

AGENDA



**REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, NOVEMBER 16, 2005
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time to minimize disruption of tonight's meeting.

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) November 2, 2005 – Regular Session
- 2) October 27, 2005 – Special Session
- 3) October 26, 2005 – Council Hears P&Z

b) **Set Next Meeting, Date and Time:**

- 1) Council Hears P&Z – November 23, 2005 at 6:30 p.m. – **CANCELLED**
- 2) Regular Session – December 7, 2005 at 6:30 p.m.
- 3) Joint Work Session w/ P&Z Commission – December 14, 2005 at 6:30 p.m.
- 4) Regular Session – December 21, 2005 at 6:30 p.m.
- 5) Council Hears P&Z – December 28, 2005 at 6:30 p.m.. – **CANCELLED**

c) **Possible acceptance of the resignation of Toni Harris from the Parks & Recreation Commission with appreciation for her service.**

d) **Possible approval of a letter of support for Dr. Wilbert Odem's request for a sabbatical to assist the Town with activities related to the Verde Lakes Drive/Clear Creek Crossing project.**

e) **Possible acceptance of the road, Summit Point Court, that is located in the Verde Valley Business Park.**

f) **Possible approval of Resolution 2005-669, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona declaring and adopting the results of the Special Election held on November 8, 2005.**

5. **Call to the Public for Items not on the Agenda.**

6. **Possible authorization to enter into a contract and for the Mayor to execute a contract for a biological evaluation, cultural resources investigation, and Section 404 Clean Water Act Permit application submittal in an amount not to exceed \$20,000 for the Verde Lakes Drive/Clear Creek Crossing project. This is an eligible activity within budgeted Flood Control monies.**

7. **Public Hearing regarding use of FY 2006 CDBG funds and possible selection of potential project(s) for the FY 2006 CDBG application:**
 - **Call for STAFF PRESENTATION**
 - Identification of housing and community development needs.
 - Estimated amount of CDBG funds available from both the FY 2006 Regional Account and State Special Projects accounts.
 - Types of activities that may be funded with CDBG funds and the three National Objectives.
 - Previously funded CDBG programs and projects and the status of each.
 - Complaint and Grievance Procedures.
 - Projects or programs proposed by Council and staff for CDBG funding from both the Regional and State Special Projects accounts.
 - **Declare PUBLIC HEARING OPEN**
 - Opportunity for any person, including those who have requested technical assistance to present potential CDBG projects for funding consideration.
 - Request for other written or verbal comments relating to the Town's housing and community needs, priorities, or projects.
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION and possible selection of project(s) for the FY 2006 CDBG application.**
8. **Presentation by Chamber of Commerce Executive Director Roy Gugliotta and request for \$2,000 to join the Northern Arizona Marketing Coalition followed by discussion and possible approval of the request.** This is an unbudgeted item that can be taken from the potential \$10,000 draw recently approved by Council.
9. **Discussion, consideration, and possible approval of Ordinance 2005-A313⁶, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to Exhibit C of Ordinance 2005-A313 that includes exceptions to the street standards for five parcels 403-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, and 404-19-152L. This amendment changes the sidewalk width in "Section D" to 6 feet and the asphalt walkway in "Section E" to 6 feet on one side of the street only.**
10. **Discussion, consