCUSSION, CONSIDERATION, AND POSSIBLE APPOINTMENT OF A COUNCIL MEMBER TO SERVE AS SANITARY DISTRICT LIAISON.**
 9. **Discussion, consideration, and possible approval of Resolution 2009-760, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled "Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona".** (Staff Resource: Lisa Elliott)

10. Discussion, consideration, and possible approval of Ordinance 2009-A356, an Ordinance of Town of Camp Verde, Arizona, relating to the Privilege License Tax; adopting "Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona" by reference, amending Article V – Administration of the Town Tax Code and Regulation 8-555.1; providing penalties for the violation thereof; providing severability and establishing an effective date. (Staff Resource: Lisa Elliott)
11. Discussion, consideration, and possible approval of the updated 2009-2014 Five-Year Master Plan for Parks and Recreation. (Staff Resource: Lynda Moore)
12. Discussion, consideration, and possible direction to staff in consideration of the Camp Verde Housing Commission's recommendation not to decommission the Housing Commission. (Staff Resource: Matt Morris)
13. Discussion, consideration, and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Town Code Article 2-3-1, 'Regular Meetings' and Article 4-2-A.3 "Set the Regular Meeting Schedule". (Staff Resource: Debbie Barber)
14. Discussion, consideration, and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and all Commissions/Committees for 2009. (Staff Resource: Debbie Barber)
15. Discussion, consideration, and possible authorization for the Mayor as the Town's Chief Elected Official to support or oppose certain Bills introduced during the legislative sessions when they adversely affect the Town's interests and need an immediate response. (Staff Resource: Debbie Barber)

Councilor German requested item 16:

16. Discussion, consideration, and possible direction to staff relative to 1) proceeding with the development and/or modification of the Intergovernmental Agreement with the Camp Verde Sanitary District; 2) possible appointment of a new committee to address the IGA; 3) setting a tentative date to bring the IGA back to the respective Council and Sanitary District Board members for a vote; and/or 4) wait to address these items in June after the new Council members are seated.

Councilor Garrison requested item 17:

17. Discussion, consideration, and possible setting of a Work Session to discuss the structure and conduct of meetings to include, but not be limited to stating of motions, roll call votes, protocol, etc.

Mayor Gioia requested item 18:

18. Mayor's report of meetings with Congressional Representative Ann Kirkpatrick regarding an economic stimulus package as it relates to the Town of Camp Verde.
19. Call to the Public for Items not on the Agenda.

There will be no Public Input on the following items:

20. Advanced Approvals of Town Expenditures
 - a) There are no advanced approvals.
21. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
22. **Adjournment**

Posted by: 

Date/Time: 2-3-09 9:45 a.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

CHARLES C. GERMAN
P.O. BOX 327
CAMP VERDE, ARIZONA 86322

Copied Council and Staff

FEB - 2 2009

CJB

February 2, 2009

Dear Honorable Mayor and Council Members,

It is with regret that I must inform you that I am resigning my position of council member effectively immediately. I have become aware of the deterioration in my health and well being over the past few months. In an effort to get my health issues back under control, I am hereby resigning.

I apologize to the council and to the residents of this community for my inability to continue my service. This past February, I thought it possible to once again serve my community by volunteering to serve as a council member; regrettably it is not to be. I wish you well in your continued thoughtful deliberation on behalf of the community in which you serve. I will fondly remember my time as a council member.

Thank you for your kindness in understanding this difficult personal decision.

Respectfully,



CHARLES C. GERMAN

AMENDED AGENDA #3



REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 4, 2009
at 6:30 P.M.

If you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off when you enter Council Chambers. Remove your hats for the Pledge of Allegiance. All Presentations are limited to 10 minutes.

1. **Call to Order**
 2. **Roll Call**
 3. **Pledge of Allegiance**
 4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – January 21, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) February 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 2) February 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - 3) March 4, 2009 at 6:30 p.m. – Regular Session
 - 4) March 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 5) Marcy 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - c) **Possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for use of the triangle parking lot and trail adjacent to Butler Park and the District Office and authorization for the Mayor to execute the contract documents.** (Staff Resource: Lynda Moore)
 5. **Call to the Public for Items not on the Agenda.**
 6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
 7. **Presentation by Mike Showers relative to the Performing Arts Studio.**
- Mayor Gioia requested item #8: **AND 8A**
8. **Discussion, consideration, and possible direction to staff relative to improving signage that will direct tourists to the Townsite/Business District.**
 - 8A. **DISCUSSION, CONSIDERATION, AND POSSIBLE AUTHORIZATION FOR THE MAYOR TO ACT ON ISSUES TO RETAIN FORT VERDE STATE PARK; STATE PARKS IS RECOMMENDING THAT FORT VERDE PARK BE CLOSED.**
 - 8B. **DISCUSSION, CONSIDERATION, AND POSSIBLE ACCEPTANCE OF COUNCIL MEMBER CHARLEY GERMAN'S RESIGNATION, WITH APPRECIATION FOR HIS DEDICATION AND SERVICE TO THE TOWN OF CAMP VERDE.**
 9. **Discussion, consideration, and possible approval of Resolution 2009-760, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled "Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona".** (Staff Resource: Lisa Elliott)
 10. **Discussion, consideration, and possible approval of Ordinance 2009-A356, an Ordinance of Town of Camp Verde, Arizona, relating to the Privilege License Tax; adopting "Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona" by reference, amending Article V – Administration of the Town Tax Code and Regulation 8-555.1; providing penalties for the violation thereof; providing severability and establishing an effective date.** (Staff Resource: Lisa Elliott)

11. **Discussion, consideration, and possible approval of the updated 2009-2014 Five-Year Master Plan for Parks and Recreation.** (Staff Resource: Lynda Moore)
12. **Discussion, consideration, and possible direction to staff in consideration of the Camp Verde Housing Commission's recommendation not to decommission the Housing Commission.** (Staff Resource: Matt Morris)
13. **Discussion, consideration, and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Town Code Article 2-3-1, 'Regular Meetings' and Article 4-2-A.3 "Set the Regular Meeting Schedule".** (Staff Resource: Debbie Barber)
14. **Discussion, consideration, and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and all Commissions/Committees for 2009.** (Staff Resource: Debbie Barber)
15. **Discussion, consideration, and possible authorization for the Mayor as the Town's Chief Elected Official to support or oppose certain Bills introduced during the legislative sessions when they adversely affect the Town's interests and need an immediate response.** (Staff Resource: Debbie Barber)

Councilor German requested item 16:

16. **Discussion, consideration, and possible direction to staff relative to 1) POSSIBLE APPOINTMENT OF A COUNCIL MEMBER TO SERVE AS THE SANITARY DISTRICT LIAISON; 2)proceeding with the development and/or modification of the Intergovernmental Agreement with the Camp Verde Sanitary District; 3) possible appointment of a new committee to address the IGA; 4) setting a tentative date to bring the IGA back to the respective Council and Sanitary District Board members for a vote; and/or 5) wait to address these items in June after the new Council members are seated.**

Councilor Garrison requested item 17:

17. **Discussion, consideration, and possible setting of a Work Session to discuss the structure and conduct of meetings to include, but not be limited to stating of motions, roll call votes, protocol, etc.**

Mayor Gioia requested item 18:

18. **Mayor's report of meetings with Congressional Representative Ann Kirkpatrick regarding an economic stimulus package as it relates to the Town of Camp Verde.**
19. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

20. **Advanced Approvals of Town Expenditures**
a) **There are no advanced approvals.**
21. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
22. **Adjournment**

Posted by: U. Gomez

Date/Time: 2:30

12:15 p.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

AMENDED AGENDA

**FEBRUARY 4, 2009
REGULAR SESSION**

ADDING ITEM 8A

AMENDED AGENDA



REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 4, 2009
at 6:30 P.M.

If you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off when you enter Council Chambers. Remove your hats for the Pledge of Allegiance. All Presentations are limited to 10 minutes.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – January 21, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) February 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 2) February 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - 3) March 4, 2009 at 6:30 p.m. – Regular Session
 - 4) March 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 5) Marcy 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - c) **Possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for use of the triangle parking lot and trail adjacent to Butler Park and the District Office and authorization for the Mayor to execute the contract documents.** (Staff Resource: Lynda Moore)
5. **Call to the Public for Items not on the Agenda.**
6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
7. **Presentation by Mike Showers relative to the Performing Arts Studio.**

Mayor Gioia requested item #8: **AND 8A**
8. **Discussion, consideration, and possible direction to staff relative to improving signage that will direct tourists to the Townsite/Business District.**
- 8A. **DISCUSSION, CONSIDERATION AND POSSIBLE AUTHORIZATION FOR THE MAYOR TO ACT ON ISSUES TO RETAIN FORT VERDE STATE PARK; THE STATE LEGISLATURE IS RECOMMENDING THE PARK BE CLOSED.**
9. **Discussion, consideration, and possible approval of Resolution 2009-760, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled “Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona”.** (Staff Resource: Lisa Elliott)
10. **Discussion, consideration, and possible approval of Ordinance 2009-A356, an Ordinance of Town of Camp Verde, Arizona, relating to the Privilege License Tax; adopting “Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona” by reference, amending Article V – Administration of the Town Tax Code and Regulation 8-555.1; providing penalties for the violation thereof; providing severability and establishing an effective date.** (Staff Resource: Lisa Elliott)
11. **Discussion, consideration, and possible approval of the updated 2009-2014 Five-Year Master Plan for Parks and Recreation.** (Staff Resource: Lynda Moore)
12. **Discussion, consideration, and possible direction to staff in consideration of the Camp Verde Housing**

Commission's recommendation not to decommission the Housing Commission. (Staff Resource: Matt Morris)

13. **Discussion, consideration, and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Town Code Article 2-3-1, "Regular Meetings" and Article 4-2-A.3 "Set the Regular Meeting Schedule".** (Staff Resource: Debbie Barber)
14. **Discussion, consideration, and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and all Commissions/Committees for 2009.** (Staff Resource: Debbie Barber)
15. **Discussion, consideration, and possible authorization for the Mayor as the Town's Chief Elected Official to support or oppose certain Bills introduced during the legislative sessions when they adversely affect the Town's interests and need an immediate response.** (Staff Resource: Debbie Barber)

Councilor German requested item 16:

16. **Discussion, consideration, and possible direction to staff relative to 1) proceeding with the development and/or modification of the Intergovernmental Agreement with the Camp Verde Sanitary District; 2) possible appointment of a new committee to address the IGA; 3) setting a tentative date to bring the IGA back to the respective Council and Sanitary District Board members for a vote; and/or 4) wait to address these items in June after the new Council members are seated.**

Councilor Garrison requested item 17:

17. **Discussion, consideration, and possible setting of a Work Session to discuss the structure and conduct of meetings to include, but not be limited to stating of motions, roll call votes, protocol, etc.**

Mayor Gioia requested item 18:

18. **Mayor's report of meetings with Congressional Representative Ann Kirkpatrick regarding an economic stimulus package as it relates to the Town of Camp Verde.**
19. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

20. **Advanced Approvals of Town Expenditures**
 - a) **There are no advanced approvals.**
21. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
22. **Adjournment**

Posted by: *V. Jones*

Date/Time: 2-3-09 9:00 a.m.

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

AGENDA



**REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, FEBRUARY 4, 2009
at 6:30 P.M.**

If you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off when you enter Council Chambers. Remove your hats for the Pledge of Allegiance. All Presentations are limited to 10 minutes.

1. **Call to Order**
 2. **Roll Call**
 3. **Pledge of Allegiance**
 4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – January 21, 2009
 - b) **Set Next Meeting, Date and Time:**
 - 1) February 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 2) February 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - 3) March 4, 2009 at 6:30 p.m. – Regular Session
 - 4) March 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning
 - 5) March 25, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
 - c) **Possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for use of the triangle parking lot and trail adjacent to Butler Park and the District Office and authorization for the Mayor to execute the contract documents.** (Staff Resource: Lynda Moore)
 5. **Call to the Public for Items not on the Agenda.**
 6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
 7. **Presentation by Mike Showers relative to the Performing Arts Studio.**
- Mayor Gioia requested item #8:
8. **Discussion, consideration, and possible direction to staff relative to improving signage that will direct tourists to the Townsite/Business District.**
 9. **Discussion, consideration, and possible approval of Resolution 2009-760, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled “Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona”. (Staff Resource: Lisa Elliott)**
 10. **Discussion, consideration, and possible approval of Ordinance 2009-A356, an Ordinance of Town of Camp Verde, Arizona, relating to the Privilege License Tax; adopting “Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona” by reference, amending Article V – Administration of the Town Tax Code and Regulation 8-555.1; providing penalties for the violation thereof; providing severability and establishing an effective date. (Staff Resource: Lisa Elliott)**
 11. **Discussion, consideration, and possible approval of the updated 2009-2014 Five-Year Master Plan for Parks and Recreation. (Staff Resource: Lynda Moore)**
 12. **Discussion, consideration, and possible direction to staff in consideration of the Camp Verde Housing Commission’s recommendation not to decommission the Housing Commission. (Staff Resource: Matt Morris)**

13. **Discussion, consideration, and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Town Code Article 2-3-1, "Regular Meetings" and Article 4-2-A.3 "Set the Regular Meeting Schedule".** (Staff Resource: Debbie Barber)
14. **Discussion, consideration, and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and all Commissions/Committees for 2009.** (Staff Resource: Debbie Barber)
15. **Discussion, consideration, and possible authorization for the Mayor as the Town's Chief Elected Official to support or oppose certain Bills introduced during the legislative sessions when they adversely affect the Town's interests and need an immediate response.** (Staff Resource: Debbie Barber)

Councilor German requested item 16:

16. **Discussion, consideration, and possible direction to staff relative to 1) proceeding with the development and/or modification of the Intergovernmental Agreement with the Camp Verde Sanitary District; 2) possible appointment of a new committee to address the IGA; 3) setting a tentative date to bring the IGA back to the respective Council and Sanitary District Board members for a vote; and/or 4) wait to address these items in June after the new Council members are seated.**

Councilor Garrison requested item 17:

17. **Discussion, consideration, and possible setting of a Work Session to discuss the structure and conduct of meetings to include, but not be limited to stating of motions, roll call votes, protocol, etc.**

Mayor Gioia requested item 18:

18. **Mayor's report of meetings with Congressional Representative Ann Kirkpatrick regarding an economic stimulus package as it relates to the Town of Camp Verde.**
19. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

20. **Advanced Approvals of Town Expenditures**
 - a) **There are no advanced approvals.**
21. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
22. **Adjournment**

Posted by: 

Date/Time: 1-30-09 9:20 a.m

Note: Pursuant to A.R.S. §38-431.03.A.2 and A.3, the Council may vote to go into Executive Session for purposes of consultation for legal advice with the Town Attorney on any matter listed on the Agenda, or discussion of records exempt by law from public inspection associated with an agenda item.

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk.

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, JANUARY 21, 2009
6:30 P.M.**

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Council motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion**

1. **Call to Order**
The meeting was called to order at 6:30 p.m.
2. **Roll Call**
Mayor Gioia, Vice Mayor Hauser, Councilors Garrison, Kovacovich, and German were present; Councilor Smith arrived at 6:56 p.m.; there is one seat vacant.

Also Present: Town Manager Mike Scannell, Sr. Accountant Lisa Elliott, Marshal Dave Smith, Parks & Recreation Director Lynda Moore, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by German.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) Approval of the Minutes:

- 1) Special Session – January 13, 2009
- 2) Special Session – December 22, 2008
- 3) Special Session – December 17, 2008
- 4) Executive Session – December 17, 2008 (Recorded)
- 5) Regular Session – December 17, 2008

b) Set Next Meeting, Date and Time:

- 1) January 28, 2009 at 6:30 p.m. – Council Hears Planning & Zoning – **CANCELLED**
- 2) February 4, 2009 at 6:30 p.m. – Regular Session
- 3) February 18, 2009 at 6:30 p.m. – Regular Session/Council Hears Planning & Zoning

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, with the changes noted.

Councilor Garrison requested a correction to the Minutes of the Special Session on January 13, 2009; on Page 3, Item 4, the vote count should have been reported as 5-1; Councilor Kovacovich said he would abstain from voting on the Minutes of December 22, 2009 since he had not been present.

Mayor Gioia pointed out to the members of the public that the agenda is very long and, in the interest of saving time and cost, asked those who wished to speak to be brief, and not to repeat what a prior speaker has said but to just indicate agreement or opposition to what was said.

5. **Call to the Public for Items not on the Agenda.**
John Wischmeyer distributed copies of his written statement, and then read it, stating his opposition to the entrance to the Community Park on McCracken Road in that the disturbance from the construction and the resulting mass vehicular traffic are of great concern to the residents of the normally quiet character of the area; the entrance should be from Highway 260. Wischmeyer requested the Council to delete any further expense or consideration of the McCracken Road entrance.

There was no further public input.

6. **Council Informational Reports**
German said he has requested an agenda item for February 4th for guidance as liaison on Council wishes involving the IGA and appointing new members. German reported on the status of working with the Sanitary District in regard to a protocol for dealing with the spills; he will meet with the Town Manager to establish the protocol for the Town to follow in an emergency situation. The issue of the use of the 15-acre lease will also be addressed with the Sanitary District;

further information will be coming back to Council. German said he plans to attend a special meeting of the Sanitary District tomorrow dealing with the refinancing.

Hauser displayed her Cardinals souvenir.

Kovacovich thanked the Town street crew and Ron Long for repairing the cattle guard on Middle Verde Road.

Gioia reported on the suit filed by SRP against ADW regarding the Big Chino pipeline. The Census Bureau will be hiring about 200 citizens to help with the census in the Verde Valley; Gioia is in contact with the Bureau to try to situate one of the interview stations here in Camp Verde, which will create jobs. Senate Bill 22 passed, designating the Wild and Scenic Designation for Fossil Creek; there should not be any challenge in the House for passage of the bill. Gioia said he would be meeting with Congressman Kirkpatrick on Saturday, and asked for any input the members wish to share with her.

7. **Presentation and possible approval of the Proclamation declaring February 14 – 21 as “Arizona Adult Literacy Week.”**

There was no action taken.

Ann Hoy, the new Director of the Camp Verde Adult Reading Program, explained that the special Week is set aside annually to bring attention to adult learners and programs like the Reading Program; she outlined the many benefits offered to adults, including assistance in earning their GED's and enhancing their job and communication skills. Ms. Hoy requested help to spread the word about those benefits, and indicated a supply of flyers that were available to display at stores and businesses to help inform the public.

Mayor Gioia read aloud the wording from the official Proclamation declaring February 14-21, 2009 as Adult Literacy Week.

8. **Presentation and discussion of the Quarterly Reports from the following Commissions for the period covering October – December 2008:**

There was no action taken.

- a)
- a) **Youth Commission**
- b) **Board of Adjustments**
- c) **Design Review Board**
- d) **Planning & Zoning Commission**
- e) **Parks & Recreation Commission**
- f) **Housing Commission** (added during the meeting)
- g) **Library Commission** (added during the meeting)
- h) **Trails Commission** (added during the meeting)

Two representatives from the **Youth Commission** read from their written report; Director Moore confirmed that the staff positions are being filled through the Vista program; no decision has been made regarding officers and their term limits.

Al Roddan presented highlights from the **Board of Adjustments** report; during the brief discussion he was commended for the Board having acknowledged and adopted the Town Code of Conduct.

Jim Binick gave the **Design Review Board** report, pointing out the recent approvals of solar panels in construction; there was some discussion on the benefit of solar panels and concern regarding their appearance and visual impact, as well as suggestion that the use of solar panels should be encouraged by both the Design Review Board and Planning & Zoning.

Director Nancy Buckel gave the **Planning & Zoning Commission** report; there was discussion regarding the reference in the written report regarding violations of the A.R.Statutes. Buckel reviewed the history of ordinance amendments that had created that problem, her contacts with the Town Attorney in that regard, and anticipation that when the research and work are completed on rewriting the Codes the oversights will be corrected. Mayor Gioia requested that Buckel have the Chairperson, or delegated representative, give their report in the future; it should not be left to staff to step in for that body.

Robin Whatley presented the **Parks & Recreation Commission** report; in addition to the written report she added that the Pecan & Wine Festival will be held on February 13-14-15. She was thanked for the Commission once again doing the Camp Verde fingerprint policy presentation and bringing everyone up to speed on it.

Jeremy Bach spoke on behalf of the **Housing Commission**; the Council expressed some concern about the reference in the report regarding setting aside a conflict of interest in regard to one Commissioner, that it would be totally against the policy just adopted by the Town. Mayor Gioia again thanked the Commission for their service.

Lisa Mina submitted the **Library Commission** report and relayed the request of CCCVL to put a vote to the people on the location of the new library; the Council expressed some agreement with that idea, but concern about the possibility of being manipulated by citizens creating cross-purposes between the Commission and the Council. It was suggested that the Town Clerk could advise anyone interested what steps to take to put the issue of a vote on the ballot.

Lynda Moore reported on highlights from the **Trails Commission** report. Gioia commented that the State Parks Director would like to hear any ideas that the Trails Commission has to offer on the Greenway. Gioia also requested that Moore ask the Chairperson give the report on behalf of the Commission in the future. In connection with a question about Jackson Flat, Moore suggested that Mayor Gioia might attend a Trails meeting and the issue could be discussed further.

Mayor Gioia reminded everyone that the Council appreciates the involvement by all the volunteers in the community, and that limiting the meetings was based solely on the need to cut down expenses.

9. **Presentation and Review of the First Draft of the 2009 Heritage Grant application and possible direction to staff relative to the application.** (*Staff Resource: Lynda Moore*)
There was no action taken.

Moore gave an update on the draft of the application, requested any input or suggestions, and advised the Council that the final draft will be presented to the Council on February 18th. During the discussion with Moore regarding the information yet to be filled in and documents to be attached, there was a reminder to the Commissions that if they deem special sessions to be necessary, they should contact the Town Manager who will make the decision based on the special circumstances.

There was no public input.

10. **Clarification of the intent of the language in Section 108-D, concerning swine Temporary Youth Organization Use Permit, specifically 5.1.1) and 2), and hearing of an appeal of the Community Development Director's decision to not to accept the FFA Advisor's agreement and to accept all authority concerning enforcement of Section 108-D regulations for all youth livestock activity under her supervision during 2009.** (*Staff Resource: Nancy Buckel*)

On a motion by Garrison, seconded by German, the Council voted 4-2 that the authority of this project be put back into the hands of Nancy Buckel and her staff and to be looked at later through maybe working out an agreement, but this is the 11th Hour; with 'no' votes by Kovacovich and Smith.

Community Development Director Buckel explained that the deadlines set forth in the new regulation have not been met, as agreed upon between the Town and the FFA whereby Buckel would have then relinquished authority to approve youth market animal activities. The required documents have not been provided. Buckel said she recently met with the new FFA Advisor to discuss what apparently has been some miscommunication. Based on phone calls regarding swine activities showing up in the neighborhood, Buckel said it appears that she will have to take over the enforcement. The FFA group had requested that Section 5.a.1) and 2) be added to Section 108D; Buckel outlined what she understands was the intent of the language, but how that addition has now created confusion in interpreting that requirement. Buckel stated that she now wants to get clear direction from the Council regarding her authority to take over enforcement in light of the failure of FFA to meet the deadlines as required by the Code.

The members discussed with Buckel the months of working on the agreement with the FFA, the responses to Buckel's attempts to contact the group as the deadlines passed and Buckel's attempts to try to work with the group and Ms. Mulcaire. Buckel suggested that Ms. Mulcaire could provide some input as to what the FFA group had intended; Buckel said that some clear definition is needed regarding the issue of special consideration of allowing swine related to the

property size. The discussion included a review of the background of the last-minute addition of the section in question, and strong objection to a division of authority between the FFA personnel and Planning & Zoning, as well as the failure of FFA to meet their own commitments. There was also the opinion expressed that the Town should depend on the FFA Director to help define the intent, depending on the individual situations, and work through what is a learning curve. Buckel commented that she has been provided with names and addresses of the children already, and will have to see how it works, but stressed that it has to be understood that P&Z and FFA need to work together and when she calls for assistance it is needed immediately.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Kristi Mulcaire said she was hired this year to be a part-time Ag teacher at the high school. She feels that she has been fulfilling her responsibilities, but has experienced a huge communication gap between the Town and herself. The problems should be resolved on each individual basis, the kids should not be limited in raising a market animal; the section is black and white as it reads. She criticized the Town for not enforcing the Code that was already in place, and questioned who was not doing their job in the Town. Ms. Mulcaire believes exceptions should be made, and the problem should be worked on in a timely and reasonable manner so it will not hurt the kids.

Lisa Mina commented that as a resident and a teacher she understood the question had to do with kids that lived on property less than one-half acre and wanted to raise a pig at a friend's house instead, which may be where the confusion came from. She also is concerned about the September deadline being unrealistic because of staff changes.

Bob Burnside remembered having dealt with the swine issue as a member of the Planning & Zoning Commission. The number 5 on the temporary was correct; Council chose that. You want the youth-sponsored kids to have the pigs, and this can be done through a temporary use permit, with supervision of the FFA.

There was no further public input.

Following the public input, Garrison said she had a question on Point of Order, whether the Council is able to have discussion with the public as they are addressing an agenda item; Gioia said that it was his decision to not allow discussion because of the possible volatility of a situation. Garrison requested that the Town Attorney be questioned on that issue.

There was further discussion with Buckel regarding her attempts to communicate with the FFA people, the compromise with the residents, and the determination by Council to make sure the children have rural opportunities. Buckel suggested that the Council consider the FFA Advisor's appeal to her decision and to allow her to participate in the enforcement of this regulation this year. The deadlines have passed in violation of the law; does the Council want to approve the FFA Advisor's appeal and allow her the chance to commit late and take over the enforcement.

Buckel offered comments on her understanding of the intent of the language, which is to allow additional market swine if there are larger pieces of property; it clearly does not fit under 5.a), because it says only one swine on less than ½ an acre; it would have to be either d) or e). The other item is to allow at least one market swine on less than one acre. And every member could have a pig as long as they placed that pig on somebody's property where it was allowed. One swine on less than ½ an acre would be regardless, and would have to be a special consideration. If over one acre, Buckel would need to look at the size for allowing an additional one for every ½ acre; that criteria is already spelled out. Gioia said he understood that the FFA Advisor was to police the issue of setbacks as well as the pen and nuisance issues, and was going to police the number according to the amount of land owned; that will also temporarily become the responsibility of Buckel. Buckel said she would try to work with the FFA Advisor this year and request their support on working with the individuals and their special circumstances.

A recess was taken at 8:41 p.m.; the meeting was called back to order at 8:47 p.m.

11. **Discussion, consideration, and possible approval of the FY 2008 Development Impact Fee Reports.** (Staff Resource: Lisa Elliott)
There was no action taken.

Sr. Accountant Elliott presented the subject Development Impact Fee Report; she apologized that although the annual report had been filed with the Clerk's Office, it had not been submitted to the Council for approval as required, resulting in a delay of 20 days. Ms. Elliott reviewed the figures from the report and the .61% interest earned on the funds that

had been consolidated in the LGIP fund. The members commented on the extremely low interest rate that is another indication of the current economy.

There was no public input.

12. **Discussion, consideration, and possible approval of Resolution 2009-758, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting that certain document filed with the Town Clerk and entitled, "Town of Camp Verde Investment Policy".** (Staff Resource: Lisa Elliott)
 On a motion by Hauser, seconded by Smith, the Council unanimously approved Resolution 2009-758, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting that certain document filed with the Town Clerk and entitled, "Town of Camp Verde Investment Policy".

Ms. Elliott advised the Council that the Investment Policy is a follow-up to the internal controls review report that conducted by Lumbard Associates in January of 2008, and was one of the areas identified that the Town needed to adopt a formal Investment Policy. This document is based on a sample Investment Policy obtained from the Government Finance Officers Association of Arizona and contains all the Federal and State laws that govern how municipalities can invest their money. With input from Town Manager Scannell, Ms. Elliott outlined the different sections contained in the sample, including a section that was added for training the individual in charge of the program; the main objectives were identified as safety, liquidity, optimal yield and collateralization. During the discussion and clarification of some aspects of the document, including checks and balances, conflicts of interest and the safeguards, there was also a suggestion that the Finance Director should be required to file annual financial statements.

Scannell recommended initiating a system whereby two Council members would sit on a finance committee reviewing the Town investment practices; such a set of eyes at the elected level would greatly improve oversight and accountability. Scannell said he would be bringing back that proposal in the next several weeks for Council consideration.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Debbie Roulette asked if this "takes care of the Dane Bullard situation, the accountability on the money."

Jackie Baker questioned whether the reference to "Finance Director" applies to Mike Scannell, and is he acting as the Finance Director, and asked about the recommended number of Finance Department staff. *Scannell advised Ms. Baker that on October 3, 2007 the Council appointed him as Interim, or Acting Finance Director, and outlined the difficulty of recruiting for qualified financial staff and anticipated renewed recruitment efforts following the current software conversion project.*

There was no further public input.

(Note: Town Attorney Sims was contacted and participated in the remainder of the meeting by telephone conference.)

Councilor Garrison requested item #13:

13. **Discussion and possible direction to staff relative to the recently released investigative report by the Town Marshal and the County Attorney concerning the failure of the Town's Internal Controls in the Town's Finance Department, to include, but not be limited to discussion of the following:**
- a) **How the failures listed in the report were allowed to occur;**
 - b) **Possible methods in which the Council can prevent similar failures in the future; and**
 - c) **Request the County Attorney to re-open the investigation.**

d) On a motion by Garrison, seconded by Gioia, the Council voted 4-2 to request a review by the State Board of Accountancy to review how business was done by the previous auditing firm and by the previous Town Finance Director; with 'no' votes by Kovacovich and Smith.

Garrison explained that she had questions regarding the Town's finances shown in budget reports prior to and after her election. Once she was elected she was unable to get answers from the Finance Department to specific questions. After he was hired Mike Scannell had the same questions, with the result that a negative balance in the Town's finances was discovered; incorrect information had apparently been provided by the former individual in charge of that department and not questioned by the former auditing firm. Garrison said that she did not feel all questions had been

answered by the recent investigative report. She said she understood that the Town Attorney and the County Attorney were not comfortable with moving the case forward, and asked Sims if the agenda item as stated would permit a motion to request a review by the State Accountancy Board of how business was done by the previous audit firm and the previous Town Finance Director.

After discussion, with input from Council and Scannell, and analysis of the language of the agenda item and the intent of the person drafting the language, Sims opined that such a motion would be allowed and Council could take action as requested, if a majority agreed. During the discussion, and for clarification, Scannell pointed out that one of the functions of the audit is to express an opinion about the accuracy of financial statements and to also look at the adequacy of internal controls. Scannell said he understands that Garrison is concerned that the audit did not document the failure of the internal controls, which resulted in a failure to protect the interests of the Town, and the recent investigative report left questions unanswered.

As a cautionary note, **and for the record**, Attorney Sims requested confirmation that no one is expressing any opinion regarding innocence or guilt or concerns about improper professional conduct; no one this evening is stating anything affirmatively whether or not someone is in fact innocent or guilty, or whether or not someone may or may not have fallen below standards; the action to be taken is for a third party to come in and make that determination; Councilor Garrison confirmed that she just wants some answers to the questions that still, two years later, have no answers. She believes that in order to prevent a similar situation from ever happening again, there has to be understanding of what took place; the community deserves some answer and some closure.

Garrison pointed out for the public to research, if they so wish, the action of the Council seated in February, 2007 to unanimously vote to put the Finance Director under the Council at the request of the Acting Town Manager who would subsequently become the Town Finance Director in June 2007; no reason for that action was recorded.

Town Marshal Dave Smith said he believes major steps have been taken to prevent this in the future; there will be no repeat of having the same auditing firm for years at a time. There were no checks and balances, with too much autonomy given to one individual, and the Finance Director should come under the Town Manager, not the Council. As for the County Attorney's office there was no finding of innocence or guilt, they just did not believe it was worth the expense of prosecuting. Marshal Smith was asked what the finding of the Certified Forensic Auditor was; Smith replied that "his opinion said they should have gone to jail; he was quite upset that the County Attorney did not prosecute."

Councilor Smith expressed his concern about the possibility of violating a severance package agreement; Sims pointed out that no statement was being made about whether any individual has acted inappropriately; there are no allegations of improper conduct, other than the Town asking a third party to look into it. Marshal Smith confirmed that he saw no difficulty in sending the investigative report to the State Accountancy Board, let them make a decision as to the adequacy of the report.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Jackie Baker thanked Garrison for her research; she asked about the report of the Forensic Auditor indicating that someone should go to jail, and whether it was available to the public. (*She was assured it was.*) Baker asked what amount of money was in question and does the Town have all the money it is supposed to have. (*Marshal Smith said the amount was \$270,000 and was mishandled, but is not missing.*)

Carlie Androus asked what happened to the Minutes that are missing. (*Garrison said they are not missing, the information regarding the reasoning for changing the status of the Finance Director was not reported.*)

There was no further public input.

Councilor Smith added one more cautionary note, to not be wrongfully accusing people of intent where there has been no misdeed.

Councilor Smith requested item #14:

14. **Discussion and consideration of, but not limited to the following, with possible direction to staff on any or all of the matters listed:**
 - a) **Update on the Town's current financial condition, to include information on where the Town's reserves are maintained and the interest rates earned;**

- b) **Update of the external and internal costs to operate the Finance Department;**
- c) **Explanation as to why Council has not received Monthly Financial Reports since June 2008; and**
- d) **Possible direction to staff to proceed with hiring a Finance Director in order to possibly lower the operational costs of the Finance Department and to improve oversight, Internal Controls, and responsiveness.**

There was no action taken. Councilor Smith requested that this item be continued.

Councilor Smith said that the Minutes of March 16th indicate that a financial statement was requested by May 7th, and none has been received. As a businessman he is accustomed to receiving monthly financial reports that compare budget vs. actual and the current year vs. the last year, and in many cases a five-year projection. Smith questioned what he believes has been the lack of good financial data and information from the current Finance Director/Town Manager and the inability to discuss the issue with other Council members because of Open Meeting Law restrictions. Smith explained that is the reason for the agenda item and the concerns set forth, to which the citizens of the community deserve answers. Smith suggested that there may be inadequate staff in the Finance Department to produce the documents that both the Council and the community need.

At Scannell's request, Attorney Sims confirmed that since production of financial reports is a set policy, discussion with colleagues regarding production of the reports would not be a violation of the Open Meeting Law. Scannell defended the allegation by Smith that no financial statements have been submitted regarding the financial condition of the Town; in fact, Scannell said he had submitted a comprehensive report to the Council on November 12th outlining a significant short fall. Scannell pointed out that all recommendations to cover that short fall were adopted by the Council. Scannell had said he would submit a report to the Council in late February, after the Christmas Season and receipt of more data, and all the members agreed with that position. Scannell also explained that the Town's software system is in a state of extreme disrepair and needs to be replaced, and the inability of the Finance Department staff to deliver timely reports is inextricably tied to the failure of the computer system. The system should have been replaced years ago, but Scannell said he takes full responsibility, and the issue will be remedied. In addition, Scannell said that if Council so desires he would be happy to be investigated and placed on Administrative Leave.

In response to each of the issues contained in this agenda item, Scannell had prepared a comprehensive explanatory report which he then requested and received permission to read verbatim into the record; **a copy is attached hereto as Exhibit A, and incorporated herein.** In response to Item 14.a), Scannell said that should the Council not wish to grant his request to file a report in late February, as indicated at the November meeting, he would request that he be given some time to prepare a report to be placed on the next Council agenda for review, consideration and guidance to staff. In his written report Scannell addressed the questions in the subsections in detail and asserted that the implied lack of performance was unfair and unwarranted. Scannell reviewed the state of the financial condition of the Town when he arrived, and the steps he has taken to raise the accounting standards to a professional level, including emphasis on transparency and accountability. Scannell, in conclusion, said that the Finance Department is being run in a manner which protects the interests of the Town and its residents in ways that the Town has never heretofore experienced. In addition, Scannell said he takes full responsibility for the failure alluded to in the agenda item, and that will be remedied forthwith.

Scannell advised the Council that because he was remiss, he is prepared to be placed on Administrative Leave this evening, and have the Council investigate him as much as they want to and mete out whatever punishment they deem appropriate. Scannell said he takes full responsibility; he is proud of the work he has been doing and the work that Ms. Elliott has been doing. He added that progress has been made to correct the shocking state of disrepair of this Town that existed when he arrived.

There was further discussion between individual members and Scannell regarding the current budget report, concern about the Town Manager also serving as Finance Director, the problem with the failures of the software, as well as gratitude for the fine job Scannell is doing wearing the two hats as Finance Director and Town Manager. Scannell said that he came here to try to serve the community, and if at any time Council feels he is not adding value, he will be aware of that and know when it is time to go. Scannell suggested that he may request collectively a Vote of Confidence, and promised to schedule that agenda item on February 4th. There was no further discussion.

There was no public input.

Note: Because of the late hour, the meeting was next formally adjourned; the following Items 15, 16, 17 and 18 will be continued to the next meeting.

15. **Discussion, consideration, and possible approval/denial of the Verde Valley Concert Association-Missoula Theatre Project application for funding for \$1,750 from LTAF.** (*Staff Resource: Debbie Barber*)
16. **Discussion, consideration, and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending the Town Code Article 2-3-1, Regular Meetings and Article 4-2-A.2 Set the Regular Meeting Schedule.** (*Staff Resource: Debbie Barber*)
17. **Discussion, consideration, and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and All Commissions/Committees for 2009.** (*Staff Resource: Debbie Barber*)
18. **Discussion, consideration, and possible authorization for the Mayor as the Town's Chief Elected Official to support or oppose certain Bills introduced during the legislative sessions when they adversely affect the Town's interests and need an immediate response.** (*Staff Resource: Debbie Barber*)
19. **Call to the Public for Items not on the Agenda.**
(This item was not addressed.)
20. **Advanced Approvals of Town Expenditures**
 - a) **There are no advanced approvals.**
(This item was not addressed.)
21. **Manager/Staff Report**
(This item was not addressed.)
22. **Adjournment**
On a motion by German, seconded by Hauser the meeting was adjourned at 10:51 p.m.

Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 21st day of January 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Debbie Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date:

Feb. 4, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

Consent Agenda - IGA for School Parking Lot

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval to renew the Intergovernmental Agreement with the Camp Verde Unified School District for Triangle Parking Lot and Trail.

PURPOSE AND BACKGROUND INFORMATION:

This item recently came before Council and staff was directed to send it back to the School Board for the new board members review. Attached is a letter from Dennis Sterrett, Board President stating that the School Board will not hear this item again. The only costs associated with this IGA is staff time to pick up trash and to weed eat in the summer. Butler Park does not have sufficient parking without use of the schools parking lot.

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve entering into an IGA with the Camp Verde Unified School District for use of a parking lot and trail.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

Town Manager/Designee:

INTERGOVERNMENTAL AGREEMENT
TRIANGLE PARKING LOT AND TRAIL

This Intergovernmental Agreement (“Agreement”) for use of a parking lot and trail is entered into this 4th day of February, 2009, by and between Camp Verde Unified School District No. 28, a political subdivision of the State of Arizona (“CVUSD”), and the Town of Camp Verde, an Arizona municipal corporation (the “Town”), each individually a “Party” and jointly “the Parties”.

RECITALS

The Town and CVUSD agreed to the construction and Town use of the triangle parking lot and access trail adjacent to Butler Park and the District Office (the “Facility”) as a public parking lot and trail on CVUSD property and to cooperatively act to maintain the Facility.

The Facility has been built by the Parties and the Parties desire to enter into this Agreement for the use and management of the Facility.

CVUSD is authorized to enter into this Agreement pursuant to Arizona Revised Statutes Section 15-342(13), Section 15-364(A), and Section 11-952.

The Town is authorized to enter into this Agreement under ARS Section 15-364(B) and Section 11-952.

Now therefore, for the mutual covenants and consideration contained herein, the Parties agree as follows:

AGREEMENT

1. TERM. The term of this Agreement shall commence on February 4, 2009, and end on February 4, 2012. This Agreement may be extended by either Party for successive terms of four years upon written notice of intent to extend delivered to the other Party not less than thirty (30) days prior to the end of the then-current term.
2. PURPOSE. The purpose of this Agreement is to set forth the responsibilities and contributions of the Parties with respect to the operation of the Facility and the sharing of operational costs and maintenance of the Facility.
3. USE. The Parties each represent that the Facility will be used only for the purpose of a vehicle parking and pedestrian trail. The Parties agree to comply with all applicable state, federal or city laws and regulations, and with the policies and regulations of CVUSD pertaining to the use and occupancy of the Facility. Neither Party shall use or allow any portion of the Facility to be used for any unlawful purpose. Neither Party shall commit or allow to be committed any waste or nuisance in or about the Facility, or

subject the Facility to any use that would damage any portion of the Facility or raise or violate any insurance coverage maintained by CVUSD.

4. FINANCIAL CONTRIBUTIONS.

A. Pursuant to ARS Section 15-1105(A), CVUSD may lease school property to any organization for recreational purposes in the interest of the community. CVUSD must charge a reasonable use fee for such lease, which fee may include goods contributed or services rendered by the Town to CVUSD.

The reasonable use fee for lease of CVUSD property shall be services rendered by the Town as follows:

Town will operate and maintain the Facility.

Town will set fees for use of the Facility and collect the same.

Town will use fees collected to pay all expenses of operation and maintenance (including but not limited to utilities, supplies, and personnel) of the Facility except as expressly provided elsewhere in this Agreement.

B. CVUSD shall provide non-potable water and pay for electricity used by the Facility. This provision shall survive termination of this Agreement as long as Town is operating the Facility; provided, however, that if such termination occurs and Town continues to operate the Facility, CVUSD and Town may negotiate for Town to reimburse CVUSD for the expenses of water and electricity provided by CVUSD to the Facility.

C. The Parties shall review the income and expenses relating to the Facility as frequently as the Parties shall agree, but not less than once during each Term of this Agreement.

D. To the extent of available funds, each Party shall include in its budget each year an amount necessary to meet the Party's financial responsibilities, as set forth in this Agreement.

E. In the event the Facility is abandoned for a period of one year or is permanently closed, then Town shall be responsible for the cost of restoring the site to its condition prior to construction of the Facility.

5. INSURANCE.

A. CVUSD will procure, at its expense, and maintain during the term hereof, a policy of general liability insurance against claims for bodily injury, death and property damage occurring in connection with the use of the Facility as part of its general policy.

B. Town will procure, at its expense, and maintain during the term hereof, a policy of general liability insurance against claims for bodily injury, death and property damage occurring in connection with the use of the Facility as part of its general policy.

6. LIABILITY. Town agrees to conduct its activities in the Facility in a careful and safe manner. Where both CVUSD and Town, including their employees, agents or representatives participated in the liability causing event, each Party shall contribute to the common liability a pro rata share based upon its relative degree of fault as established by compromise, arbitration or litigation; provided, however, that notwithstanding any other provision of this Agreement to the contrary, any agreement by a Party to defend, hold harmless or indemnify the other Party shall be limited to, and be payable only from, available insurance or self-insurance coverage for liability assumed by contract, if any, available as a part of a general liability insurance program.

7. ENTIRE CONTRACT. This Agreement is the entire contract between Town and CVUSD. The Parties shall not be bound by or be liable for any statement or representation of any nature not set forth in the grant application or this Agreement. Changes of any of the provisions of this Agreement shall not be valid unless reduced to writing and signed by both Parties.

8. TERMINATION. This Agreement may be terminated by a majority vote by the governing board of either Party. The Party terminating the Agreement must notify the other Party in writing prior to December 15 of the year prior to the effective date of termination. The effective date of termination will be June 30 of the year after notification.

9. RIGHT OF FIRST REFUSAL. If CVUSD sells the real property upon which the Facility is located, CVUSD shall first offer to the Town the Facility and real property of a size to effectuate the purpose for which the Facility was constructed at a price which is fair market value less an amount which is the total of the funds contributed by Town for original construction of the Facility plus all subsequent capital contributions to the Facility by Town.

10. WAIVER. The failure of either Party to insist upon strict performance of any of the provisions of this Agreement or to exercise any rights or remedies provided by this Agreement, or either Party's delay in the exercise of any such rights or remedies shall not release the other Party from any of its responsibilities or obligations imposed by this Agreement and shall not be deemed a waiver of any right of the Party to insist upon strict performance of this Agreement.

11. ASSIGNMENTS AND SUBLETTING. Town shall not have the right to assign this Agreement or allow any other person or entity to use or occupy any or all of the Facility without the prior written consent of CVUSD, which consent may be granted or withheld at CVUSD's sole discretion.

12. DEFAULT. In the event that the Town fails to pay any fee or other sum required to be paid by the Town hereunder when due, or otherwise fails to comply with or observe any other provisions of this Agreement, in addition to any other remedy that may be available to the CVUSD by reason of such failure, whether at law or in equity, the

CVUSD may immediately terminate this Agreement and all rights of the Town hereunder.

13. ARBITRATION. In the event of a dispute hereunder, the parties agree to use arbitration insofar as required by Arizona Revised Statutes Sections 12-1518 and 12-133, and the rules promulgated thereunder.

14. CONFLICT OF INTEREST. The Parties understand that this Agreement is subject to cancellation pursuant to Section 38-511 of the Arizona Revised Statutes.

15. GOVERNING LAW. This Agreement shall be governed by the laws of the State of Arizona, the courts of which state shall have jurisdiction of the subject matter hereof.

16. RELATIONSHIP.

A. The Parties agree that neither the Town nor any employees or other personnel of the Town will for any purpose be considered employees of CVUSD, and with respect to the Town and any employees or other personnel of the Town, CVUSD shall not be responsible in any manner for the supervision, daily direction and control of the Town and any of its employees or other personnel or the payment of salary (including withholding income taxes and social security), workers' compensation and disability benefits for Town and any of its employees or other personnel.

B. The Parties agree that neither CVUSD nor any employees or other personnel of the CVUSD will for any purpose be considered employees of the Town, and with respect to CVUSD and any employees or other personnel of CVUSD, the Town shall not be responsible in any manner for the supervision, daily direction and control of CVUSD and any of its employees or other personnel or the payment of salary (including withholding income taxes and social security), workers' compensation and disability benefits for CVUSD and any of its employees or other personnel.

17. AUTHORITY.

A. The individual signing below on behalf of the Town hereby represents and warrants that he/she is duly authorized to execute and deliver this Agreement on behalf of the Town and that this Agreement is binding upon the Town in accordance with its terms.

B. The individual signing below on behalf of CVUSD hereby represents and warrants that he/she is duly authorized to execute and deliver this Agreement on behalf of CVUSD and that this Agreement is binding upon CVUSD in accordance with its terms.

In Witness whereof, the Parties execute this Agreement:

FOR CVUSD:

By: _____
Dennis Sterrett, Governing Board President

Attest: _____
Tonya Brogdon, Superintendent/Board Secretary

This Agreement is in the proper form and is within the power and authority granted under A.R.S. Section 11-952 *et seq.*:

By: _____
Attorney for CVUSD

FOR TOWN:

By: _____
Tony Gioia, Mayor

Attest: _____
Deborah Barber, Clerk

This Agreement is in the proper form and is within the power and authority granted under A.R.S. Section 11-952 *et seq.*:

By: _____
Town Attorney

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: February 4, 2009

Meeting Type: Regular

Type of Presentation: Visual

REFERENCE DOCUMENT: N/A

AGENDA TITLE: (Be Exact):

Discussion, consideration, and possible direction to staff relative to improving signage that will direct tourists to the Townsite/Business District.

PURPOSE AND BACKGROUND INFORMATION:

The Town owns 66 feet of Right-of-Way on Montezuma Castle Highway. This area could be used to install directional signage to the Townsite area.

COUNCIL RECOMMENDATION(S): (Suggested Motion)

Direct staff to investigate/install signage along Montezuma Castle Highway.

Type of Document Needing Approval: Special Consideration

Finance Director Review []

Budgeted/Amount []

Comments: Costs are undetermined at this time, but could be considered in the next budget cycle if funds are not currently available.

Fund: []

Line Item: []

Submitting Department: Council

Contact Person: Mayor Gioia

TOWN OF CAMP VERDE



Memorandum Public Works Department

To: Tony Gioia, Mayor of Town of Camp Verde
From: Ron Long, P.E. *RL*
Date: December 12, 2008
Re: Town Right of Way and Transportation Issues

At your request, The Public Works Department has investigated two areas of Right of Way (ROW) that could potentially be used to install signage directing the public to Camp Verde's Down Town area and Fort Verde. These areas are:

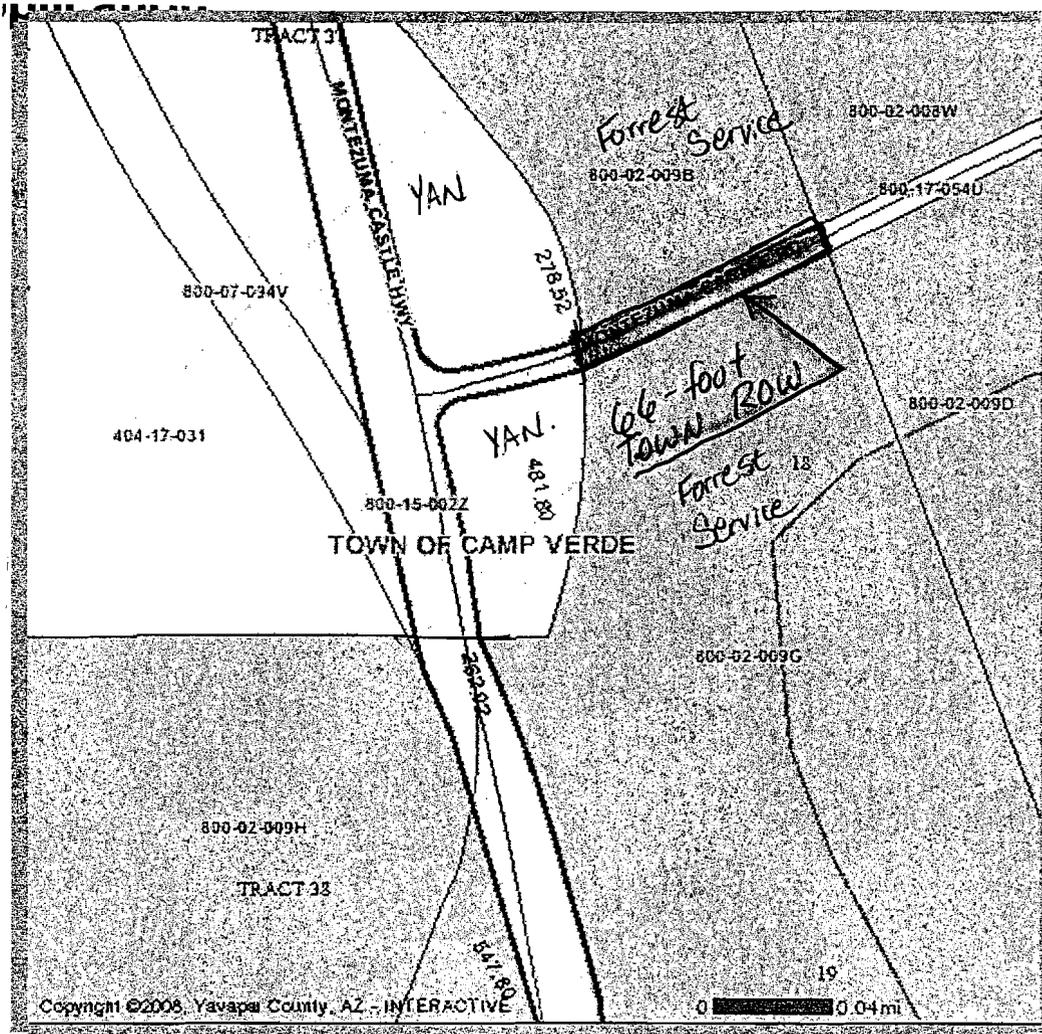
- 1.) A triangular section of ROW located on the Northeast corner of the intersection of Finnie Flat Road and SR 260 (Exhibit A). This section of ROW belongs to ADOT and the placement of a sign would require a permit from ADOT's ROW Manager.
- 2.) The road ROW on Montezuma Castle Road (the road to Montezuma Castle National Monument) (Exhibit B): The Town owns sixty-six (66) feet of ROW; this includes a twenty-four (24) foot road in that ROW, so there is approximately twenty (20) feet of Town ROW that the sign could be placed in.

Additionally, you requested information on the draft for the Verde Valley Multimodal Transportation Study (VVMTS).

There was a Technical Advisory Committee (TAC) meeting held on November 13, 2008, to review the preliminary findings of the VVMTS. The study modeled two alternatives that were presented to the TAC (Exhibit C - Because of the size of this study only the portions that describe SR260 are included in the Exhibit). It is noted that alternative One has less components than alternative Two and therefore is less expensive. As part of Alternative One; I-17 would be upgraded adding more lanes, and a new road would be constructed from Beaverhead Flat Road to SR 260. Alternative Two would include widening SR 260 from Thousand Trails to West I-17 to four lanes. The Forest Alignment would also be built.

There will be an open house in the Camp Verde Parks and Recreation Conference Room on the evening of January 13, 2009, from 6:00 until 8:30.

EXHIBIT B



Owner Information - Parcels

Owner

Town of Camp Verde - Right Of Way

9

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: December 17, 2008

Meeting Type: Regular Session

Type of Presentation: Verbal

REFERENCE DOCUMENT:

Resolution 2009-760, Ordinance 2009-A356

AGENDA TITLE: (Be Exact):

Discussion, consideration, and possible adoption of Resolution 2009-760 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled "Ordinance 2009-A356".

PURPOSE AND BACKGROUND INFORMATION:

After adoption of Ordinance 2009-A356 Council must declare the document a public record to allow citizens to view said document filed with the Town Clerk.

STAFF RECOMMENDATION(S): (Suggested Motion)

Adoption of Resolution 2009-760 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring as a public record that certain document filed with the Town Clerk and entitled "Ordinance 2009-A356".

Type of Document Needing Approval:

Resolution 2009-760

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments _____

Fund:

Submitting Department: Finance

Town Manager/Designee:

Line Item:

Contact Person: Michael Scannell, Town Mgr

RESOLUTION NO. 2009-760

A RESOLUTION OF THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, DECLARING AS A PUBLIC RECORD THAT CERTAIN DOCUMENT FILED WITH THE TOWN CLERK AND ENTITLED "SUPPLEMENTARY LOCAL AUDIT PROCEDURES FOR THE TOWN TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA".

THAT certain document entitled "SUPPLEMENTARY LOCAL AUDIT PROCEDURES FOR THE TOWN TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA", three copies of which are on file in the office of the city clerk, is hereby declared to be a public record, and said copies are ordered to remain on file with the city clerk.

PASSED AND ADOPTED BY THE Mayor and Council of the Town of Camp Verde, Arizona, this 4 day of February, 2009.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

**SUPPLEMENTARY LOCAL AUDIT PROCEDURES
FOR THE
TOWN TAX CODE
OF THE
TOWN OF CAMP VERDE, ARIZONA**

Section 1. The introduction and following sections of Article V of the Tax Code of the Town of Camp Verde, Arizona are amended to read:

Article V - Administration

(NOTICE: BOTH THE DEPARTMENT OF REVENUE AND THE TOWN OF CAMP VERDE MAY PERFORM AUDITS OF LOCAL TAXPAYERS. ALTHOUGH MANY OF THE ADMINISTRATIVE PROCEDURES ARE THE SAME, REGARDLESS OF WHICH ENTITY IS PERFORMING THE AUDIT, SOME DIFFERENCES WILL APPLY. TO IDENTIFY THOSE DIFFERENCES, THE WORDS "STATE ADMINISTRATION AND AUDITS" OR "LOCAL AUDITS" APPEAR FOLLOWING THE TITLE OF THE SECTION. IF THE SECTION APPLIES TO AUDITS PERFORMED BY BOTH THE STATE AND THE TOWN, NO NOTATION APPEARS.)

Sec. 8-500. Administration of this Chapter; rule making. (STATE ADMINISTRATION AND AUDITS)

- (a) The administration of this Chapter is vested in and exercised by the Town of Camp Verde, and except as otherwise provided, and all payments shall be made to the Town of Camp Verde. The Town may, pursuant to an intergovernmental agreement, contract with the State of Arizona Department of Revenue for the administration of the tax. In such cases, "Tax Collector" shall also mean the Arizona Department of Revenue, when acting as agent in administering this tax.
- (b) The Tax Collector shall prescribe the forms and procedures necessary for the administration of the taxes imposed by this Chapter.
- (c) Except where such Regulations would conflict with administrative regulations adopted by the Town Council or with provisions of this Chapter, all regulations on the Transaction Privilege Tax adopted by the Arizona Department of Revenue under the authority of A.R.S. Section 42-1005 shall be considered Regulations of this Chapter and enforceable as such.
- (d) Taxpayers shall be subject to the state taxpayer bill of rights (A.R.S. § 42-2051 et. seq).
- (e) The unified audit committee shall publish uniform guidelines that interpret the model city tax code and that apply to all cities and towns that have adopted the model city tax code as provided by A.R.S. Section 42-6005.
 - (1) Prior to finalization of uniform guidelines that interpret the model city tax code, the unified audit committee shall disseminate draft guidelines for public comment.
 - (2) Pursuant to A.R.S. Section 42-6005(D), when the state statutes and the model city tax code are the same and where the Arizona Department of Revenue has issued written guidance, the department's interpretation is binding on cities and towns.

Sec. 8-500. ADMINISTRATION OF THIS CHAPTER; RULE MAKING. (LOCAL AUDITS)

- (a) THE ADMINISTRATION OF THIS CHAPTER IS VESTED IN AND EXERCISED BY THE TOWN OF CAMP VERDE, AND EXCEPT AS OTHERWISE PROVIDED, ALL PAYMENTS SHALL BE MADE TO THE TOWN OF CAMP VERDE. THE TOWN MAY, PURSUANT TO AN INTERGOVERNMENTAL AGREEMENT, CONTRACT WITH THE STATE OF ARIZONA DEPARTMENT OF REVENUE FOR THE ADMINISTRATION OF THE TAX. IN SUCH CASES, "TAX COLLECTOR" SHALL ALSO MEAN THE ARIZONA DEPARTMENT OF REVENUE, WHEN ACTING AS AGENT IN ADMINISTERING THIS TAX.
- (b) THE TAX COLLECTOR SHALL PRESCRIBE THE FORMS AND PROCEDURES NECESSARY FOR THE ADMINISTRATION OF THE TAXES IMPOSED BY THIS CHAPTER.
- (c) EXCEPT WHERE SUCH REGULATIONS WOULD CONFLICT WITH ADMINISTRATIVE REGULATIONS ADOPTED BY THE TOWN COUNCIL OR WITH PROVISIONS OF THIS CHAPTER, ALL REGULATIONS ON THE TRANSACTION PRIVILEGE TAX ADOPTED BY THE ARIZONA DEPARTMENT OF REVENUE UNDER THE AUTHORITY OF A.R.S. SECTION 42-1005 SHALL BE CONSIDERED REGULATIONS OF THIS CHAPTER AND ENFORCEABLE AS SUCH.
- (d) (RESERVED)
- (e) THE UNIFIED AUDIT COMMITTEE SHALL PUBLISH UNIFORM GUIDELINES THAT INTERPRET THE MODEL TOWN TAX CODE AND THAT APPLY TO ALL CITIES AND TOWNS THAT HAVE ADOPTED THE MODEL TOWN TAX CODE AS PROVIDED BY A.R.S. SECTION 42-6005.
 - (1) PRIOR TO FINALIZATION OF UNIFORM GUIDELINES THAT INTERPRET THE MODEL TOWN TAX CODE, THE UNIFIED AUDIT COMMITTEE SHALL DISSEMINATE DRAFT GUIDELINES FOR PUBLIC COMMENT.
 - (2) PURSUANT TO A.R.S. SECTION 42-6005(D), WHEN THE STATE STATUTES AND THE MODEL TOWN TAX CODE ARE THE SAME AND WHERE THE ARIZONA DEPARTMENT OF REVENUE HAS ISSUED WRITTEN GUIDANCE, THE DEPARTMENT'S INTERPRETATION IS BINDING ON CITIES AND TOWNS.

Sec. 8-515. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-515. DUTIES OF THE TAXPAYER PROBLEM RESOLUTION OFFICER. (LOCAL AUDITS)

- (a) THE TAXPAYER PROBLEM RESOLUTION OFFICER SHALL ASSIST TAXPAYERS IN:
 - (1) OBTAINING EASILY UNDERSTANDABLE TAX INFORMATION AND INFORMATION ON AUDITS, CORRECTIONS AND APPEALS PROCEDURES OF THE TOWN.
 - (2) ANSWERING QUESTIONS REGARDING PREPARING AND FILING THE RETURNS REQUIRED UNDER THIS CHAPTER.

- (3) LOCATING DOCUMENTS FILED WITH OR PAYMENTS SUBMITTED TO THE TAX COLLECTOR BY THE TAXPAYER.
- (b) THE TAXPAYER PROBLEM RESOLUTION OFFICER SHALL ALSO:
- (1) RECEIVE AND EVALUATE COMPLAINTS OF IMPROPER, ABUSIVE OR INEFFICIENT SERVICE BY THE TAX COLLECTOR OR ANY OF HIS DESIGNEES, EMPLOYEES, OR AGENTS AND RECOMMEND TO THE TOWN MANAGER OR, FOR A TOWN WITHOUT A TOWN MANAGER, THE CHIEF ADMINISTRATIVE OFFICER APPROPRIATE ACTION TO CORRECT SUCH SERVICE.
 - (2) IDENTIFY POLICIES AND PRACTICES OF THE TAX COLLECTOR OR ANY OF HIS DESIGNEES, EMPLOYEES, OR AGENTS THAT MIGHT BE BARRIERS TO THE EQUITABLE TREATMENT OF TAXPAYERS AND RECOMMEND ALTERNATIVES TO THE TOWN MANAGER OR, FOR A TOWN WITHOUT A TOWN MANAGER, THE CHIEF ADMINISTRATIVE OFFICER.
 - (3) PROVIDE EXPEDITIOUS SERVICE TO TAXPAYERS WHOSE PROBLEMS ARE NOT RESOLVED THROUGH NORMAL CHANNELS.
 - (4) NEGOTIATE WITH THE TAX COLLECTOR, HIS DESIGNEES, EMPLOYEES, OR AGENTS TO RESOLVE THE MOST COMPLEX AND SENSITIVE TAXPAYER PROBLEMS.
 - (5) TAKE ACTION TO STOP OR PROHIBIT THE TAX COLLECTOR FROM TAKING AN ACTION AGAINST A TAXPAYER.
 - (6) PARTICIPATE AND PRESENT TAXPAYERS' INTERESTS AND CONCERNS IN MEETINGS FORMULATING THE TOWN'S POLICIES AND PROCEDURES UNDER AND INTERPRETATION OF THIS CHAPTER.
 - (7) COMPILE DATA EACH YEAR ON THE NUMBER AND TYPE OF TAXPAYER COMPLAINTS AND EVALUATE THE ACTIONS TAKEN TO RESOLVE THOSE COMPLAINTS.
 - (8) SURVEY TAXPAYERS EACH YEAR TO OBTAIN THEIR EVALUATION OF THE QUALITY OF SERVICE PROVIDED BY THE TAX COLLECTOR, HIS DESIGNEES, EMPLOYEES, AND AGENTS.
 - (9) PERFORM OTHER FUNCTIONS WHICH RELATE TO TAXPAYER ASSISTANCE AS PRESCRIBED BY THE TOWN MANAGER OR, FOR A TOWN WITHOUT A TOWN MANAGER, THE CHIEF ADMINISTRATIVE OFFICER.
- (c) ACTIONS TAKEN BY THE TAXPAYER PROBLEM RESOLUTION OFFICER MAY BE REVIEWED AND/OR MODIFIED ONLY BY THE TOWN MANAGER OR, FOR A TOWN WITHOUT A TOWN MANAGER, THE CHIEF ADMINISTRATIVE OFFICER UPON REQUEST OF THE TAX COLLECTOR OR A TAXPAYER.
- (d) THE MAYOR AND COUNCIL OF THE TOWN SHALL BE PROVIDED WITH A REPORT QUARTERLY WHICH IDENTIFIES:
- (1) ANY COMPLAINTS OF IMPROPER, ABUSIVE OR INEFFICIENT SERVICE RECEIVED BY THE TAXPAYER PROBLEM RESOLUTION OFFICER SINCE THE DATE OF THE LAST REPORT.
 - (2) ANY RECOMMENDATIONS MADE, ACTION TAKEN OR SURVEYS OBTAINED BY THE TAXPAYER PROBLEM RESOLUTION OFFICER PURSUANT TO SUBSECTION (b)(1)-(9), ABOVE, SINCE THE DATE OF THE LAST REPORT.

Sec. 8-516. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-516. TAXPAYER ASSISTANCE ORDERS. (LOCAL AUDITS)

- (a) THE TAXPAYER PROBLEM RESOLUTION OFFICER, WITH OR WITHOUT A FORMAL WRITTEN REQUEST FROM A TAXPAYER, MAY ISSUE A TAXPAYER ASSISTANCE ORDER THAT SUSPENDS OR STAYS AN ACTION OR PROPOSED ACTION BY THE TAX COLLECTOR IF, IN THE PROBLEM RESOLUTION OFFICER'S DETERMINATION, A TAXPAYER IS SUFFERING OR WILL SUFFER A SIGNIFICANT HARDSHIP DUE TO THE MANNER IN WHICH THE TAX COLLECTOR IS ADMINISTERING THE TAX LAWS.
- (b) A TAXPAYER ASSISTANCE ORDER MAY REQUIRE THE TAX COLLECTOR TO RELEASE ANY LIEN PERFECTED UNDER THIS CHAPTER, OR CEASE ANY ACTION OR REFRAIN FROM TAKING ANY ACTION TO ENFORCE AGAINST THE TAXPAYER ANY SECTION OF THIS CHAPTER PENDING RESOLUTION OF THE ISSUE GIVING RISE TO THE TAXPAYER ASSISTANCE ORDER.
- (c) THE TAXPAYER PROBLEM RESOLUTION OFFICER, TOWN MANAGER OR, FOR A TOWN WITHOUT A TOWN MANAGER, THE CHIEF ADMINISTRATIVE OFFICER MAY MODIFY, REVERSE OR RESCIND A TAXPAYER ASSISTANCE ORDER. A TAXPAYER ASSISTANCE ORDER IS BINDING ON THE TAX COLLECTOR UNTIL IT IS REVERSED OR RESCINDED.
- (d) THE RUNNING OF THE APPLICABLE STATUTE OF LIMITATIONS FOR ANY ACTION THAT IS THE SUBJECT OF A TAXPAYER ASSISTANCE ORDER IS SUSPENDED FROM THE DATE THE TAXPAYER APPLIES FOR THE ORDER OR THE DATE THE ORDER IS ISSUED, WHICHEVER IS EARLIER, UNTIL THE ORDER'S EXPIRATION DATE, MODIFICATION DATE OR RESCISION DATE, IF ANY. INTEREST THAT WOULD OTHERWISE ACCRUE ON AN OUTSTANDING TAX OBLIGATION IS NOT AFFECTED BY THE ISSUANCE OF A TAXPAYER ASSISTANCE ORDER.
- (e) A TAXPAYER ASSISTANCE ORDER MAY NOT BE USED:
 - (1) TO CONTEST THE MERITS OF A TAX LIABILITY.
 - (2) TO SUBSTITUTE FOR INFORMAL PROTEST PROCEDURES OR ADMINISTRATIVE OR JUDICIAL PROCEEDINGS TO REVIEW A DEFICIENCY ASSESSMENT, COLLECTION ACTION OR DENIAL OF A REFUND CLAIM.

Sec. 8-517. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-517. BASIS FOR EVALUATING EMPLOYEE PERFORMANCE. (LOCAL AUDITS)

- (a) THE TAX COLLECTOR SHALL SOLICIT EVALUATIONS FROM TAXPAYERS AND INCLUDE SUCH EVALUATIONS IN THE PERFORMANCE APPRAISALS OF HIS EMPLOYEES, WHERE APPLICABLE.
- (b) THE TAX COLLECTOR SHALL NOT EVALUATE AN EMPLOYEE ON THE BASIS OF TAXES ASSESSED OR COLLECTED BY THAT EMPLOYEE.

Sec. 8-541. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-541. ERRONEOUS ADVICE OR MISLEADING STATEMENTS BY THE TAX COLLECTOR; ABATEMENT OF PENALTIES AND INTEREST; DEFINITION. (LOCAL AUDITS)

- (a) NOTWITHSTANDING SECTION 8-540(a), NO INTEREST OR PENALTY MAY BE ASSESSED ON AN AMOUNT ASSESSED AS A DEFICIENCY IF EITHER:
 - (1) THE DEFICIENCY ASSESSED IS DIRECTLY ATTRIBUTABLE TO ERRONEOUS WRITTEN ADVICE FURNISHED TO THE TAXPAYER BY AN EMPLOYEE OF THE TOWN ACTING IN AN OFFICIAL CAPACITY IN RESPONSE TO A SPECIFIC REQUEST FROM THE TAXPAYER AND NOT FROM THE TAXPAYER'S FAILURE TO PROVIDE ADEQUATE OR ACCURATE INFORMATION.
 - (2) ALL OF THE FOLLOWING ARE TRUE:
 - (A) A TAX RETURN FORM PREPARED BY THE TAX COLLECTOR CONTAINS A STATEMENT THAT, IF FOLLOWED BY A TAXPAYER, WOULD CAUSE THE TAXPAYER TO MISAPPLY THIS CHAPTER.
 - (B) THE TAXPAYER REASONABLY RELIES ON THE STATEMENT.
 - (C) THE TAXPAYER'S UNDERPAYMENT DIRECTLY RESULTS FROM THIS RELIANCE.
- (b) EACH EMPLOYEE OF THE TAX COLLECTOR, AT THE TIME ANY ORAL ADVICE IS GIVEN TO ANY PERSON, SHALL INFORM THE PERSON THAT THE TAX COLLECTOR IS NOT BOUND BY SUCH ORAL ADVICE.
- (c) FOR PURPOSES OF THIS SECTION "TAX RETURN FORM" INCLUDES THE INSTRUCTIONS THAT THE TAX COLLECTOR PREPARES FOR USE WITH THE TAX RETURN FORM.

Sec. 8-546. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-546. CLOSING AGREEMENTS IN CASES OF EXTENSIVE TAXPAYER MISUNDERSTANDING OR MISAPPLICATION; APPROVAL; RULES. (LOCAL AUDITS)

- (a) IF THE TAX COLLECTOR DETERMINES THAT NONCOMPLIANCE WITH TAX OBLIGATIONS RESULTS FROM EXTENSIVE MISUNDERSTANDING OR MISAPPLICATION OF PROVISIONS OF THIS CHAPTER IT MAY ENTER INTO CLOSING AGREEMENTS WITH THOSE TAXPAYERS UNDER THE FOLLOWING TERMS AND CONDITIONS:
 - (1) EXTENSIVE MISUNDERSTANDING OR MISAPPLICATION OF THE TAX LAWS OCCURS IF THE TAX COLLECTOR DETERMINES THAT MORE THAN SIXTY PERCENT (60%) OF THE PERSONS IN THE AFFECTED CLASS HAVE FAILED TO PROPERLY ACCOUNT FOR THEIR TAXES OWING TO THE SAME MISUNDERSTANDING OR MISAPPLICATION OF THE TAX LAWS.
 - (2) THE TAX COLLECTOR SHALL PUBLICLY DECLARE THE NATURE OF THE POSSIBLE MISAPPLICATION AND THE PROPOSED DEFINITION OF THE CLASS OF AFFECTED TAXPAYERS AND SHALL CONDUCT A PUBLIC HEARING TO HEAR TESTIMONY REGARDING THE EXTENT OF THE MISAPPLICATION AND THE DEFINITION OF THE AFFECTED CLASS.

- (3) IF, AFTER THE PUBLIC HEARING, THE TAX COLLECTOR DETERMINES THAT A CLASS OF AFFECTED TAXPAYERS HAS FAILED TO COMPLY WITH THEIR TAX OBLIGATIONS BECAUSE OF EXTENSIVE MISUNDERSTANDING OR MISAPPLICATION OF THE TAX LAWS IT SHALL ISSUE A TAX RULING ANNOUNCING THAT FINDING AND PUBLISH THE RULING IN A NEWSPAPER OF GENERAL CIRCULATION IN THE TOWN AND THROUGH THE NEXT TWO MODEL CITY TAX CODE UPDATES.
 - (4) A CLOSING AGREEMENT UNDER THIS SECTION MAY ABATE SOME OR ALL OF THE PENALTIES, INTEREST AND TAX THAT TAXPAYERS HAVE FAILED TO REMIT, OR THE AGREEMENT MAY PROVIDE FOR THE PROSPECTIVE TREATMENT OF THE MATTER AS TO THE CLASS OF AFFECTED TAXPAYERS. ALL TAXPAYERS IN THE CLASS SHALL BE OFFERED THE OPPORTUNITY TO ENTER INTO A SIMILAR AGREEMENT FOR THE SAME TAX PERIODS.
 - (5) TAXPAYERS IN THE AFFECTED CLASS WHO HAVE PROPERLY ACCOUNTED FOR THEIR TAX OBLIGATIONS FOR THESE TAX PERIODS SHALL BE OFFERED THE OPPORTUNITY TO ENTER INTO AN EQUIVALENT CLOSING AGREEMENT PROVIDING FOR A PRO RATA CREDIT OR REFUND OF THEIR TAXES PREVIOUSLY PAID.
 - (6) THE CLOSING AGREEMENT SHALL REQUIRE THE TAXPAYERS TO PROPERLY ACCOUNT FOR AND PAY SUCH TAXES IN THE FUTURE. IF A TAXPAYER FAILS TO ADHERE TO SUCH A REQUIREMENT, THE CLOSING AGREEMENT IS VOIDABLE BY THE TAX COLLECTOR AND HE MAY ASSESS THE TAXPAYER FOR THE DELINQUENT TAXES. THE TAX COLLECTOR MAY ISSUE SUCH A PROPOSED ASSESSMENT WITHIN SIX MONTHS AFTER THE DATE THAT HE DECLARES THAT CLOSING AGREEMENT VOID OR WITHIN THE PERIOD PRESCRIBED BY SECTION 8-550 OF THIS CHAPTER.
- (b) BEFORE ENTERING INTO CLOSING AGREEMENTS PURSUANT TO THIS SECTION, THE TAX COLLECTOR SHALL SECURE SUCH APPROVAL AS REQUIRED BY CHARTER, ORDINANCE OR ADMINISTRATIVE REGULATION.
 - (c) AFTER A CLOSING AGREEMENT HAS BEEN SIGNED PURSUANT TO THIS SECTION, IT IS FINAL AND CONCLUSIVE EXCEPT ON A SHOWING OF FRAUD, MALFEASANCE OR MISREPRESENTATION OF A MATERIAL FACT. THE CASE SHALL NOT BE REOPENED AS TO THE MATTERS AGREED UPON OR THE AGREEMENT SHALL NOT BE MODIFIED BY ANY OFFICER, EMPLOYEE OR AGENT OF THE TOWN. THE AGREEMENT OR ANY DETERMINATION, ASSESSMENT, COLLECTION, PAYMENT ABATEMENT, REFUND OR CREDIT MADE PURSUANT TO THE AGREEMENT SHALL NOT BE ANNULLED, MODIFIED, SET ASIDE OR DISREGARDED IN ANY SUIT, ACTION OR PROCEEDING.
 - (d) THE TAX COLLECTOR SHALL REPORT IN WRITING ITS ACTIVITIES UNDER THIS SECTION TO THE MAYOR AND TOWN COUNCIL ON OR BEFORE FEBRUARY 1 OF EACH YEAR.

Sec. 8-553. (RESERVED) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-553. EXAMINATION OF TAXPAYER RECORDS; JOINT AUDITS. (LOCAL AUDITS)

- (a) WAIVER OF JOINT AUDIT. A TAXPAYER THAT DOES NOT AUTHORIZE A JOINT AUDIT TO BE CONDUCTED FOR A TAX JURISDICTION IS SUBJECT TO AUDIT BY THAT TAX JURISDICTION AT ANY TIME SUBJECT TO THE LIMITATION PROVISIONS PROVIDED IN SECTION 8-550.
- (b) TAX JURISDICTION ACCEPTANCE OF JOINT AUDIT. IF THE ARIZONA DEPARTMENT OF REVENUE INTENDS TO CONDUCT AN AUDIT OF A TAXPAYER, THE CITIES OR TOWNS FOR WHOM A JOINT AUDIT IS BEING CONDUCTED MAY ACCEPT THE AUDIT BY THE ARIZONA DEPARTMENT OF REVENUE OR MAY ELECT TO HAVE A REPRESENTATIVE PARTICIPATE, PROVIDED THAT NO MORE THAN TWO TOWN OR TOWN REPRESENTATIVES IN TOTAL MAY PARTICIPATE.
 - (1) IF A TOWN OR CITY DOES NOT ACCEPT THE AUDIT AS A JOINT AUDIT, THE CITY OR TOWN MAY NOT CONDUCT AN AUDIT OF THE TAXPAYER FOR FORTY-TWO MONTHS FROM THE CLOSE OF THE LAST TAX PERIOD COVERED BY THE AUDIT UNLESS AN EXCEPTION APPLIES TO THAT TAXPAYER PURSUANT TO A.R.S. SECTION 42-2059.
 - (2) IF A JOINT AUDIT IS PERFORMED BY A CITY OR TOWN, THE ARIZONA DEPARTMENT OF REVENUE IS NOT PROHIBITED FROM CONDUCTING AN AUDIT THAT DOES NOT VIOLATE THE PROVISIONS OF A.R.S. SECTION 42-2059.

Sec. 8-556. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-556. NO ADDITIONAL AUDITS OR PROPOSED ASSESSMENTS; EXCEPTIONS. (LOCAL AUDITS)

- (a) ONCE THE TAX COLLECTOR COMPLETES AN EXAMINATION AUTHORIZED BY SECTION 8-555 AND A WRITTEN NOTICE OF THE DETERMINATION OF A DEFICIENCY HAS BEEN ISSUED TO THE TAXPAYER PURSUANT TO SECTION 8-545(a) OR 8-555(f), THE TAXPAYER'S LIABILITY FOR THE TIME PERIOD SUBJECTED TO THE EXAMINATION IS FIXED AND DETERMINED, AND NO ADDITIONAL AUDIT OR EXAMINATION MAY BE CONDUCTED BY THE TAX COLLECTOR WITH RESPECT TO SUCH TIME PERIOD EXCEPT UNDER THE FOLLOWING CIRCUMSTANCES.
 - (1) IF A TAXPAYER FILES A CLAIM FOR REFUND UNDER SECTION 8-560, THE TAX COLLECTOR MAY CONDUCT AN EXAMINATION LIMITED TO THE ISSUES PRESENTED IN THE REFUND CLAIM.
 - (2) IF THE TAXPAYER FAILED TO DISCLOSE MATERIAL INFORMATION DURING THE INITIAL EXAMINATION, FALSIFIED BOOKS OR RECORDS, OR OTHERWISE ENGAGED IN CONDUCT WHICH PREVENTED THE TAX COLLECTOR FROM CONDUCTING AN ACCURATE EXAMINATION. THE APPLICABILITY OF THIS SUBSECTION, AND THE TAX COLLECTOR'S RIGHT TO PROCEED THEREUNDER, MAY BE RAISED AND CONTESTED BY THE TAXPAYER IN A SUBSEQUENT ADMINISTRATIVE REVIEW BROUGHT PURSUANT TO SECTION 8-570.
- (b) AN AUDIT OR EXAMINATION CONDUCTED BY ANY OTHER TAXING JURISDICTION WILL NOT PRECLUDE THE TAX COLLECTOR FROM CONDUCTING AN AUDIT OR EXAMINATION FOR THE SAME TIME PERIOD.

- (c) IF THE TAX COLLECTOR ISSUES A NOTICE OF DEFICIENCY PURSUANT TO EITHER SECTION 8-545(a) OR SECTION 8-555(f), THE TAX COLLECTOR MAY NOT INCREASE THE PROPOSED DEFICIENCY EXCEPT IN ONE OR MORE OF THE FOLLOWING CIRCUMSTANCES:
- (1) THE TAXPAYER MADE A MATERIAL MISREPRESENTATION OF FACT.
 - (2) THE TAXPAYER FAILED TO DISCLOSE A MATERIAL FACT.
 - (3) THE TAX COLLECTOR SUBMITTED A WRITTEN REQUEST FOR INFORMATION AND THE TAXPAYER, DESPITE POSSESSING OR HAVING ACCESS TO SUCH INFORMATION, FAILED TO PROVIDE IT WITHIN 60 DAYS AS REQUIRED BY SECTION 8-555(c).
 - (4) AFTER ISSUING THE NOTICE OF DETERMINATION OF DEFICIENCY BUT BEFORE THE DEFICIENCY BECAME FINAL, THE ARIZONA TAX COURT, COURT OF APPEALS OR SUPREME COURT ISSUED A DECISION, THE APPLICABILITY OF WHICH CAUSES THE DEFICIENCY INITIALLY PROPOSED TO INCREASE.

Sec. 8-570. Administrative review; petition for hearing or for redetermination; finality of order. (STATE ADMINISTRATION AND AUDITS)

- (a) Closing agreements between the Tax Collector and a taxpayer have no force of law unless made in accordance with the provisions of A.R.S. Section 42-1113.
- (b) Administrative review.
- (1) Petitions of appeal shall be made to, and hearings shall be conducted by, the Arizona Department of Revenue, in accordance with the provisions of A.R.S. Section 42-1251, as modified by Section 8-571.
 - (2) (Reserved)
 - (3) (Reserved)
 - (4) (Reserved)
 - (5) Hearings shall be held by the Arizona Department of Revenue in accordance with the provisions of A.R.S. Section 42-1251. The Department's decision may be appealed to the State Board of Tax Appeals, in accordance with the provisions of A.R.S. Section 42-1253.
 - (6) (Reserved)
 - (7) (Reserved)
 - (8) (Reserved)
- (c) (Reserved)
- (d) (Reserved)
- (e) Taxpayers shall be subject to the state taxpayer bill of rights (A.R.S. § 42-2051 et. seq.).

Sec. 8-570. ADMINISTRATIVE REVIEW; PETITION FOR HEARING OR FOR REDETERMINATION; FINALITY OF ORDER. (LOCAL AUDITS)

FOR THE PURPOSES OF THIS SECTION, "MUNICIPAL TAX HEARING OFFICE" MEANS THE ADMINISTRATIVE OFFICES OF THE MUNICIPAL TAX HEARING OFFICER.

- (a) INFORMAL CONFERENCE. A TAXPAYER SHALL HAVE THE RIGHT TO DISCUSS ANY PROPOSED ASSESSMENT WITH THE AUDITOR PRIOR TO THE ISSUANCE OF ANY ASSESSMENT, BUT ANY SUCH INFORMAL CONFERENCE IS NOT REQUIRED FOR THE TAXPAYER TO FILE A PETITION FOR ADMINISTRATIVE REVIEW.
- (b) ADMINISTRATIVE REVIEW.
- (1) FILING A PETITION. OTHER THAN IN THE CASE OF A JEOPARDY ASSESSMENT, A TAXPAYER MAY CONTEST THE APPLICABILITY OR AMOUNT OF TAX, PENALTY, OR INTEREST IMPOSED UPON OR PAID BY HIM PURSUANT TO THIS CHAPTER BY FILING A PETITION FOR A HEARING OR FOR REDETERMINATION WITH THE TAX COLLECTOR AS SET FORTH BELOW:
- (A) WITHIN FORTY-FIVE (45) DAYS OF RECEIPT BY THE TAXPAYER OF NOTICE OF A DETERMINATION BY THE TAX COLLECTOR THAT A TAX, PENALTY, OR INTEREST AMOUNT IS DUE, OR THAT A REQUEST FOR REFUND OR CREDIT HAS BEEN DENIED; OR
- (B) BY VOLUNTARY PAYMENT OF ANY CONTESTED AMOUNT WHEN ACCOMPANIED BY A TIMELY FILED RETURN AND A PETITION REQUESTING A REFUND OF THE PROTESTED PORTION OF SAID PAYMENT; OR
- (C) BY PETITION ACCOMPANYING A TIMELY FILED RETURN CONTESTING AN AMOUNT REPORTED BUT NOT PAID; OR
- (D) BY PETITION REQUESTING REVIEW OF DENIAL OF WAIVER OF PENALTY AS PROVIDED IN SUBSECTION 8-540(G).
- (2) EXTENSION TO FILE A PETITION. IN ALL CASES, THE TAXPAYER MAY REQUEST ONLY ONE (1) EXTENSION FROM THE TAX COLLECTOR. SUCH REQUEST MUST BE IN WRITING, STATE THE REASONS FOR THE REQUESTED DELAY AND TIME OF DELAY REQUESTED, AND MUST BE FILED WITH THE TAX COLLECTOR WITHIN THE PERIOD ALLOWED ABOVE FOR ORIGINALLY FILING A PETITION. THE TAX COLLECTOR SHALL ALLOW SUCH EXTENSION TO FILE A PETITION, WHEN SUCH WRITTEN REQUEST HAS BEEN PROPERLY AND TIMELY MADE BY THE TAXPAYER, BUT SUCH EXTENSION SHALL NOT EXCEED FORTY-FIVE (45) DAYS BEYOND THE TIME PROVIDED FOR ORIGINALLY FILING A PETITION.
- (3) REQUIREMENTS FOR PETITION.
- (A) THE PETITION SHALL BE IN WRITING AND SHALL SET FORTH THE REASONS WHY ANY CORRECTION, ABATEMENT, OR REFUND SHOULD BE GRANTED, AND THE AMOUNT OF REDUCTION OR REFUND REQUESTED. THE PETITION MAY BE AMENDED AT ANY TIME PRIOR TO THE TIME THE TAXPAYER RESTS HIS CASE AT THE HEARING OR SUCH TIME AS THE HEARING OFFICER ALLOWS FOR SUBMITTING OF AMENDMENTS IN CASES OF REDETERMINATIONS WITHOUT HEARINGS. THE HEARING OFFICER MAY REQUIRE THAT AMENDMENTS BE IN WRITING, AND IN THAT CASE, HE SHALL PROVIDE A REASONABLE PERIOD OF TIME TO FILE THE AMENDMENT. THE HEARING OFFICER SHALL PROVIDE A REASONABLE PERIOD OF TIME FOR THE TAX COLLECTOR TO REVIEW AND RESPOND TO THE PETITION AND TO ANY WRITTEN AMENDMENTS.
- (B) THE TAXPAYER, AS PART OF THE PETITION, MAY REQUEST A HEARING WHICH SHALL BE GRANTED BY THE HEARING OFFICER. IF NO REQUEST FOR HEARING IS MADE THE PETITION SHALL BE

CONSIDERED TO BE SUBMITTED FOR DECISION BY THE HEARING OFFICER ON THE MATTERS CONTAINED IN THE PETITION AND IN ANY REPLY MADE BY THE TAX COLLECTOR.

- (C) THE PROVISIONS OF THIS SECTION ARE EXCLUSIVE, AND NO PETITION SEEKING ANY CORRECTION, ABATEMENT, OR REFUND SHALL BE CONSIDERED UNLESS THE PETITION IS TIMELY AND PROPERLY FILED UNDER THE SECTION.
- (4) TRANSMITTAL TO HEARING OFFICER. THE TOWN SHALL DESIGNATE A HEARING OFFICER, WHO MAY BE OTHER THAN AN EMPLOYEE OF THE TOWN. THE TAX COLLECTOR, IF DESIGNATED TO RECEIVE PETITIONS, SHALL FORWARD ANY PETITION TO THE MUNICIPAL TAX HEARING OFFICER (MTHO) WITHIN TWENTY (20) DAYS AFTER RECEIPT, ACCOMPANIED BY DOCUMENTATION AS TO TIMELINESS. IN CASES WHERE THE HEARING OFFICER DETERMINES THAT THE PETITION IS NOT TIMELY OR NOT IN PROPER FORM, HE SHALL NOTIFY BOTH THE TAXPAYER AND THE TAX COLLECTOR; AND IN CASES OF PETITIONS NOT IN PROPER FORM ONLY, THE HEARING OFFICER SHALL PROVIDE THE TAXPAYER WITH AN EXTENSION UP TO FORTY-FIVE (45) DAYS TO CORRECT THE PETITION.
- (5) HEARINGS SHALL BE CONDUCTED BY A HEARING OFFICER AND SHALL BE CONTINUOUS UNTIL THE HEARING OFFICER CLOSSES THE RECORD. THE TAXPAYER MAY BE HEARD IN PERSON OR BY HIS AUTHORIZED REPRESENTATIVE AT SUCH HEARING. HEARINGS SHALL BE CONDUCTED INFORMALLY AS TO THE ORDER OF PROCEEDING AND PRESENTATION OF EVIDENCE. THE HEARING OFFICER SHALL ADMIT EVIDENCE OVER HEARSAY OBJECTIONS WHERE THE OFFERED EVIDENCE HAS SUBSTANTIAL PROBATIVE VALUE AND RELIABILITY. FURTHER, COPIES OF RECORDS AND DOCUMENTS PREPARED IN THE ORDINARY COURSE OF BUSINESS MAY BE ADMITTED, WITHOUT OBJECTION AS TO FOUNDATION, BUT SUBJECT TO ARGUMENT AS TO WEIGHT, ADMISSIBILITY, AND AUTHENTICITY. SUMMARY ACCOUNTING RECORDS MAY BE ADMITTED SUBJECT TO SATISFACTORY PROOF OF THE RELIABILITY OF THE SUMMARIES. IN ALL CASES, THE DECISION OF THE HEARING OFFICER SHALL BE MADE SOLELY UPON SUBSTANTIAL AND RELIABLE EVIDENCE. ALL EXPENSES INCURRED IN THE HEARING SHALL BE PAID BY THE PARTY INCURRING THE SAME.
- (6) REDETERMINATIONS UPON A "PETITION FOR REDETERMINATION" SHALL FOLLOW THE SAME CONDITIONS, EXCEPT THAT NO ORAL HEARING SHALL BE HELD.
- (7) HEARING RULING. IN EITHER CASE, THE HEARING OFFICER SHALL ISSUE HIS RULING NOT LATER THAN FORTY-FIVE (45) DAYS AFTER THE CLOSE OF THE RECORD BY THE HEARING OFFICER.
- (8) NOTICE OF REFUND OR ADJUSTED ASSESSMENT. WITHIN SIXTY (60) DAYS OF THE ISSUANCE OF THE HEARING OFFICER'S DECISION, THE TAX COLLECTOR SHALL ISSUE TO THE TAXPAYER EITHER A NOTICE OF REFUND OR AN ADJUSTED ASSESSMENT RECALCULATED TO CONFORM TO THE HEARING OFFICER'S DECISION.
- (c) STIPULATIONS THAT FUTURE TAX IS ALSO PROTESTED. A TAXPAYER MAY ENTER INTO A STIPULATION WITH THE TAX COLLECTOR THAT FUTURE TAXES

OF SIMILAR NATURE ARE ALSO AT ISSUE IN ANY PROTEST OR APPEAL. HOWEVER, UNLESS SUCH STIPULATION IS MADE, IT IS PRESUMED THAT THE PROTEST OR APPEAL DEALS SOLELY AND EXCLUSIVELY WITH THE TAX SPECIFICALLY PROTESTED AND NO OTHER. WHEN A TAXPAYER ENTERS INTO SUCH A STIPULATION WITH THE TAX COLLECTOR THAT FUTURE TAXES OF SIMILAR NATURE WILL BE INCLUDED IN ANY REDETERMINATION, HEARING, OR COURT CASE, IT IS THE BURDEN OF THAT TAXPAYER TO IDENTIFY, SEGREGATE, AND KEEP RECORD OF SUCH INCOME OR PROTESTED TAXABLE AMOUNT IN HIS BOOKS AND RECORDS IN THE SAME MANNER AS THE TAXPAYER IS REQUIRED TO SEGREGATE EXEMPT INCOME.

(d) WHEN AN ASSESSMENT IS FINAL.

- (1) IF A REQUEST FOR ADMINISTRATIVE REVIEW AND PETITION FOR HEARING OR REDETERMINATION OF AN ASSESSMENT MADE BY THE TAX COLLECTOR IS NOT FILED WITHIN THE PERIOD REQUIRED BY SUBSECTION (B) ABOVE, SUCH PERSON SHALL BE DEEMED TO HAVE WAIVED AND ABANDONED THE RIGHT TO QUESTION THE AMOUNT DETERMINED TO BE DUE AND ANY TAX, INTEREST, OR PENALTY DETERMINED TO BE DUE SHALL BE FINAL AS PROVIDED IN SUBSECTIONS 8-545(A) AND 8-555(F).
- (2) THE DECISION MADE BY THE HEARING OFFICER UPON ADMINISTRATIVE REVIEW BY HEARING OR REDETERMINATION SHALL BECOME FINAL THIRTY (30) DAYS AFTER THE TAXPAYER RECEIVES THE NOTICE OF REFUND OR ADJUSTED ASSESSMENT REQUIRED BY SUBSECTION (B)(8) ABOVE, UNLESS THE TAXPAYER APPEALS THE ORDER OR DECISION IN THE MANNER PROVIDED IN SECTION 8-575.

- (e) THE PROVISIONS OF THE STATE TAXPAYER BILL OF RIGHTS (A.R.S. SECTION 42-2051 ET. SEQ.) SHALL NOT APPLY.

Sec. 8-571. Jeopardy assessments. (STATE ADMINISTRATION AND AUDITS)

- (a) If the Tax Collector believes that collection of any amounts imposed by this Chapter will be jeopardized by delay, he shall issue notice to the taxpayer in accordance with the provisions of A.R.S. Section 42-1111.
- (b) In cases where such jeopardy notice has been issued, the taxpayer must meet the provisions of A.R.S. Section 42-1111, concerning appeals of jeopardy assessments, before any request for administrative review shall be honored. Any bond or collateral that may be required shall meet the provisions of A.R.S. Section 42-1102.
- (c) (Reserved)
- (d) (Reserved)
- (e) (Reserved)

Sec. 8-571. JEOPARDY ASSESSMENTS. (LOCAL AUDITS)

- (a) IF THE TAX COLLECTOR BELIEVES THAT THE COLLECTION OF ANY ASSESSMENT OR DEFICIENCY OF ANY AMOUNTS IMPOSED BY THIS CHAPTER WILL BE JEOPARDIZED BY DELAY, HE SHALL DELIVER TO THE TAXPAYER A NOTICE OF SUCH FINDING AND DEMAND IMMEDIATE PAYMENT OF THE TAX OR DEFICIENCY DECLARED TO BE IN JEOPARDY, INCLUDING INTEREST, PENALTIES, AND ADDITIONS.

- (b) JEOPARDY ASSESSMENTS ARE IMMEDIATELY DUE AND PAYABLE, AND THE TAX COLLECTOR MAY IMMEDIATELY BEGIN PROCEEDINGS FOR COLLECTION. THE TAXPAYER, HOWEVER, MAY STAY COLLECTION BY FILING, WITHIN TEN (10) DAYS AFTER RECEIPT OF NOTICE OF JEOPARDY ASSESSMENT, OR WITHIN SUCH ADDITIONAL TIME AS THE TAX COLLECTOR MAY ALLOW, BY BOND OR COLLATERAL IN FAVOR OF THE TOWN IN THE AMOUNT TAX COLLECTOR DECLARED TO BE IN JEOPARDY IN HIS NOTICE.

- (c) "BOND OR COLLATERAL", AS REQUIRED BY THIS SECTION,
 - (1) SHALL MEAN EITHER:
 - (A) A BOND ISSUED IN FAVOR OF THE TOWN BY A SURETY COMPANY AUTHORIZED TO TRANSACT BUSINESS IN THIS STATE AND APPROVED BY THE DIRECTOR OF INSURANCE AS TO SOLVENCY AND RESPONSIBILITY, OR
 - (B) COLLATERAL COMPOSED OF SECURITIES OR CASH WHICH ARE DEPOSITED WITH, AND KEPT IN THE CUSTODY OF, THE TAX COLLECTOR.
 - (2) SHALL BE OF SUCH FORM THAT IT MAY, AT ANY TIME WITHOUT NOTICE, BE APPLIED TO ANY TAX, PENALTIES, OR INTEREST DUE AND PAYABLE FOR THE PURPOSES OF THIS CHAPTER. SECURITIES HELD AS COLLATERAL BY THE TAX COLLECTOR MUST BE OF A NATURE THAT THEY MAY BE SOLD AT PUBLIC OR PRIVATE SALE WITHOUT NOTICE TO THE TAXPAYER.

- (d) IF BOND OR COLLATERAL IS NOT FILED WITHIN THE PERIOD PRESCRIBED BY SUBSECTION (b) ABOVE, THE TAX COLLECTOR MAY TREAT THE ASSESSMENT AS FINAL FOR PURPOSES OF ANY COLLECTION PROCEEDINGS. THE TAXPAYER NEVERTHELESS SHALL BE AFFORDED THE APPEAL RIGHTS PROVIDED IN SECTIONS 8-570 AND 8-575. THE FILING OF A PETITION BY THE TAXPAYER UNDER SECTION 8-570, HOWEVER, SHALL NOT STAY THE TAX COLLECTOR'S RIGHTS TO PURSUE ANY COLLECTION PROCEEDINGS.

- (e) IF THE TAXPAYER TIMELY FILES SUFFICIENT BOND OR COLLATERAL, THE JEOPARDY REQUIREMENTS ARE DEEMED SATISFIED, AND THE TAXPAYER MAY AVAIL HIMSELF OF THE PROVISIONS OF SECTION 8-570, INCLUDING REQUESTS FOR ADDITIONAL TIME TO FILE A PETITION.

Sec. 8-572. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-572. EXPEDITED REVIEW OF JEOPARDY ASSESSMENTS. (LOCAL AUDITS)

- (a) WITHIN THIRTY (30) DAYS AFTER THE DAY ON WHICH THE TAX COLLECTOR FURNISHES THE WRITTEN NOTICE REQUIRED BY SECTION 8-571(a), THE TAXPAYER, PURSUANT TO SECTION 8-570, MAY REQUEST THE TAX COLLECTOR TO REVIEW THE ACTION TAKEN. WITHIN FIFTEEN (15) DAYS AFTER THE REQUEST FOR REVIEW, THE TAX COLLECTOR SHALL DETERMINE WHETHER BOTH THE JEOPARDY DETERMINATION AND THE AMOUNT ASSESSED ARE REASONABLE.
- (b) WITHIN THIRTY (30) DAYS AFTER THE TAX COLLECTOR NOTIFIES THE TAXPAYER OF THE DETERMINATION HE REACHED PURSUANT TO SUBSECTION (a) ABOVE, THE TAXPAYER MAY BRING A CIVIL ACTION IN THE APPROPRIATE COURT. IF THE TAXPAYER SO REQUESTS, THE TOWN SHALL STIPULATE TO AN ACCELERATED AND EXPEDITED RESOLUTION OF THE CIVIL ACTION. IF THE COURT DETERMINES THAT EITHER THE JEOPARDY DETERMINATION OR THE AMOUNT ASSESSED IS UNREASONABLE, THE COURT MAY ORDER THE TAX COLLECTOR TO ABATE THE ASSESSMENT, TO REDETERMINE ANY PART OF THE AMOUNT ASSESSED OR TO TAKE SUCH OTHER ACTION AS THE COURT FINDS TO BE APPROPRIATE. A DETERMINATION MADE BY THE COURT UNDER THIS SUBSECTION IS FINAL EXCEPT AS PROVIDED IN ARIZONA REVISED STATUTES § 12-170.

Sec. 8-575. Judicial review. (STATE ADMINISTRATION AND AUDITS)

- (a) Appeal of a State Board of Tax Appeals decision to the courts is valid only if all the provisions of A.R.S. Section 42-1254 are met.
- (b) (Reserved)
- (c) (Reserved)
- (d) (Reserved)
- (e) The Town has the burden of proof by a preponderance of the evidence in any court proceeding regarding any factual issue relevant to ascertaining the tax liability of a taxpayer. This subsection does not abrogate any requirement of this Chapter that requires a taxpayer to substantiate an item of gross income, exclusion, exemption, deduction, or credit. This subsection applies to a factual issue if a preponderance of the evidence demonstrates that:
 - (1) the taxpayer asserts a reasonable dispute regarding the issue.
 - (2) the taxpayer has fully cooperated with the tax collector regarding the issue, including providing within a reasonable period of time, access to and inspection of all witnesses, information and documents within the taxpayer's control, as reasonably requested by the tax collector.
 - (3) the taxpayer has kept and maintained records as required by the Town.

- (f) The issuance of an adjusted or corrected assessment or notice of refund due to the taxpayer, where made by the Tax Collector pursuant to the decision of the Hearing Officer, shall not be deemed an acquiescence by the Town or the Tax Collector in said decision, nor shall it constitute a bar or estoppel to the institution of an action or counterclaim by the Town to recover any amounts claimed to be due to it by virtue of the original assessment.
- (g) After the initiation of any action in the appropriate court by either party, the opposite party may file such counterclaim as would be allowed pursuant to the Arizona Rules of Civil Procedure.

Sec. 8-575. JUDICIAL REVIEW. (LOCAL AUDITS)

- (a) A TAXPAYER MAY SEEK JUDICIAL REVIEW OF ALL OR ANY PART OF A HEARING OFFICER'S DECISION BY INITIATING AN ACTION AGAINST THE TOWN IN THE APPROPRIATE COURT OF THIS COUNTY. A TAXPAYER IS NOT REQUIRED TO PAY ANY TAX, PENALTY, OR INTEREST UPHeld BY THE HEARING OFFICER BEFORE SEEKING SUCH JUDICIAL REVIEW.
- (b) THE TAX COLLECTOR MAY SEEK JUDICIAL REVIEW OF ALL OR ANY PART OF A HEARING OFFICER'S DECISION BY INITIATING AN ACTION IN THE APPROPRIATE COURT OF THIS COUNTY.
- (c) AN ACTION FOR JUDICIAL REVIEW CAN NOT BE COMMENCED BY EITHER THE TAXPAYER OR THE TAX COLLECTOR MORE THAN THIRTY (30) DAYS AFTER RECEIPT BY THE TAXPAYER OF NOTICE OF ANY REFUND OR ASSESSMENT RECALCULATED OR REDUCED TO CONFORM TO THE HEARING OFFICER'S DECISION, UNLESS THE TIME TO COMMENCE SUCH AN ACTION IS EXTENDED IN WRITING SIGNED BY BOTH THE TAXPAYER AND THE TAX COLLECTOR. FAILURE TO BRING THE ACTION WITHIN THIRTY (30) DAYS OR SUCH OTHER TIME AS IS AGREED UPON IN WRITING SHALL CONSTITUTE A WAIVER OF ANY RIGHT TO JUDICIAL REVIEW, EXCEPT AS PROVIDED IN SUBSECTION (f) BELOW.
- (d) THE COURT SHALL HEAR AND DETERMINE THE APPEAL AS A TRIAL DE NOVO; HOWEVER, THE TAX COLLECTOR CANNOT RAISE IN THE COURT ANY GROUNDS OR BASIS FOR THE ASSESSMENT NOT ASSERTED BEFORE THE HEARING OFFICER. NOTHING IN THIS SUBSECTION, HOWEVER, SHALL PRECLUDE THE TAX COLLECTOR FROM RESPONDING TO ANY ARGUMENTS WHICH ARE RAISED BY THE TAXPAYER IN THE APPEAL.
- (e) THE TOWN HAS THE BURDEN OF PROOF BY A PREPONDERANCE OF THE EVIDENCE IN ANY COURT PROCEEDING REGARDING ANY FACTUAL ISSUE RELEVANT TO ASCERTAINING THE TAX LIABILITY OF A TAXPAYER. THIS SUBSECTION DOES NOT ABROGATE ANY REQUIREMENT OF THIS CHAPTER THAT REQUIRES A TAXPAYER TO SUBSTANTIATE AN ITEM OF GROSS INCOME, EXCLUSION, EXEMPTION, DEDUCTION, OR CREDIT. THIS SUBSECTION APPLIES TO A FACTUAL ISSUE IF A PREPONDERANCE OF THE EVIDENCE DEMONSTRATES THAT:

- (1) THE TAXPAYER ASSERTS A REASONABLE DISPUTE REGARDING THE ISSUE.
 - (2) THE TAXPAYER HAS FULLY COOPERATED WITH THE TAX COLLECTOR REGARDING THE ISSUE, INCLUDING PROVIDING WITHIN A REASONABLE PERIOD OF TIME, ACCESS TO AND INSPECTION OF ALL WITNESSES, INFORMATION AND DOCUMENTS WITHIN THE TAXPAYER'S CONTROL, AS REASONABLY REQUESTED BY THE TAX COLLECTOR.
 - (3) THE TAXPAYER HAS KEPT AND MAINTAINED RECORDS AS REQUIRED BY THE TOWN.
- (f) THE ISSUANCE OF AN ADJUSTED OR CORRECTED ASSESSMENT OR NOTICE OF REFUND DUE TO THE TAXPAYER, WHERE MADE BY THE TAX COLLECTOR PURSUANT TO THE DECISION OF THE HEARING OFFICER, SHALL NOT BE DEEMED AN ACQUIESCENCE BY THE TOWN OR THE TAX COLLECTOR IN SAID DECISION, NOR SHALL IT CONSTITUTE A BAR OR ESTOPPEL TO THE INSTITUTION OF AN ACTION OR COUNTERCLAIM BY THE TOWN TO RECOVER ANY AMOUNTS CLAIMED TO BE DUE TO IT BY VIRTUE OF THE ORIGINAL ASSESSMENT.
- (g) AFTER THE INITIATION OF ANY ACTION IN THE APPROPRIATE COURT BY EITHER PARTY, THE OPPOSITE PARTY MAY FILE SUCH COUNTERCLAIM AS WOULD BE ALLOWED PURSUANT TO THE ARIZONA RULES OF CIVIL PROCEDURE.

Sec. 8-578. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-578. REIMBURSEMENT OF FEES AND OTHER COSTS; DEFINITIONS. (LOCAL AUDITS)

- (a) A TAXPAYER WHO IS A PREVAILING PARTY MAY BE REIMBURSED FOR REASONABLE FEES AND OTHER COSTS RELATED TO ANY ADMINISTRATIVE PROCEEDING BROUGHT BY THE TAXPAYER PURSUANT TO SECTION 8-570(b). FOR PURPOSES OF THIS SECTION, A TAXPAYER IS CONSIDERED TO BE THE PREVAILING PARTY ONLY IF BOTH OF THE FOLLOWING ARE TRUE:
- (1) THE TAX COLLECTOR'S POSITION WAS NOT SUBSTANTIALLY JUSTIFIED.
 - (2) THE TAXPAYER PREVAILS AS TO THE MOST SIGNIFICANT ISSUE OR SET OF ISSUES.
- (b) REIMBURSEMENT UNDER THIS SECTION MAY BE DENIED IF ANY OF THE FOLLOWING CIRCUMSTANCES APPLY:
- (1) DURING THE COURSE OF THE PROCEEDING THE TAXPAYER UNDULY AND UNREASONABLY PROTRACTED THE FINAL RESOLUTION OF THE MATTER.
 - (2) THE REASON THAT THE TAXPAYER PREVAILLED IS DUE TO AN INTERVENING CHANGE IN THE APPLICABLE LAW.
- (c) THE TAXPAYER SHALL PRESENT AN ITEMIZATION OF THE REASONABLE FEES AND OTHER COSTS TO THE TAXPAYER PROBLEM RESOLUTION OFFICER WITHIN THIRTY (30) DAYS AFTER RECEIPT BY THE TAXPAYER OF A NOTICE OF REFUND OR RECALCULATED ASSESSMENT ISSUED BY THE TAX COLLECTOR PURSUANT

TO SECTION 8-570(b)(8). THE TAXPAYER PROBLEM RESOLUTION OFFICER SHALL DETERMINE THE VALIDITY OF THE FEES AND OTHER COSTS WITHIN THIRTY (30) DAYS AFTER RECEIVING THE ITEMIZATION. THE TAXPAYER PROBLEM RESOLUTION OFFICER'S DECISION IS CONSIDERED A FINAL DECISION. EITHER THE TAXPAYER OR THE TAX COLLECTOR MAY SEEK JUDICIAL REVIEW OF THE TAXPAYER PROBLEM RESOLUTION OFFICER'S DECISION. AN ACTION FOR JUDICIAL REVIEW, HOWEVER, SHALL NOT BE COMMENCED MORE THAN THIRTY (30) DAYS AFTER RECEIPT OF THE RESOLUTION OFFICER'S DECISION.

- (d) IN THE EVENT JUDICIAL REVIEW IS NOT SOUGHT PURSUANT TO SUBSECTION (c) ABOVE, THE TOWN SHALL PAY THE FEES AND OTHER COSTS AWARDED AS PROVIDED IN THIS SECTION WITHIN THIRTY DAYS AFTER DEMAND BY A PERSON WHO HAS RECEIVED AN AWARD PURSUANT TO THIS SECTION.
- (e) REIMBURSEMENT TO A TAXPAYER UNDER THIS SECTION SHALL NOT EXCEED TWENTY THOUSAND DOLLARS OR ACTUAL MONIES SPENT, WHICHEVER IS LESS. THE REIMBURSABLE ATTORNEY OR REPRESENTATIVE FEES SHALL NOT EXCEED ONE HUNDRED DOLLARS PER HOUR OR ACTUAL MONIES SPENT, WHICHEVER IS LESS, UNLESS THE TAXPAYER PROBLEM RESOLUTION OFFICER DETERMINES THAT AN INCREASE IN THE COST OF LIVING OR A SPECIAL FACTOR SUCH AS THE LIMITED AVAILABILITY OF QUALIFIED ATTORNEYS OR REPRESENTATIVES FOR THE PROCEEDING INVOLVED JUSTIFIES A HIGHER FEE.
- (f) FOR PURPOSES OF THIS SECTION "REASONABLE FEES AND OTHER COSTS" MEANS FEES AND OTHER COSTS THAT ARE BASED ON PREVAILING MARKET RATES FOR THE KIND AND QUALITY OF THE FURNISHED SERVICES, BUT NOT EXCEEDING THE AMOUNTS ACTUALLY SPENT FOR EXPERT WITNESSES, THE COST OF ANY STUDY, ANALYSIS, REPORT, TEST OR PROJECT THAT IS FOUND TO BE NECESSARY TO PREPARE THE PARTY'S CASE AND NECESSARY FEES FOR ATTORNEYS OR OTHER REPRESENTATIVES.

Sec. 8-590. Civil actions. (STATE ADMINISTRATION AND AUDITS)

- (a) Liens.
 - (1) Any tax, penalty, or interest imposed under this Chapter which has become final, as provided in this Chapter, shall become a lien when the Town perfects a notice and claim of lien setting forth the name of the taxpayer, the amount of the tax, penalty, and interest, the period or periods for which the same is due, and the date of accrual thereof, the amount of the recording costs by the county recorder in any county in which the taxpayer owns real property and the documentation and lien processing fees imposed by the Town council and further, stating that the Town claims a lien therefor.
 - (2) The notice of claim of lien shall be signed by the Town clerk under his official seal or the official seal of the Town, and, with respect to real property, shall be recorded in the office of the County Recorder of any county in which the taxpayer owns real property, and, with respect to personal property shall be filed in the office of the Secretary of State. After the notice and claim of lien is recorded or filed, the taxes, penalties, interest and recording costs and lien processing fees referred to above in

the amounts specified therein shall be a lien on all real property of the taxpayer located in such county where recorded, and all tangible personal property of the taxpayer within the State, superior to all other liens and assessments recorded or filed subsequent to the recording or filing of the notice and claim of lien.

- (3) Every tax and any increases, interest, penalties, and recording costs and lien processing fees referred to above, shall become from the time the same is due and payable a personal debt from the person liable to the Town, but shall be payable to and recoverable by the Tax Collector and which may be collected in the manner set forth in subsection (b) below.
 - (4) Any lien perfected pursuant to this Section shall, upon payment of the taxes, penalties, interest, recording costs and lien processing fees referred to above and lien release fees imposed by the county recorder in any county in which the lien was recorded, thereby, be released by the Tax Collector in the same manner as mortgages and judgments are released. The Tax Collector may, at his sole discretion, release a lien in part, that is, against only specified property, for partial payment of moneys due the Town.
- (b) Actions to recover tax. The Arizona Department of Revenue, or any agent or representative authorized by that Department, may bring action, in the name of the Town, to recover taxes as provided in A.R.S. Section 42-1114.

Sec. 8-590. CIVIL ACTIONS. (LOCAL AUDITS)

(a) LIENS.

- (1) ANY TAX, PENALTY, OR INTEREST IMPOSED UNDER THIS CHAPTER WHICH HAS BECOME FINAL, AS PROVIDED IN THIS CHAPTER, SHALL BECOME A LIEN WHEN THE TOWN PERFECTS A NOTICE AND CLAIM OF LIEN SETTING FORTH THE NAME OF THE TAXPAYER, THE AMOUNT OF THE TAX, PENALTY, AND INTEREST, THE PERIOD OR PERIODS FOR WHICH THE SAME IS DUE, AND THE DATE OF ACCRUAL THEREOF, THE AMOUNT OF THE RECORDING COSTS BY THE COUNTY RECORDER IN ANY COUNTY IN WHICH THE TAXPAYER OWNS REAL PROPERTY AND THE DOCUMENTATION AND LIEN PROCESSING FEES IMPOSED BY THE TOWN COUNCIL AND FURTHER, STATING THAT THE TOWN CLAIMS A LIEN THEREFOR.
- (2) THE NOTICE OF CLAIM OF LIEN SHALL BE SIGNED BY THE TOWN CLERK UNDER HIS OFFICIAL SEAL OR THE OFFICIAL SEAL OF THE TOWN, AND, WITH RESPECT TO REAL PROPERTY, SHALL BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF ANY COUNTY IN WHICH THE TAXPAYER OWNS REAL PROPERTY, AND, WITH RESPECT TO PERSONAL PROPERTY SHALL BE FILED IN THE OFFICE OF THE SECRETARY OF STATE. AFTER THE NOTICE AND CLAIM OF LIEN IS RECORDED OR FILED, THE TAXES, PENALTIES, INTEREST AND RECORDING COSTS AND LIEN PROCESSING FEES REFERRED TO ABOVE IN THE AMOUNTS SPECIFIED THEREIN SHALL BE A LIEN ON ALL REAL PROPERTY OF THE TAXPAYER LOCATED IN SUCH COUNTY WHERE RECORDED, AND ALL TANGIBLE PERSONAL PROPERTY OF THE TAXPAYER WITHIN THE STATE, SUPERIOR TO ALL OTHER LIENS AND ASSESSMENTS RECORDED OR FILED SUBSEQUENT TO THE RECORDING OR FILING OF THE NOTICE AND CLAIM OF LIEN.

- (3) EVERY TAX AND ANY INCREASES, INTEREST, PENALTIES, AND RECORDING COSTS AND LIEN PROCESSING FEES REFERRED TO ABOVE, SHALL BECOME FROM THE TIME THE SAME IS DUE AND PAYABLE A PERSONAL DEBT FROM THE PERSON LIABLE TO THE TOWN, BUT SHALL BE PAYABLE TO AND RECOVERABLE BY THE TAX COLLECTOR AND WHICH MAY BE COLLECTED IN THE MANNER SET FORTH IN SUBSECTION (b) BELOW.
 - (4) ANY LIEN PERFECTED PURSUANT TO THIS SECTION SHALL, UPON PAYMENT OF THE TAXES, PENALTIES, INTEREST, RECORDING COSTS AND LIEN PROCESSING FEES REFERRED TO ABOVE AND LIEN RELEASE FEES IMPOSED BY THE COUNTY RECORDER IN ANY COUNTY IN WHICH THE LIEN WAS RECORDED, THEREBY, BE RELEASED BY THE TAX COLLECTOR IN THE SAME MANNER AS MORTGAGES AND JUDGMENTS ARE RELEASED. THE TAX COLLECTOR MAY, AT HIS SOLE DISCRETION, RELEASE A LIEN IN PART, THAT IS, AGAINST ONLY SPECIFIED PROPERTY, FOR PARTIAL PAYMENT OF MONEYS DUE THE TOWN.
- (b) ACTIONS TO RECOVER TAX. AN ACTION MAY BE BROUGHT BY THE TOWN ATTORNEY OR OTHER LEGAL ADVISOR TO THE TOWN DESIGNATED BY THE TOWN COUNCIL, AT THE REQUEST OF THE TAX COLLECTOR, IN THE NAME OF THE TOWN, TO RECOVER THE AMOUNT OF ANY TAXES, PENALTIES, INTEREST, RECORDING COSTS, LIEN PROCESSING FEES AND LIEN RELEASE FEES DUE UNDER THIS CHAPTER; PROVIDED THAT:
- (1) NO ACTION OR PROCEEDING MAY BE TAKEN OR COMMENCED TO COLLECT ANY TAXES LEVIED BY THIS CHAPTER UNTIL THE AMOUNT THEREOF HAS BEEN ESTABLISHED BY ASSESSMENT, CORRECTION, OR REASSESSMENT; AND
 - (2) SUCH COLLECTION EFFORT IS MADE OR THE PROCEEDINGS BEGUN:
 - (A) WITHIN SIX (6) YEARS AFTER THE ASSESSMENT OF THE TAX; OR
 - (B) PRIOR TO THE EXPIRATION OF ANY PERIOD OF COLLECTION AGREED UPON IN WRITING BY THE TAX COLLECTOR AND THE TAXPAYER BEFORE THE EXPIRATION OF SUCH SIX (6) YEAR PERIOD, OR ANY EXTENSIONS THEREOF; OR
 - (C) AT ANY TIME FOR THE COLLECTION OF TAX ARISING BY REASON OF A TAX LIEN PERFECTED, RECORDED, OR POSSESSED BY THE TOWN UNDER THIS SECTION.

Sec. 8-596. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-596. AGREEMENT FOR INSTALLMENT PAYMENTS OF TAX. (LOCAL AUDITS)

- (a) THE TOWN MAY ENTER INTO AN AGREEMENT WITH A TAXPAYER TO ALLOW THE TAXPAYER TO SATISFY A LIABILITY FOR ANY TAX IMPOSED BY THIS CHAPTER BY MEANS OF INSTALLMENT PAYMENTS. THE TAX COLLECTOR MAY REQUIRE A TAXPAYER WHO REQUESTS AN INSTALLMENT PAYMENT AGREEMENT TO COMPLETE A FINANCIAL REPORT IN SUCH FORM AND MANNER AS THE TAX COLLECTOR MAY PRESCRIBE.

- (b) THE TAX COLLECTOR, WITHOUT NOTICE, MAY ALTER, MODIFY OR TERMINATE AN INSTALLMENT PAYMENT AGREEMENT IF THE TAXPAYER:
 - (1) FAILS TO PAY AN INSTALLMENT AT THE TIME THE INSTALLMENT PAYMENT IS DUE UNDER THE AGREEMENT.
 - (2) FAILS TO PAY ANY OTHER TAX LIABILITY AT THE TIME THE LIABILITY IS DUE.
 - (3) FAILS TO FILE ANY TAX REPORT OR RETURN AT THE TIME THE REPORT OR RETURN IS DUE.
 - (4) FAILS TO FURNISH ANY INFORMATION REQUESTED BY THE TAX COLLECTOR WITHIN THIRTY DAYS AFTER RECEIVING A WRITTEN REQUEST FOR SUCH INFORMATION.
 - (5) FAILS TO NOTIFY THE TAX COLLECTOR OF A MATERIAL IMPROVEMENT IN THE TAXPAYER'S FINANCIAL CONDITION ABOVE THE INCOME PREVIOUSLY REPORTED IN THE MOST RECENT INCOME STATEMENT WITHIN THIRTY DAYS AFTER THE MATERIAL IMPROVEMENT.
 - (6) PROVIDES INACCURATE, FALSE OR INCOMPLETE INFORMATION TO THE TAX COLLECTOR.

- (c) NOTWITHSTANDING ANY INSTALLMENT PAYMENT AGREEMENT, THE TAX COLLECTOR MAY OFFSET ANY TAX REFUNDS AGAINST THE LIABILITIES PROVIDED FOR IN THE INSTALLMENT PAYMENT AGREEMENT, MAY FILE AND PERFECT ANY TAX LIENS AND, IN THE EVENT THE TAXPAYER BREACHES ANY TERM OR PROVISION OF THE INSTALLMENT PAYMENT AGREEMENT, MAY ENGAGE IN COLLECTION ACTIVITIES.

- (d) THE TAX COLLECTOR, WITHOUT NOTICE, MAY TERMINATE AN INSTALLMENT PAYMENT AGREEMENT IF THE TAX COLLECTOR BELIEVES THAT THE COLLECTION OF TAX TO WHICH THE PAYMENT AGREEMENT PERTAINS IS IN JEOPARDY.

- (e) IF THE TAX COLLECTOR DETERMINES THAT THE FINANCIAL CONDITION OF A TAXPAYER HAS IMPROVED, THE TAX COLLECTOR MAY ALTER, MODIFY OR TERMINATE THE AGREEMENT BY PROVIDING NOTICE TO THE TAXPAYER AT LEAST THIRTY DAYS BEFORE THE EFFECTIVE DATE OF THE ACTION. THE NOTICE SHALL INCLUDE THE REASONS WHY THE TAX COLLECTOR BELIEVES THE ALTERATION, MODIFICATION OR TERMINATION IS APPROPRIATE.

- (f) AN INSTALLMENT PAYMENT AGREEMENT SHALL REMAIN IN EFFECT FOR THE TERM OF THE AGREEMENT EXCEPT AS OTHERWISE PROVIDED IN THIS SECTION.

- (g) A TAXPAYER WHO IS AGGRIEVED BY A DECISION OF THE TAX COLLECTOR TO REFUSE TO ENTER INTO AN INSTALLMENT PAYMENT AGREEMENT OR TO ALTER, MODIFY OR TERMINATE AN AGREEMENT ENTERED INTO PURSUANT TO THIS SECTION MAY PETITION THE TAXPAYER PROBLEM RESOLUTION OFFICER TO REVIEW THAT DETERMINATION. THE TAXPAYER PROBLEM RESOLUTION OFFICER MAY STAY SUCH ALTERATION, MODIFICATION OR TERMINATION PENDING ITS REVIEW AND MAY MODIFY OR NULLIFY THE DETERMINATION.

- (h) THE TOWN AND THE TAXPAYER MAY MODIFY ANY INSTALLMENT PAYMENT AGREEMENT AT ANY TIME BY ENTERING INTO A NEW OR MODIFIED AGREEMENT.

Sec. 8-597. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Sec. 8-597. PRIVATE TAXPAYER RULINGS; REQUEST; REVOCATION OR MODIFICATION; DEFINITION. (LOCAL AUDITS)

- (a) THE TAX COLLECTOR SHALL ISSUE PRIVATE TAXPAYER RULINGS TO TAXPAYERS AND POTENTIAL TAXPAYERS ON REQUEST. EACH REQUEST SHALL BE IN WRITING AND SHALL:
 - (1) STATE THE NAME, ADDRESS AND, IF APPLICABLE, TAXPAYER IDENTIFYING NUMBER OF THE TAXPAYER OR POTENTIAL TAXPAYER WHO REQUESTS THE RULING.
 - (2) DESCRIBE ALL FACTS THAT ARE RELEVANT TO THE REQUESTED RULING.
 - (3) STATE WHETHER, TO THE BEST KNOWLEDGE OF THE TAXPAYER OR POTENTIAL TAXPAYER, THE ISSUE OR RELATED ISSUES ARE BEING CONSIDERED BY THE TAX COLLECTOR OR ANY OTHER TAXING JURISDICTION IN CONNECTION WITH AN ACTIVE AUDIT, PROTEST OR APPEAL THAT INVOLVES THE TAXPAYER OR POTENTIAL TAXPAYER AND WHETHER THE SAME REQUEST HAS BEEN OR IS BEING SUBMITTED TO ANOTHER TAXING JURISDICTION FOR A RULING.
 - (4) BE SIGNED BY THE TAXPAYER OR POTENTIAL TAXPAYER WHO MAKES THE REQUEST OR BY AN AUTHORIZED REPRESENTATIVE OF THE TAXPAYER OR POTENTIAL TAXPAYER.
- (b) A PRIVATE TAXPAYER RULING MAY BE REVOKED OR MODIFIED BY EITHER:
 - (1) A CHANGE OR CLARIFICATION IN THE LAW THAT WAS APPLICABLE AT THE TIME THE RULING WAS ISSUED, INCLUDING CHANGES OR CLARIFICATIONS CAUSED BY REGULATIONS AND COURT DECISIONS.
 - (2) ACTUAL WRITTEN NOTICE BY THE TAX COLLECTOR TO THE LAST KNOWN ADDRESS OF THE TAXPAYER OR POTENTIAL TAXPAYER OF THE REVOCATION OR MODIFICATION OF THE PRIVATE TAXPAYER RULING.
- (c) WITH RESPECT TO THE TAXPAYER OR PROSPECTIVE TAXPAYER TO WHOM A PRIVATE TAXPAYER RULING IS ISSUED, THE REVOCATION OR MODIFICATION OF A PRIVATE TAXPAYER RULING SHALL NOT BE APPLIED RETROACTIVELY TO TAX PERIODS OR TAX YEARS BEFORE THE EFFECTIVE DATE OF THE REVOCATION OR MODIFICATION AND THE TAX COLLECTOR SHALL NOT ASSESS ANY PENALTY OR TAX ATTRIBUTABLE TO ERRONEOUS ADVICE THAT IS FURNISHED TO THE TAXPAYER OR POTENTIAL TAXPAYER IN THE PRIVATE TAXPAYER RULING IF:
 - (1) THE TAXPAYER REASONABLY RELIED ON THE PRIVATE TAXPAYER RULING.
 - (2) THE PENALTY OR TAX DID NOT RESULT EITHER FROM A FAILURE BY THE TAXPAYER TO PROVIDE ADEQUATE OR ACCURATE INFORMATION OR FROM A CHANGE IN THE INFORMATION.

- (d) A PRIVATE TAXPAYER RULING MAY NOT BE RELIED UPON, CITED NOR INTRODUCED INTO EVIDENCE IN ANY PROCEEDING BY ANY TAXPAYER OTHER THAN THE TAXPAYER WHO RECEIVED THE RULING.
- (e) A TAXPAYER MAY APPEAL THE PROPRIETY OF A RETROACTIVE APPLICATION OF A REVOKED OR MODIFIED PRIVATE TAXPAYER RULING BY FILING A WRITTEN PETITION WITH THE TAX COLLECTOR PURSUANT TO SECTION 8-570 WITHIN FORTY-FIVE (45) DAYS AFTER RECEIVING WRITTEN NOTICE OF THE INTENT TO RETROACTIVELY APPLY A REVOKED OR MODIFIED PRIVATE TAXPAYER RULING.
- (f) A PRIVATE TAXPAYER RULING CONSTITUTES THE TAX COLLECTOR'S INTERPRETATION OF THE SECTIONS OF THIS CHAPTER ONLY AS THEY APPLY TO THE TAXPAYER MAKING, AND THE PARTICULAR FACTS CONTAINED IN, THE REQUEST.
- (g) A PRIVATE TAXPAYER RULING WHICH ADDRESSES A TAXPAYER'S ONGOING BUSINESS ACTIVITIES WILL APPLY ONLY TO TRANSACTIONS THAT OCCUR OR TAX LIABILITIES THAT ACCRUE FROM AND AFTER THE DATE OF THE TAXPAYER'S RULING REQUEST.
- (h) THE TAX COLLECTOR SHALL ATTEMPT TO ISSUE PRIVATE TAXPAYER RULINGS WITHIN FORTY-FIVE (45) DAYS AFTER RECEIVING THE WRITTEN REQUEST AND ON RECEIVING THE FACTS THAT ARE RELEVANT TO THE RULING. IF THE RULING IS EXPECTED TO BE DELAYED BEYOND THE FORTY-FIVE (45) DAYS, THE TAX COLLECTOR SHALL NOTIFY THE REQUESTOR OF THE DELAY AND THE PROPOSED DATE OF ISSUANCE.
- (i) WITHIN THIRTY (30) DAYS AFTER BEING ISSUED, THE TAX COLLECTOR SHALL MAINTAIN THE PRIVATE TAXPAYER RULING AS A PUBLIC RECORD AND MAKE IT AVAILABLE AT A REASONABLE COST FOR PUBLIC INSPECTION AND COPYING. THE TEXT OF PRIVATE TAXPAYER RULINGS ARE OPEN TO PUBLIC INSPECTION SUBJECT TO THE CONFIDENTIALITY REQUIREMENTS PRESCRIBED BY SECTION 8-510.
- (j) IN THIS SECTION, "PRIVATE TAXPAYER RULING" MEANS A WRITTEN DETERMINATION BY THE TAX COLLECTOR ISSUED PURSUANT TO THIS SECTION THAT INTERPRETS AND APPLIES ONE OR MORE SECTIONS CONTAINED IN THIS CHAPTER AND ANY APPLICABLE REGULATIONS.
- (k) A PRIVATE TAXPAYER RULING ISSUED BY THE ARIZONA DEPARTMENT OF REVENUE PURSUANT TO A.R.S. SECTION 42-2101 MAY BE RELIED UPON BY THE TAXPAYER TO WHOM THE RULING WAS ISSUED AND MUST BE RECOGNIZED AND FOLLOWED BY ANY TOWN IN WHICH SUCH TAXPAYER HAS OBTAINED A PRIVILEGE LICENSE IF THE TOWN HAS NOT ISSUED A RULING ADDRESSING THE FACTS DESCRIBED IN THE TAXPAYER'S RULING REQUEST AND THE STATUTE AT ISSUE IN THE TAXPAYER'S RULING REQUEST IS, IN ESSENCE, WORDED AND WRITTEN THE SAME AS THE APPLICABLE SECTION HEREUNDER.

Section 2. Reg. 8-555.1 of the Tax Code of the Town of Camp Verde is amended to read:

Reg. 8-555.1. (Reserved) (STATE ADMINISTRATION AND AUDITS)

Reg. 8-555.1. ADMINISTRATIVE REQUEST FOR THE ATTENDANCE OF WITNESSES OR THE PRODUCTION OF DOCUMENTS; SERVICE THEREOF; REMEDIES AND PENALTIES FOR FAILURE TO RESPOND. (LOCAL AUDITS)

- (a) IF A TAXPAYER REFUSES OR FAILS TO COMPLY IN WHOLE OR IN PART WITH A REQUEST TO PROVIDE RECORDS AUTHORIZED BY SECTION 8-555, THE TAX COLLECTOR MAY ISSUE HIS WRITTEN ADMINISTRATIVE REQUEST WHICH SHALL:
 - (1) DESIGNATE THE INDIVIDUAL TO PROVIDE INFORMATION.
 - (2) DESCRIBE SPECIFICALLY OR GENERALLY THE INFORMATION TO BE PROVIDED, AND ANY DOCUMENTS SOUGHT TO BE EXAMINED.
 - (3) STATE THE DATE, TIME, AND PLACE IN WHICH THE INDIVIDUAL SHALL APPEAR BEFORE THE TAX COLLECTOR TO PROVIDE THE INFORMATION AND TO PRODUCE THE DOCUMENTS SOUGHT.
 - (4) BE DIRECTED TO:
 - (A) ANY DIRECTOR, OFFICER, EMPLOYEE, AGENT, OR REPRESENTATIVE OF THE PERSON SOUGHT TO BE EXAMINED; OR
 - (B) ANY INDEPENDENT ACCOUNTANT, ACCOUNTING FIRM, BOOKKEEPING OR FINANCIAL SERVICE RETAINED OR EMPLOYED BY SUCH PERSON FOR ANY PURPOSE CONNECTED WITH BUSINESS ACTIVITY SUBJECT TO TAXATION; OR
 - (C) ANY OTHER PERSON WHO, IN THE OPINION OF THE TAX COLLECTOR, HAS KNOWLEDGE OF FACTS BEARING UPON ANY TAX LIABILITY OF THE PERSON OR TAXPAYER FROM WHOM INFORMATION IS SOUGHT.
- (b) THE FAILURE OF A TAXPAYER TO COMPLY WITH REASONABLE REQUESTS FOR RECORDS WITHOUT GOOD REASON OR CAUSE MAY, IN THE EXERCISE OF JUDICIAL DISCRETION BY A COURT, BE HELD TO CONSTITUTE A FAILURE TO EXHAUST ADMINISTRATIVE REMEDIES.

ORDINANCE NO. 2009-A356

AN ORDINANCE OF THE TOWN OF CAMP VERDE, ARIZONA, RELATING TO THE PRIVILEGE LICENSE TAX; ADOPTING "SUPPLEMENTARY LOCAL AUDIT PROCEDURES FOR THE TOWN TAX CODE OF THE TOWN OF CAMP VERDE, ARIZONA" BY REFERENCE; AMENDING ARTICLE V - ADMINISTRATION OF THE TOWN TAX CODE AND REGULATION 8-555.1; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING SEVERABILITY AND ESTABLISHING AN EFFECTIVE DATE.

BE IT ORDAINED BY THE MAYOR AND COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA:

Section 1: That certain document known as "Supplementary Local Audit Procedures for the Town Tax Code of the Town of Camp Verde, Arizona", three copies of which are on file in the office of the city clerk, which document was made a public record by Resolution No. 2009-760 of the Town of Camp Verde, Arizona, is hereby referred to, adopted and made a part hereof as if fully set out in this ordinance.

Section 2: Any person found guilty of violating any provision of these amendments to the tax code shall be guilty of a class one misdemeanor. Each day that a violation continues shall be a separate offense punishable as herein above described.

Section 3: If any section, subsection, sentence, clause, phrase or portion of this ordinance or any part of these amendments to the tax code adopted herein by reference is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 4: The provisions of this ordinance and the amendments to the tax code adopted herein shall become effective on April 5, 2009.

PASSED AND ADOPTED by the Mayor and Council of the Town of Camp Verde, Arizona, this 4 day of February, 2009.

Mayor

ATTEST:

Town Clerk

APPROVED AS TO FORM:

Town Attorney

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: Feb. 4, 2009

Meeting Type: Regular Session

Type of Presentation:

REFERENCE DOCUMENT:

Parks Five-Year Plan

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval of the updated 2009-2014 Parks & Recreation Five-Year Master Plan

PURPOSE AND BACKGROUND INFORMATION:

The Parks & Recreation Commission met in Special Session on January 15, 2009 to make changes and updates of the Five-Year Plan. This document is the updated plan recommended by the Parks & Recreation Commission. The Five-Year Plan will be included in the Heritage Grant application.

STAFF RECOMMENDATION(S): (Suggested Motion)

Approve the 2009-2014 Parks & Recreation Five-Year Master Plan.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

Attorney Review Yes No

Attorney Comments

Fund:

Line Item:

Submitting Department: Parks & Recreation

Contact Person: Lynda Moore

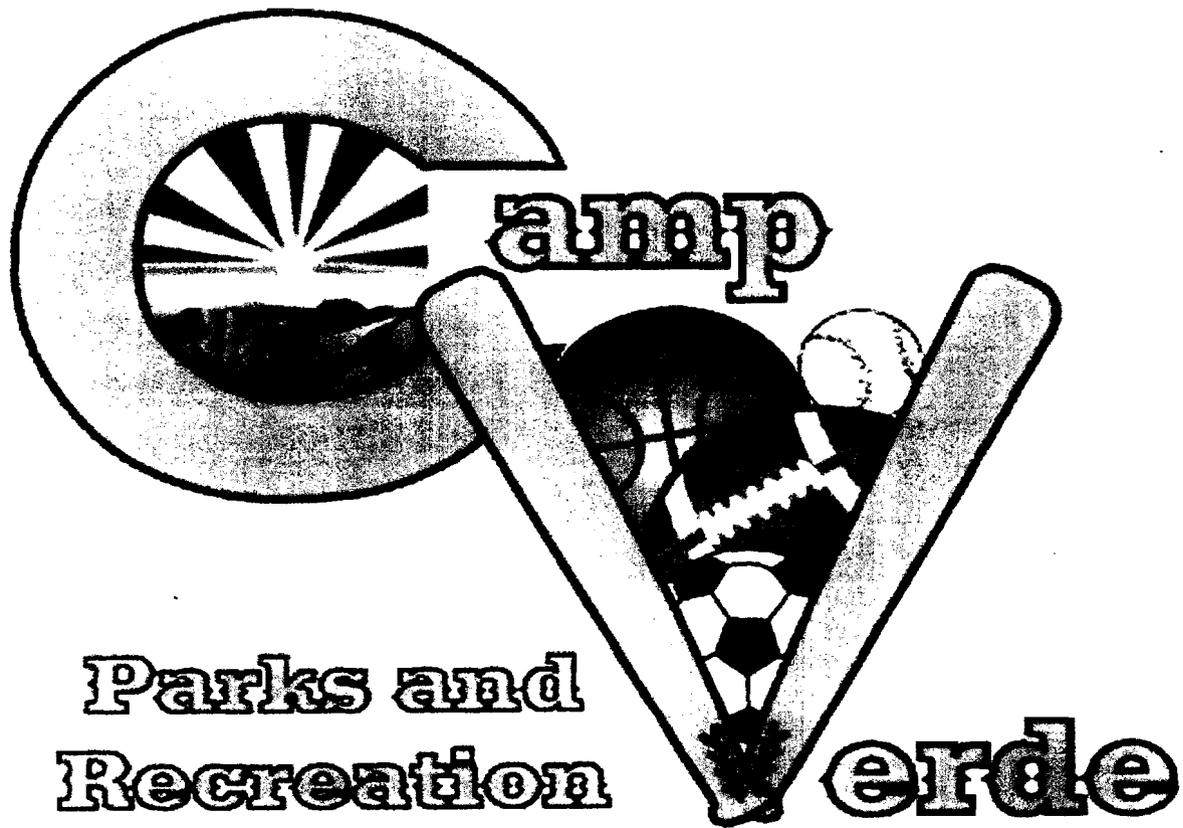
Town Manager/Designee:

Five Year Plan

2009-2014

MISSION STATEMENT

The Town of Camp Verde Parks and Recreation is dedicated to providing quality recreational, educational, cultural, fitness, social and environmental opportunities. This department strives to meet the diverse needs of our community.



2009-2014 PLAN OBJECTIVES

Planning objectives are statements of purpose that will guide Plan actions. They help define issues and are typically carried out by implementation programs.

The objectives listed below will be further discussed on the following pages

- Acquire, retain and protect open space for future generations
- Acquire more land for future parks
- Reflect the values and wishes of the community
- Preserve existing irrigated farmlands
- Identify and protect historic sites
- Protect river access and promote acquisition of easements along the Verde River and other waterways
- Create a co-operative agreement between trails and all other committees designated by the Town Council and the Parks & Recreation Department
- Strengthen working relationships with School District and other entities
- Attract tourism
- Provide and promote recreational and athletic opportunities to meet the needs of all members of the community, inclusive of all ages and physical capabilities.
- Promote community involvement

The objectives discussed on the following pages set the direction for the coming five years. These objectives expand on the interests identified in the General Plan and various Parks and Recreation surveys, reflecting the increased demands and more diverse needs of our growing community. The order in which the objectives appear does not indicate priority; all of the objectives are important.

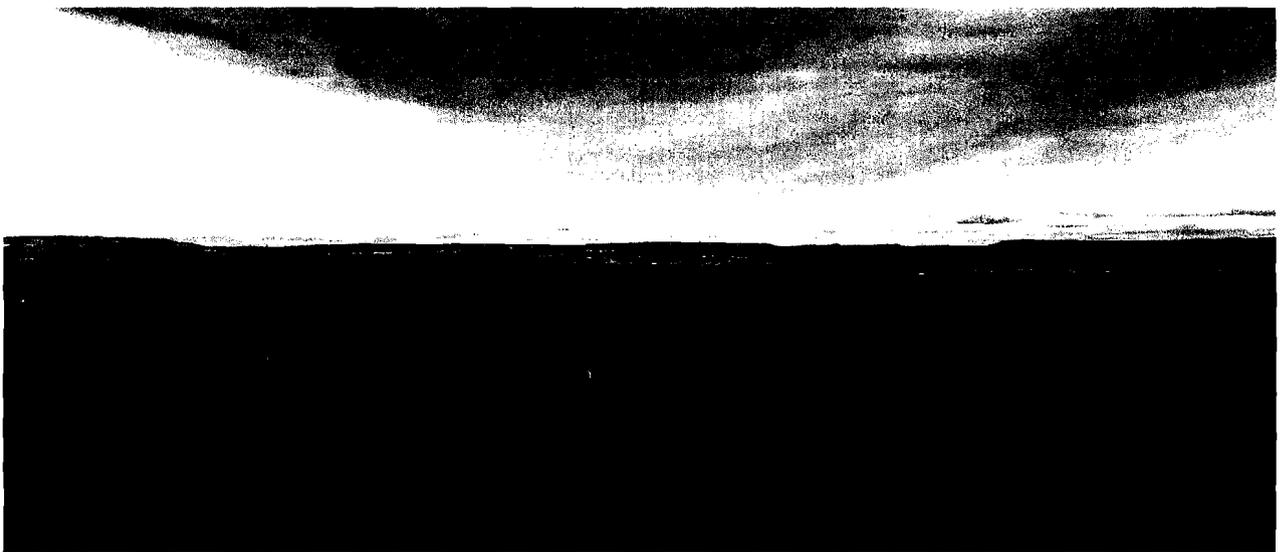
- **Acquire, retain and protect open space for future generations:**

Open space is vital to the character of Camp Verde. Creating a system to acquire and retain open space would enable Camp Verde to maintain its rural atmosphere. Encourage this land acquisition through endowments, grants, and collaborations with various land conservation organizations.



- **Acquire more land for future parks:**

Recreational opportunities enhance the quality of our lives. The Town encourages all developers to donate land for small parks within their development. To insure that new developments contain enough parks and open space for their neighborhoods, a policy has been developed to set aside a minimum of 10% of useable land in each development. Future neighborhood parks should be owned and maintained primarily by homeowners' associations. We further encourage developers to assist in the creation of Homeowners Associations. Additional parks can also be funded through development fees, sales taxes, donations and bonds. To meet these goals, the Town would need to make acquisition and development of parks a high priority in its budgeting process.



- **Reflect the values and wishes of the community:**

The desires of the community have been expressed through Camp Verde's General Plan and through the Parks and Recreation Department survey. The park system should reflect and incorporate those values by maintaining open space, creating several neighborhood parks and one large Community Park, while keeping our rural, western flavor. The Town must continually work to increase and enhance our trail system.

- **Preserve existing irrigated farmlands:**

As demand on our water supply continues to increase and Verde farmland becomes more desirable for developments, it is of the utmost importance to preserve and maintain our current farmlands. They are an integral part of our agricultural history and future. Farmland development rights could be purchased through Americans Farmland Trust, Nature Conservancy and/or with Town tax dollars or similar programs.



- **Identify and protect historic sites:**

Camp Verde is rich in history. Community identity and heritage are often expressed through the development of themes and the enhancement of historical features. Historical sites and buildings should be protected to ensure our rural identity and to continue attracting economic dollars through tourism. The Town can achieve this by working in conjunction with the Historical Society and similar organizations.



- **Protect River access and promote acquisition of easements along the Verde River and other waterways:**

It is the intent of the Parks & Recreation Department to work with the Community Development Department to encourage developers and private citizens to provide access and easements along the waterways.



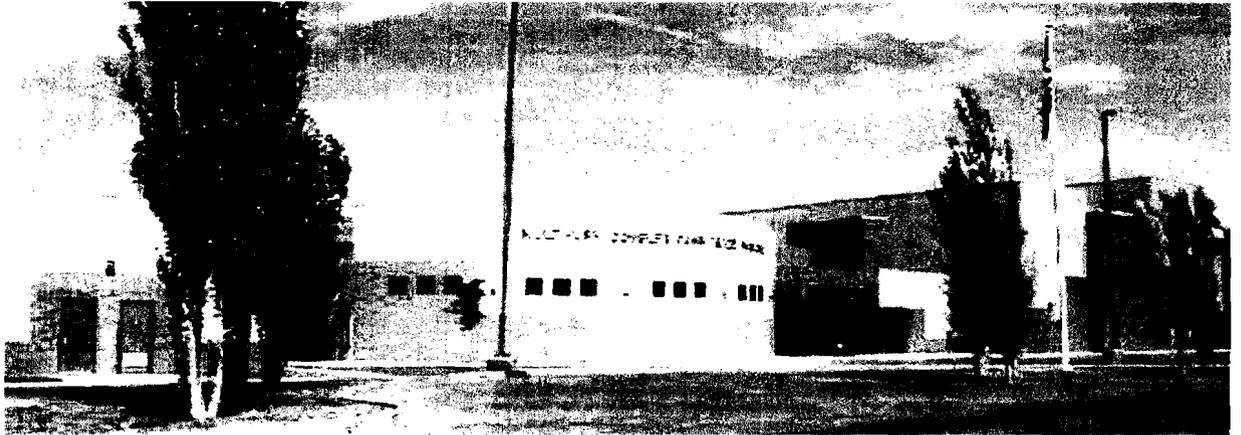
- **Create a co-operative agreement between the Trails Commission and the Parks & Recreation Department:**

It is crucial to our community to maintain and continuously develop a trail system that will link our open spaces, ditches, river and historical features. This agreement would be in keeping with Camp Verde's General Plan and would reflect the wishes of the community.

- **Create a cooperative agreement between Town Council appointed Commissions and the Parks & Recreation Department.**

In the best interest of the community, when opportunities present themselves, the Parks & Recreation Commission will continue to cooperate with any other Council appointed Commissions and Committees to work towards common goals for the betterment of the citizens.

- **Strengthen working relationship with School Districts and other entities:**
Maintain an Inter-Governmental Agreement with current and future shared facilities.

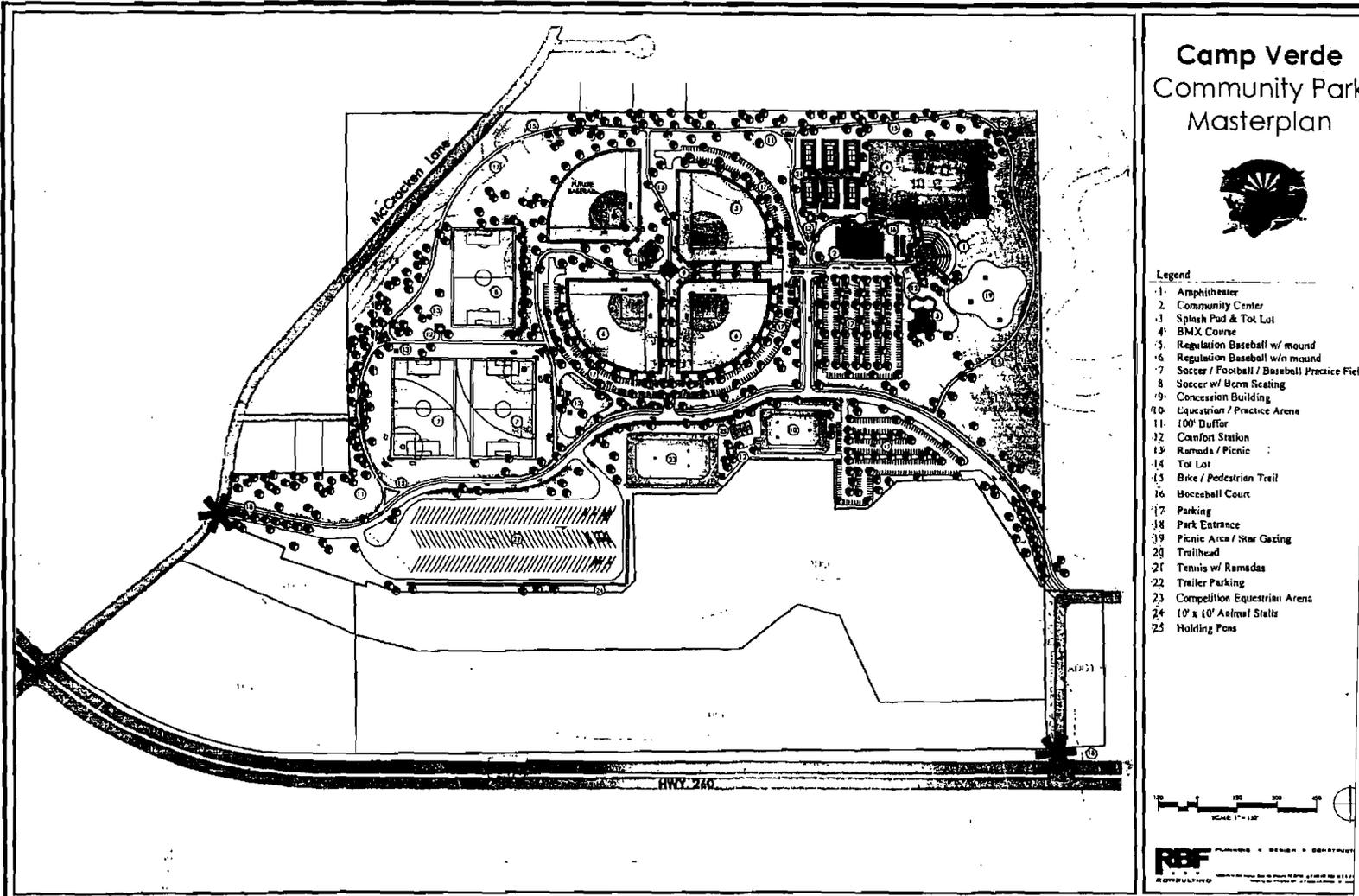


- **Encourage tourism:**
Recreational opportunities will continue to attract tourism. Well-developed parks, historical sites, open space and a trail system will attract residents and businesses to Camp Verde, thus promoting our economic growth.
- **Promote community involvement:**
Encourage participation through recreational/educational programs such as special events and youth and adult programs.



Camp Verde's Plans for the Future

This five-year Plan is an important element of Camp Verde's overall plan for the future, which is guided by the Town's General Plan. The 1999 Parks & Recreation Department survey expressed a community desire for special parks offering a variety of active and passive recreation opportunities. These opportunities will continue to have a large influence on economic development in Camp Verde and throughout the region.



The Park System

Fulfilling the desire of Camp Verde's residents for a diverse range of park and recreation facilities requires a well-balanced parks system, open space and a trails system. The 1999 Parks & Recreation Department survey conducted by Northern Arizona University showed that 53% of the residents felt the Town's current outdoor facilities and recreational opportunities were unsatisfying. Camp Verde's challenge is to expand and enhance the current system to meet the Town's anticipated growth. Action must be taken now to ensure that future residents will enjoy recreational opportunities similar to those of current residents, and that current residents won't feel their recreational opportunities have been diminished by new growth. This chapter describes Camp Verde's current park system and recommends expansion and development to serve future needs.

To understand the overall park system, it is helpful to review the individual components: neighborhood and community parks, special-use areas and joint park/school sites. Camp Verde's current park system is composed primarily of neighborhood parks maintained by the Town, special-use areas such as Heritage Pool, the Skateboard Park and Community Center. The Town recently acquired 118.7 acres for the development of a Community Park. Adding joint use park/school sites through agreements with the local school's, as well as with the Camp Verde Library and the Trails Commission, could be an excellent way to expand Camp Verde's park system.

Neighborhood Parks

The neighborhood parks, which are typically ten acres or smaller, are the most accessible recreation areas for Camp Verde residents. The town currently manages three public neighborhood parks owned and maintained by the Town.

Arturo Park: A small park consisting of picnic tables and playground area, situated in a small neighborhood on Arturo Circle Cul-de-sac.



Community Center Park: Located behind the Town Complex on the corner of Main and Hollamon Street, this park consists of a soccer field, picnic and playground area and Ramada.



Butler Park: This seven-acre park is adjacent to Camp Verde Middle School, and consists of soccer, football and baseball fields, volleyball, basketball and tennis courts. It also contains playground equipment, a ramada, a picnic area, restrooms, concession stand and announcer's stand.



Special-Use Areas

Many recreational facilities have unique characteristics that are better accommodated by a special-use area rather than mixed with other uses in a traditional park setting. These unique characteristics include user activities that may make them incompatible with other uses and natural conditions that would be sensitive to other uses. Examples of existing special-use areas in Camp Verde include the Heritage Skate Park, Heritage Pool the Camp Verde Community Center, the Gazebo and the ramada.

Heritage Skate Park: 100' x 80' lit concrete park with bowls, ramps and various street obstacles. The park is located next to the Heritage Pool on Apache Trail.



Heritage Pool: A 25-meter heated pool with a slide and lap lane. A concession stand provides snacks as well as pool items. A variety of programs is offered such as aerobics, swim lessons, arthritis exercises, and lifeguard training.



Camp Verde Community Center: Full court wood gymnasium with a stage, kitchen facilities, three classrooms and ramada used for various educational/recreational classes, classrooms and ramada may be rented for private use. The Center also contains a weight room with free weights and Nautilus equipment. The Parks & Recreation Department offices are located in the Community Center.



Gazebo: The Town gazebo is used for public functions and also available for private rental.



Teen Center: The Teen Center is open every Wednesday and Friday and consists of a game room with Nintindo Wii, pool table, air hockey and fooseball, a computer room and conference room.



Camp Verde is continually planning for additional special-use areas. Some of these include:

- Rodeo Grounds and Horse Arena
- Equestrian Trails
- Community Park

Community Parks

Community parks are the largest of planned parks, typically comprising of 60-200 acres. These parks are large enough for a variety of active and passive uses and can also include facilities operated by private concessionaires. 83% of Camp Verde residents who participated in the survey identified Community Parks as important recreational facilities. Camp Verde is currently setting aside 40% of a sales tax increase for the next ten years. The tax will be used for the development of a parcel of Forest Service land for our first Community Park. Currently 118.7 acres has been acquired on Highway 260 in Camp Verde.

Camp Verde's first proposed Community Park will consist of approximately 118 acres. The facilities would include softball/Little League fields, soccer/football fields, tennis courts, equestrian arena, multi-use trails, playground area, restrooms, concession stand and Ramadas.

It is important to note that Camp Verde's public parks are for the enjoyment and use of all residents, even though they may be located in or adjacent to individual neighborhoods. The park cited above would serve the long-term needs of the Town and could be constructed during or after the 2009-2014 Plan time frames.

Review of the Park Improvements

1995-2008

- 1995** Town continues to work on Heritage Pool
- 1996** Heritage Pool opens
- 1997** Phoenix Suns donate resurfacing of Butler Park Basketball Courts
Tuff-Lite donates in-field materials for Butler Park softball field
Town purchases Pool Blanket for Pool
- 1998** Town purchases and develops soccer field at Butler Park
Town builds roof over restrooms at pool
Town builds Chemical Room for pool
Town refurbishes Christmas decorations
- 1999** Town applies for and receives Heritage Grant for park improvements from this grant, the Town installs three sets of playground equipment at Butler Park, Arturo Park and the Town Complex Park.
- 2000** Town builds Skate Board Park with help from the 1999 Heritage Grant
Town installs lights for Butler Park soccer/football field, softball fields and tennis courts.
Town constructs two parking lots for Butler Park
- 2004** Town builds Ramada at the Community Center Park
Town enters into an IGA with local Charter School for additional soccer fields.
- 2005** Town applies for and receives SLIF Grant to acquire and develop a riverfront park.
- 2006** Town acquires riverfront property for park through donations and SLIF funding.
- 2007** Development of Rezzonico Park begins along the Verde River.
- 2008** Acquired 118.7 acres of U.S. Forest Service land for the development of a Community Park.
Town hires RBF Consulting to develop a Master Plan for the 118.7 acre community park site.
New restroom and show facility constructed at Community Center.

Review of Recreational Programs 1995-2008

- 1995** Not known
- 1996** Pool activities developed: open swim, lap swimming and water aerobics
- 1997** Developed the following events:
- Master's Golf Tournament
 - Christmas Bazaar
 - Pancake Breakfast with Santa
- 1998** Developed the following events:
- Grasshopper Basketball
 - Arizona Game and Fishing Clinic
 - Easter Egg Hunt
 - Home Show
 - KVRD Golf Tournaments
 - Independence Day Celebration
 - Block Party
 - Diamond Skills
 - Corn Festival (assumed responsibility from the Chamber of Commerce)
 - Haunted House
 - Pony Tail Softball
- 2000** Developed the following events:
- Bicycle Rodeo (assumed responsibility from the Marshal's Office)
 - Fort Verde Days (assumed responsibility from the Chamber of Commerce)
 - Youth Swim Team (Crocodiles)
 - Arthritis Program (at Heritage Pool)
 - Heather's Friends Fun & Fitness Program
 - Gymnastics
 - Jazzercise
 - Judo
 - Pre-ballet
 - Bachelor's Auction
 - Ceramics Class
 - 1st Annual Canoe Challenge
 - 1st Annual Spring Cleaning & Yard Sale
 - 11th Annual Castle Classic Soccer Tournament (co-sponsored)
 - Southwest Days 10K & 2 Mile Run
 - Kid's Karate
 - Pottery Class
 - Doll Class
 - Grasshopper Basketball – 1st & 2nd Grade
 - Camp Verde Community Players
 - 1st Annual Light Parade
 - 1st Annual Christmas Lighting Contest

- 2000** Developed the following events: (continued)
- 1st Annual Christmas Party
 - Pioneer Days
- 2001** Developed the following events:
- Pecan & Wine Festival
 - Special Olympics
- 2003** Men's League Basketball League
Best of the Best Basketball Tournament
Co-Rec Softball League
Fort Verde Days Softball Tournament
3 On 3 Basketball League
- 2003** Town purchases new Christmas decorations
Purchase of Burger King Playground equipment to place in a Community Park
Parks & Recreation remodel
Developed the Main Street Stampede event
Developed the annual Crawdad Festival event
Established the Camp Verde Highland Games
Established the Hunter Education Class
- 2005** Established the Hunter Education class
- 2006** Established Teen and Adult Dances to benefit the Explorer Post 7900
- 2007** Established a Youth Commission
Established the Community Youth Coalition
Established the Verde Valley Golf League
Established a Outdoor show in conjunction with the Gun and Knife Show
Established an Adult Flag Football League
Operation Prom
Co-Rec Volley Ball League
Trick or Treat Main Street
- 2008** Opened the Teens A Chillin Youth Center
Movies in the Park

Parks & Recreation Five-Year Plan 2009-2014

- 2008** Received Waiver of Retroactivity from Arizona State Parks.
Acquired 118.7 acres of U.S. Forest Service land for the development of a Community Park.
Hired RBF Consulting to develop Community Park Master Plan.
Appropriated \$100,000 from the Capitol Improvement Fund to engage a consultant to complete design work for initial projects for the Community Park.
Continue developing Rezzonico Park along Verde River
- 2009** Submit Heritage Grant for acquisition of community parkland.
Hire a consultant to complete design work for Phase I projects for the Community Park which include:
- Two softball fields
 - Restroom
 - Parking lot
 - Entry road
 - Interior road
- Complete Rezzonico Park and close SLIF Grant
- 2010** Begin Development of Community Park which would include:
- Two softball fields
 - Restroom
 - Parking lot
 - Entry road
 - Interior road
- 2011-2014** Submit grants available for construction help for second phase of construction of Community Park. Second Phase would include:
- Soccer Fields
 - Concession Stand
 - Tot Lot
 - Walking & Exercise Path
 - Picnic Ramada's

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date:

February 4, 2009

Meeting Type: Regular Session

Type of presentation:

Verbal Only

REFERENCE DOCUMENT:

Town Manager's November 12, 2008 Budget Status Report; January 20, 2009 Housing Commission Draft Minutes

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible direction to staff in consideration of the Camp Verde Housing Commission's recommendation to not decommission the Town Housing Commission.

PURPOSE AND BACKGROUND INFORMATION:

At their November 19, 2008 meeting, the Town Council adopted the recommendations of the Town Manager to discontinue the operations of the Housing Department and Housing Commission in order to reduce town expenditures to align with actual revenue accrual for fiscal year 2009.

At their January 20, 2009 meeting, the Housing Commission recommended the Town Council not decommission the Housing Commission, but to keep it going. Staff received direction from the Town Council in November; however, given the recent recommendation of the Housing Commission, staff is duty bound to bring forth their recommendation for Council review.

STAFF RECOMMENDATION(S): (Suggested Motion)

None.

Type of Document Needing Approval:

N/A

Finance Director Review

Budgeted/Amount

N/A

Comments:

Fund

N/A

Line Item:

N/A

Submitting Department:

Housing N.R. Department

Contact Person:

Matt Morris

Town Manager/Designee:

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

Memorandum

To: Members of the Town Council
From:  Michael Scannell, Town Manager
Date: November 12, 2008
Re: Budget Status report

The purpose of this report is to provide you with an update on the performance of our fiscal year 2008-09 adopted budget.

Our local economy has been performing in a lackluster manner since last spring. In recent months, we have witnessed an ongoing deterioration in the performance of all segments of our local economy. The challenge we face with respect to the decline in economic activity becomes more prominent when you factor for the general decline in the performance of the statewide economy. Town of Camp Verde is impacted by the decline in statewide economic activity by virtue of the fact that we receive a distribution of sales tax revenue from the State's sales tax sharing program. We are forecasting a decline of something approximating ten percent (10%) from our budgeted appropriation in this revenue account. A projected ten percent decline in accrued revenues at June 30, 2009 approximates one hundred thousand dollars (\$100,000). With respect to our local sales tax revenues, we are projecting a shortfall at June 30, 2009 of two hundred fifty-five thousand dollars (\$255,000).

In addition to the lackluster performance of our economy, we are experiencing a significant decline in the revenues we accrue from interest earnings on the Town's invested funds. We are anticipating a shortfall in revenues accrued at June 30, 2009 of something approximating eighty thousand dollars (\$80,000). In budgeting for interest earnings we adjusted our assumptions about interest rates, however, we did not anticipate that the Federal Reserve Bank's monetary policy would result in the interest rate environment being reduced to the levels we are experiencing presently. While I do not have the ability to predict what the interest rate environment will be in the coming months, I have no reason to believe that the interest rate environment will improve in the near term. As such, I believe that the interest earnings forecast is accurate at this juncture.

Our budget for legal services has also been impacted in a material way in terms of defending the Town's actions vis a vis the wood yard zoning matter. I am recommending that we increase the appropriation for legal services by forty thousand dollars (\$40,000) in order to fund the delivery of legal services on this matter. The increased appropriation in this case will be funded by re-directing an existing appropriation in the Community Development Department. While it results in an increased appropriation for legal services there is a corresponding decrease in the appropriation for consulting services. Viewed from the perspective of the shortfall it has no effect.

In summary, I believe that our projected general fund shortfall will be on the order of four hundred thirty-five thousand dollars (\$435,000). We are also experiencing a projected shortfall in our Highway User Revenue Fund Account. Based on the accrual of revenues in this account during the first three months of the fiscal year, we are forecasting that at June 30, 2009, our revenues in this account will fall short of that budgeted by eighty thousand dollars (\$80,000). Our combined revenue shortfall is estimated to be in the order of five hundred fifteen thousand dollars (\$515,000).

In order to close our five hundred fifteen thousand dollar (\$515,000) combined shortfall, I am recommending a number of actions which, upon adoption, will address the shortfall in a substantive way. A listing of those recommendations and the effect of each is set forth on the spreadsheet attached herewith.

In the case of those recommendations which may be considered substantive and/or controversial and which require personnel changes or reallocations, I have provided an explanation of my rationale for having made that specific recommendation. Those explanations follow.

Recommendation #1.

Close down the Town's Housing Department. While it is not with pleasure that I advance this recommendation for your review and consideration, I believe that the issue of addressing the community's housing needs is best addressed on a regional basis rather than having a small town like Camp Verde fund and maintain a Housing Department. A cursory review of the entities in our region indicated that Sedona was the only entity of our size that maintains a Housing Department. In my considered opinion, there is an inherent amount of inefficiency in a town like Camp Verde maintaining a Housing Department. In order to address the inefficiency to which I have referred, many regions in the country have formed Regional Housing Authorities and use that model to address the housing needs of a region. The expense associated with maintaining a Housing Department in the Town of Camp Verde in the current fiscal year is one hundred seventeen thousand dollars (\$117,000). I suspect that if a Regional Housing Authority was formed in the Verde Valley, I am reasonably certain that our pro rata share of the total overhead for such an organization would be less than the expenses we incur under our current service delivery model.

If you elect to accept my recommendation, and the department is shut down at the end of February, 2009 we will experience an immediate net savings of approximately eighty thousand dollars (\$80,000) in the current fiscal year. We have selected February 28, 2009 as the proposed departmental closure date so that current staff can close out those activities which are in process at this juncture.

The Housing Department is presently administered by two outstanding professionals whose respective contributions have been notable. If you elect to accept my recommendation relative to closing down the department, I am respectfully requesting that the Administrative Assistant allocated to the Department be given the opportunity to transfer to an open position in the Magistrate Court. With respect to the Director, I am recommending that he be transferred to the Town's Community Development Department and that he be charged with responsibility for leading up the effort relative to rewriting the Town's land use codes. You may recall that this task was originally anticipated to be performed by a consulting firm with experience in planning and rewriting land use codes. I submit that the current Housing Director is a skilled planning professional who is well versed in the field of planning and is perfectly suited to achieve success in the task at hand. In order to fund the re-write of the Town's land use code, I am recommending that we reduce the funding set aside for consulting services in the Community Development Department by one hundred sixty thousand dollars (\$160,000) and that an appropriation be established in the Community Development Department for use in funding the effort described above. The spreadsheet attached herewith chronicles the savings associated with the organizational changes I am proposing. Should you agree with my recommendation to eliminate the Town's Housing Department, it would seem that there would no longer be a need for a Housing Commission. You may want to tie the elimination of the Housing Commission to the closure date of the Housing Department.

Recommendation #2.

Elimination of the publication of the Town Page in the print media. The expense associated with the publication of the Town Page in the two newspapers which serve the Town of Camp Verde is estimated to cost approximately thirty-eight hundred dollars (\$3,800) in the current fiscal year. I believe we can eliminate the expense in question and not impair our ability to communicate with the members of the community about the work that the Town is doing on their behalf. Because the Town Page is an important vehicle through which the Town disseminates information, I am recommending that the publication of the Town page be limited to the Town's web site.

Recommendation #3.

I am recommending that I be authorized to transfer the Accounts Payable Clerk presently assigned to the Finance Department to the Park and Recreation Department and that she be assigned to the Events/Promotions Division of the Department. The individual referenced above will be transferred to a vacant position within the Park and Recreation Department. This is a change supported by the employee in question as well as the Director of the Park and Recreation Department.

As you know from prior reports from our external auditors, the Finance Department is in serious need of an augmentation of its professional accounting staff. Given the transfer outlined in the preceding paragraph, an opening will exist in the Finance Department. I am proposing that the position allocation for the vacant position be changed from its current designation to that of an Accountant and that the current Accountant position allocated to the department be reclassified to that of Senior Accountant in order to reflect the responsibilities associated with supervision of line staff as well as acknowledging the level of responsibility currently assigned to the incumbent. The expenses associated with the staffing reconfiguration outlined above can be absorbed by the department.

Recommendation #4.

The Community Development Department has experienced a significant reduction in its workload as a result of the downturn in the local economy. In my considered opinion, the incongruity of maintaining the department's current staffing levels in the face of the significant reduction in its workload would not be missed by anybody. Having said that, the personnel assigned to the department are highly trained professionals whose skills have significant value to the organization. Given the investment the Town has made over time in its personnel, I am interested in maintaining a corps of skilled workers rather than discharging one or more of them with no hope of having them return to our organization when the economy begins to rebound. As such, I am recommending that the Community Development Director transfer one of her permit technicians to the Streets and Road Department and that the transferred employee fill a funded yet vacant position in the department and that she be assigned project management tasks and other issue specific tasks which heretofore have not been addressed due to staffing constraints. I am confident that the transfer of the employee referenced above will result in benefits inuring to the Streets and Roads Department and that the employee in question will be afforded the opportunity to work on issues which are challenging and which will add value to the organization. The transfer that I am recommending is supported by the Directors of the Community Development Department and the Public Works Department.

Recommendation #5.

Approve the adjustments to the departmental appropriations set forth on the attached spreadsheet.

Closing Comments:

In drafting this report for your consideration, my objective has been to present you with a set of options which solve problems, which finds new ways of deploying our financial resources, addresses long term structural problems within the organization and which most importantly preserves a high quality workforce so that when the economy turns around we will be positioned to serve the community in a meaningful way. I am confident that the strategy which is before you will achieve the objectives to which I have referred.

I am respectfully requesting that you support the recommendations which are before you and that you direct staff to move forward with implementation forthwith. I will be pleased to respond to any questions that you may have relative to the points discussed in this report.

General Fund
Potential Budgeted Expenditure Savings/<Increases>
FY 2008-2009

Projected Shortfall: \$ 435,000

Description	Amount Budgeted	Projected Actual	Savings
Closing Housing Department	117,090	36,433	80,657 ¹
Transfer Housing Dir to Comm Dev	-	21,845	(21,845) ¹
Transfer Housing Admin to Court	45,225	36,884	8,341 ²
Decrease Com Dev Consulting Fees	200,000	40,000	160,000
Transfer Bldg Admin to Streets/HURF	44,219	16,676	27,543 ²
Increase Legal Fees - Com Dev	25,000	65,000	(40,000)
Vacancy of P&R Admin Assistant	38,787	17,687	21,100
Transfer A/P Clerk to Parks & Rec	-	20,914	(20,914) ⁷
Marshal's Deputy Open Position	56,768	9,844	46,924
AOT Grant-Chamber of Commerce	36,000	16,261	19,739
Municipal Insurance	201,285	183,094	18,191
Parks & Recreation Start Banks	800	-	800
Eliminate Publication of Town Page		(2,500)	2,500 ³
Health Insurance Premium Savings		(4,170)	4,170 ⁴
Transfer for waste services to NAWS	6,926	5,627	1,299
Mayor & Council	73,147	68,281	4,866
Town Manager	200,246	193,246	7,000
Town Clerk	270,159	250,659	19,500
Finance	241,956	221,956	20,000
Human Resources	37,824	31,324	6,500
Municipal Court	26,118	24,943	1,175
Public Works/Engineer	136,787	161,512	(24,725) ⁵
Community Development	473,794	475,044	(1,250) ⁶
Building Department	700	(8,600)	9,300
Marshal's Department	2,169,011	2,135,436	33,575
Animal Control	115,246	111,496	3,750
CV Community Library	294,136	284,973	9,163
Parks & Recreation	236,884	229,784	7,100
Special Events	28,576	26,486	2,090
Pool	103,957	100,782	3,175
Draw Down of Fund Balance			25,276
Total Estimated Expenditure Savings/<Increases>:			\$ 435,000

Remaining Shortfall: \$ 0

¹ Assumes Feb 28, 2009 complete closure date (after close of HOME grant)

² Assumes December 1, 2008 as effective date of transfer

³ Projected savings due to unbudgeted increase in publication costs. Assumes termination of publication as of Dec 1, 2008.

⁴ Monthly premium budgeted at \$5 more per month per employee

⁵ Removal of budgeted revenues for Engineer Plan Review Fees

⁶ Decrease in projected revenues net of decreased expenditures

⁷ Assumes Dec 1, 2008 - Feb 28, 2009 PT Finance/PT Parks & Recreation and full transfer as of March 1, 2009.

HURF Fund
Potential Budgeted Expenditure Savings/<Increases>
FY 2008-2009

Projected Shortfall: \$ 80,000

Description	Amount Budgeted	Projected Actual	Savings
Heavy Equipment Operator Open Position	58,290	7,672	\$ 50,618
Transfer Bldg Admin to Streets/HURF	-	27,543	\$ (27,543) ¹
Decreased Expenditures	1,778,170	1,720,884	\$ 57,286 ²
Total Estimated Expenditure Savings/<Increases>:			\$ 80,361

Remaining Shortfall: \$ (361)

¹ Assumes December 1, 2008 as effective date of transfer

² Includes reductions in Street Construction, Chip Seal/Maintenance and Street Stripping projects as well as other small adjustments to basis O&M expenses.

**MINUTES
REGULAR SESSION
HOUSING COMMISSION
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
TUESDAY, January 20, 2009
4:00 P.M.**

**Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motions to facilitate future research.
Public input, where appropriate, is heard prior to the motion**

1. **Call to Order**
The meeting was called to order at 4:00 p.m.
2. **Roll Call**
Chairperson Bach, Vice Chairperson Buchanan, Commissioners McReynolds, Davis, Blue and Varela were present; Roddan was absent.

Also Present: Housing Department Director Matt Morris and Recording Secretary Margaret Harper.
3. **Pledge of Allegiance**
The Pledge was led by Buchanan.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) October 21, 2008 Regular Session
 - 2) November 18, 2008 Regular Session – Cancelled, lack of quorum
 - 3) November 25, 2008 Special Session
 - 4) December 16, 2008 Regular Session - Cancelled
 - b) **Set Next Meeting:**
 - 1) **No meeting set**

On a motion by McReynolds, seconded by Blue, the Consent Agenda was unanimously approved as presented; 4.b) was addressed during discussion on Item 6.
5. **Call to the Public for Items not on the Agenda.**
There was no public input.
6. **Discussion, consideration and possible recommendation to Town Council regarding the closure of the Housing and Neighborhood Revitalization Department, and the decommissioning of the Housing Commission.**
On a motion by McReynolds, seconded by Varela, the Commission voted unanimously to recommend that the Town Council **not** decommission the Housing Commission, but to keep it going.

Director Morris reminded the members that there had been a lack of consensus at the last meeting regarding the decision of the Council to close the Housing and Neighborhood Revitalization Department and decommission the Housing Commission, and the issue has been continued until this meeting. Morris suggested two alternatives for the members to consider: one, not dissolve the Housing Commission but to meet on a less regular schedule. A second option, which Morris said he leaned toward, would be to go ahead and dissolve the Housing Commission, but form a group of interested citizens, which would eliminate the need to conform to the Open Meeting Law requirement since it would not be a formal commission. Such a group could still provide input to the Town but would not involve staff time. At this time, the work is focusing on closing on the HOME grant; the Loan Committee is moving forward with five general

rehab; four of those are replacements, and the other is a rehab as requested by the owner. It is unknown whether the Town plans on publicizing or promoting the program when it is completed.

The members discussed the options presented by Morris, questioning whether such an informal committee would be subject to the possible perception of conflict of interest in some instances and expressing concern about the need for housing in the Verde Valley. Morris suggested membership in the group working on a Housing Authority for the Verde Valley through the Regional Task Force, and that members from Camp Verde would have some value in terms of what they might contribute. Morris added that the Revolving Fund will continue and the rehab program will not go away, but will continue as it has the last couple of years. The issue of the Parkway Homes project was raised; Morris pointed out the state of the economy that leaves the project on the shelf for now.

The suggestion to form an informal committee of citizens was discussed at length. General concerns were expressed, including a lack of faith in the effectiveness of the Regional Task Force and the staff time that would still be needed in order for a special interest group to bring issues to the Council. There was strong objection to the mindset of the Council to stop the Commission and refusal to believe that the members lending their combined expertise and professional experience to the Council is not worth the cost of preparing for a meeting. There was a comment that tomorrow night is a last opportunity to appeal to the Council in this regard. It was suggested that there are better ways to balance the budget than to eliminate citizen volunteer efforts in the Town.

The members continued to express a general consensus stressing concern and objection to eliminating the formal Commission, as well as concern over the severe curtailment of time that Morris will be allowed to devote to the housing issues. There was discussion about the task assigned to Morris to review and rewrite the current Zoning Codes, and a comment that the way the codes have evolved has made housing increasingly more expensive. It was suggested that there may be a way to make changes, and asked what approach could the group of interested citizens use to help the Town realize they have created a very punitive and expensive impact on housing and development in general. Morris reminded the members that it would be up to the group, perhaps through a spokesperson, to identify hurdles or opportunities to promote attainable housing; and again pointed to involvement in the Housing Task Force.

7. **Commission Informational Reports:**

Buchanan referred to the brochure copies she had distributed regarding the Arizona Town Hall Community Outreach Program; the event is focused around housing and is set for a week from today at Yavapai College on Verde Valley Campus in Clarkdale. Reservations are being taken through Friday as well as on the Arizona Town Hall Website. Buchanan also distributed copies of a brochure on a public forum on supplementary local audit procedures that the Town is considering and will be on the agenda in February. Buchanan added that she has enjoyed working with everyone, hopes the good work will continue, and urged the others to show up at the Council meeting tomorrow night.

Blue commented that whatever form it takes, he feels the citizens of Camp Verde should have some type of committee; housing takes a broad spectrum and there are many ways to contribute. He objected to the Town government making a personnel change that causes housing to suffer; which is more important, the Housing Commission or rewriting the Codes. Blue hopes the Council will reconsider instead of throwing the Housing Commission under the bus.

Varela agreed with the comments from Blue.

McReynolds also agreed that the members should make their voices heard loud and clear.

Davis urged the others to speak for her since she will be out of town; she totally disagrees with the Council.

Bach said that he will present the Quarterly Report at the Council meeting, and apologized for not having prepared it sooner. He added that it has been nice serving with everybody; he hopes that people continue to work on things they believe in, and it was inspiring to see everybody come together.

8. **Staff Report**

Morris also mentioned the Arizona Town Hall meeting; he said he had just handed out the report that went to the local committee, and briefly outlined what the report contained. Morris added that he appreciated the work everyone has done.

9. **Adjournment**

On a motion by McReynolds, seconded by Varela, the meeting was adjourned at 4:41 p.m.

Jeremy Bach, Chairperson

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Housing Commission of the Town of Camp Verde during the Regular Session of the Housing Commission of Camp Verde, Arizona, held on the 20th day of January 2009. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2009.

Margaret Harper, Recording Secretary

**TOWN OF CAMP VERDE
Council Agenda Action Form**

2-4-09

Meeting Date: January 21, 2009

Meeting Type:

Type of Presentation:

REFERENCE DOCUMENT:

Ordinance 2009-A360

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval of Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Article 2-3-1, Regular Meetings and Article 4-2-A.3 Set the Regular Meeting Schedule of the Town Code.

PURPOSE AND BACKGROUND INFORMATION:

On November 19, 2008, the voted to reduce meetings of Council and Commissions in order to reduce expenses with the downturn of the economy. This direction required changes to the Town Code.

STAFF RECOMMENDATION(S): (Suggested Motion)

Move to approve Ordinance 2009-A360, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Article 2-3-1, Regular Meetings and Article 4-2-A.3 Set the Regular Meeting Schedule of the Town Code

Type of Document Needing Approval:

Ordinance 2009-A360

Comments:

Fund: Non-Departmental

Line Item:

Town Attorney Reviewed Yes No N/A

Comments from Attorney:

Submitting Department: Clerk's Office

Contact Person: Debbie Barber

Town Manager/Designee:



**ORDINANCE 2009-A360
AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE,
YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE ARTICLE 2-3-1, Regular Meetings
and Article 4-2.A.3 Set the Regular Meeting Schedule**

**Section 2-3-1
Regular Meetings**

The Council will hold regular meetings at 6:30 p.m. on the first and third Wednesdays of the month at the Town Hall complex on Main Street for general business and public hearings as may be required by law, ~~with the fourth Wednesday set aside for Planning & Zoning matters,~~ and the second Wednesday set aside for work sessions as needed. A work session, in lieu of or in conjunction with a regular meetings, may be called. If a regular meeting or work session is cancelled, such as near a holiday, notice of the cancellation shall be posted.

**Article 4-2
Organization**

A. First Meeting. Each board and commission, during its first meeting of the month of ~~October~~ JANUARY of each calendar year, shall:

1. Elect a Chairperson. The board or commission shall accept nominations from its membership for a chairperson. Such nominations shall be made, and seconded, and selection of one chairperson shall result upon a majority vote of the full membership of the board or commission.

2. Elect a Vice-Chairperson. The board or commission shall accept nominations from its membership for a vice-chairperson. Such nominations shall be made, and seconded, and selection of one vice-chairperson shall result upon a majority vote of the full membership of the board or commission.

3. Set the Regular Meeting Schedule. The COUNCIL SHALL ESTABLISH MEETING DATES & TIMES BY RESOLUTION IN JANUARY OF EACH YEAR. ~~board or commission shall review and approve a meeting schedule that~~ establishes the regular meeting time, regular meeting date and regular meeting place. Such schedule shall contain, at the very least, one regular meeting EVERY OTHER a month. ~~The regular meeting date shall be on a recognized day or days of the month such as the first Thursday of the month.~~ The Town Council may schedule special meetings and work sessions. COMMISSIONS MAY SCHEDULE SPECIAL MEETINGS AND WORK SESSIONS WITH THE PRIOR APPROVAL OF THE TOWN MANAGER.

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 21ST day of January 21, 2009.

Tony Gioia, Mayor

Approved as to form: _____
Town Attorney

Attest::

Deborah Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

2-4-09
Meeting Date: January 21, 2009

Meeting Type:

Type of Presentation:

REFERENCE DOCUMENT:

Resolution 2009-759

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible approval of Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, setting Meeting Dates and Times for Council and All Commissions/Committees.

PURPOSE AND BACKGROUND INFORMATION:

On November 19, 2008, the voted to reduce meetings of Council and Commissions in order to reduce expenses with the downturn of the economy. This Resolution clarifies meeting dates and times, establishes the 2009 Holiday Schedule, and the hours of operation for all public facilities.

STAFF RECOMMENDATION(S): (Suggested Motion)

Move to approve Resolution 2009-759, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, establishing hours of operations, setting meeting dates and times for Council and all Commissions/Committees, and setting the 2009 Holiday Schedule.

Type of Document Needing Approval:

Resolution 2009-759

Comments:

Fund: Non-Departmental

Line Item:

Town Attorney Reviewed Yes No N/A

Comments from Attorney:

Submitting Department: Clerk's Office

Contact Person: Debbie Barber

Town Manager/Designee:



RESOLUTION 2009-759

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
SETTING MEETING DATES AND TIMES FOR
COUNCIL AND ALL COMMISSIONS/COMMITTEES**

WHEREAS, it is in the best interest of the Town to inform all citizens of the hours of operation of all public facilities; and

WHEREAS, it is in the best interest of the Town to inform citizens of all regular Council, Commission and Committee meetings, dates and times,

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde do hereby resolve to establish the following meeting dates and times for the Mayor and Common Council, Town Commissions, and Committees as follows:

Mayor and Council, Board, and Commission Meeting Schedule

Note: Meetings are held in Council Chambers located at 473 S. Main Street, Ste. 106, Camp Verde, Arizona unless otherwise noted on the notice that is posted no later than 24 hours prior to each meeting. Special meetings or work sessions may be scheduled by consent of the Town Manager and will be posted no later than 24 hours prior to such meeting.

Mayor and Common Council of the Town of Camp Verde 2009 Meeting Schedule		
Regular Session/Council Hears P&Z	January 21, 2009	6:30 p.m.
Regular Session	February 4, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	February 18, 2009	6:30 p.m.
Regular Session	March 4, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	March 18, 2009	6:30 p.m.
Regular Session	April 1, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	April 15, 2009	6:30 p.m.
Regular Session	May 6, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	May 20, 2009	6:30 p.m.
Regular Session	June 3, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	June 17, 2009	6:30 p.m.
Regular Session	July 1, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	July 15, 2009	6:30 p.m.
Regular Session	August 5, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	August 19, 2009	6:30 p.m.
Regular Session	September 2, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	September 16, 2009	6:30 p.m.
Regular Session	October 7, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	October 21, 2009	6:30 p.m.
Regular Session	November 4, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	November 18, 2009	6:30 p.m.
Regular Session	December 2, 2009	6:30 p.m.
Regular Session/Council Hears P&Z	December 16, 2009	6:30 p.m.

Regular Meetings of the Planning & Zoning Commission

Notice is hereby given to the members of the Planning & Zoning Commission and to the general public that the Planning & Zoning Commission of the Town of Camp Verde will hold **Regular Meetings on the first Thursday of every other month beginning in January 2009 unless there is a paid application, which in this case, the meeting will be held on the first Tuesday of the month as a Special Session. Additional Special Session meetings may be held on the second Thursday of each month at 6:30 p.m. as needed.**

Planning & Zoning Commission of the Town of Camp Verde 2009 Meeting Schedule		
1. Regular Session	January 1, 2009	6:30 p.m.
Special Session (as needed)	January 8, 2009	6:30 p.m.
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
Special Session (as needed)	February 5, 2009	6:30 p.m.
Special Session (as needed)	February 12, 2009	6:30 p.m.
2. Regular Session	March 5, 2009	6:30 p.m.
Special Session (as needed)	March 12, 2009	6:30 p.m.
Special Session (as needed)	April 2, 2009	6:30 p.m.
Special Session (as needed)	April 9, 2009	6:30 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
3. Regular Session	May 7, 2009	6:30 p.m.
Special Session (as needed)	May 14, 2009	6:30 p.m.
Special Session (as needed)	June 4, 2009	6:30 p.m.
Special Session (as needed)	June 11, 2009	6:30 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
4. Regular Session	July 2, 2009	6:30 p.m.
Special Session (as needed)	July 9, 2009	6:30 p.m.
Special Session (as needed)	August 6, 2009	6:30 p.m.
Special Session (as needed)	August 13, 2009	6:30 p.m.
5. Regular Session	September 3, 2009	6:30 p.m.
Special Session (as needed)	September 10, 2009	6:30 p.m.
Special Session (as needed)	October 1, 2009	6:30 p.m.
Special Session (as needed)	October 8, 2009	6:30 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
6. Regular Session	November 5, 2009	6:30 p.m.
Special Session (as needed)	November 12, 2009	6:30 p.m.
Special Session (as needed)	December 3, 2009	6:30 p.m.
Special Session (as needed)	December 10, 2009	6:30 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Regular Meetings of the Board of Adjustments

Notice is hereby given to the members of the Board of Adjustments and to the general public that the Board of Adjustments of the Town of Camp Verde will hold **Regular Meetings on the third Tuesday of every month at 3:00 p.m. as needed.**

Board of Adjustments of the Town of Camp Verde 2009 Meeting Schedule		
1. Regular Session (as needed)	January 20, 2009	3:00 p.m.
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
2. Regular Session (as needed)	February 17, 2009	3:00 p.m.
3. Regular Session (as needed)	March 17, 2009	3:00 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
4. Regular Session (as needed)	April 21, 2009	3:00 p.m.
5. Regular Session (as needed)	May 19, 2009	3:00 p.m.
6. Regular Session (as needed)	June 16, 2009	3:00 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
7. Regular Session (as needed)	July 21, 2009	3:00 p.m.
8. Regular Session (as needed)	August 18, 2009	3:00 p.m.
9. Regular Session (as needed)	September 15, 2009	3:00 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
10. Regular Session (as needed)	October 20, 2009	3:00 p.m.
11. Regular Session (as needed)	November 17, 1009	3:00 p.m.
12. Regular Session (as needed)	December 15, 2009	3:00 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Regular Meetings of the Design Review Board

Notice is hereby given to the members of the Design Review Board and to the general public that the Design Review Board of the Town of Camp Verde will hold **Regular Meetings on the fourth Tuesday of each month at 3:00 p.m. as needed**

Design Review Board of the Town of Camp Verde 2009 Meeting Schedule		
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
1. Regular Session (as needed)	January 27, 2009	3:00 p.m.
2. Regular Session (as needed)	February 24, 2009	3:00 p.m.
3. Regular Session (as needed)	March 24, 2009	3:00 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
4. Regular Session (as needed)	April 28, 2009	3:00 p.m.
5. Regular Session (as needed)	May 26, 2009	3:00 p.m.
6. Regular Session (as needed)	June 23, 2009	3:00 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
7. Regular Session (as needed)	July 28, 2009	3:00 p.m.
8. Regular Session (as needed)	August 25, 2009	3:00 p.m.
9. Regular Session (as needed)	September 22, 2009	3:00 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
10. Regular Session (as needed)	October 27, 2009	3:00 p.m.
11. Regular Session (as needed)	November 24, 2009	3:00 p.m.
12. Regular Session (as needed)	December 22, 2009	3:00 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Regular Meetings of the Parks & Recreation Commission

Notice is hereby given to the members of the Parks & Recreation Commission and to the public that the Parks & Recreation Commission of the Town of Camp Verde will hold **Regular Meetings on the first Tuesday during the months of January, March, May, July, September and November, at 5:30 p.m..**

Parks & Recreation of the Town of Camp Verde 2009 Meeting Schedule		
1. Regular Session	January 6, 2009	5:30 p.m.
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
2. Regular Session	March 3, 2009	5:30 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
3. Regular Session	May 5, 2009	5:30 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
4. Regular Session	July 7, 2009	5:30 p.m.
5. Regular Session	September 1, 2009	5:30 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
6. Regular Session	November 3, 2009	5:30 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Regular Meetings of the Library Advisory Commission

Notice is hereby given to the members of the Library Advisory Commission and to the general public that the Library Advisory Commission of the Town of Camp Verde will hold **Regular Meetings on the third Thursday during the months of January, March, May, July, September and November, at 6:00 p.m.**

Library Advisory Commission of the Town of Camp Verde 2009 Meeting Schedule		
1. Regular Session	January 15, 2009	6:30 p.m.
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
2. Regular Session	March 19, 2009	6:30 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
3. Regular Session	May 21, 2009	6:30 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
4. Regular Session	July 16, 2009	6:30 p.m.
5. Regular Session	September 17, 2009	6:30 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
6. Regular Session	November 19, 2009	6:30 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Regular Meetings of the Trails & Pathways Commission

Notice is hereby given to the members of the Trails & Pathways Commission and to the general public that the Trails & Pathways Commission of the Town of Camp Verde will hold **Regular Meetings on the second Tuesday during the months of January, March, May, July, September and November at 6:30 p.m.**

Trails & Pathways Commission of the Town of Camp Verde 2009 Meeting Schedule		
1. Regular Session	January 13, 2009	6:30 p.m.
Fourth Quarterly Report for Period October 2008 through December 2008 will be heard at the January 21, 2009 Council Meeting.		
2. Regular Session	March 10, 2009	6:30 p.m.
First Quarterly Report for Period January 2009 through March 2009 will be heard at the April 15, 2009 Council Meeting.		
3. Regular Session	May 12, 2009	6:30 p.m.
Second Quarterly Report for Period April 2009 through June 2009 will be heard at the July 15, 2009 Council Meeting.		
4. Regular Session	July 14, 2009	6:30 p.m.
5. Regular Session	September 8, 2009	6:30 p.m.
Third Quarterly Report for Period July 2009 through September 2009 will be heard at the October 21, 2009 Council Meeting.		
6. Regular Session	November 10, 2009	6:00 p.m.
Fourth Quarterly Report for Period October 2009 through December 2009 will be heard at the January 20, 2010 Council Meeting.		

Passed and adopted by a majority vote of the Common Council at the regular meeting of January 21, 2009.

Tony Gioia, Mayor

Attest:

Approved as to form:

Deborah Barber, Town Clerk

William Sims

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: February 4, 2009

Meeting Type:

Type of Presentation:

REFERENCE DOCUMENT:

None

AGENDA TITLE: (Be Exact):

Discussion, consideration and possible authorization for the Mayor, as the Town's Chief Elected Official, to support or oppose Bills introduced during legislative sessions when they adversely affect the Town's interests and need an immediate response.

PURPOSE AND BACKGROUND INFORMATION:

Town Code states that 'at the first meeting of each year, Council shall adopt a policy statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town's interests and require an immediate response. In March 2008 Council unanimously authorized the Mayor, to (1) support legislation that protects the ground water aquifer Verde River Basin; (2) oppose legislation that compromises the integrity of the ground water aquifer Verde River Basin; (3) support legislation that maintains the State Shared Revenues; (4) oppose legislation that erodes State Shared Revenues; (5) support legislation that maintains land use authority for municipalities in Arizona; and/or (6) oppose legislation that erodes the land use authority for municipalities in Arizona.

STAFF RECOMMENDATION(S): (Suggested Motion)

Move to continue authorization for the Mayor to support legislation for water protection, State Shared Revenues, and municipal land use authority as discussed and additional item(s) as determined by Council (please define additional items).

Type of Document Needing Approval: Other

Comments:

Fund:

Line Item:

Town Attorney Reviewed Yes No N/A

Comments from Attorney:

Submitting Department: Clerk's Office

Contact Person: Debbie Barber

Town Manager/Designee: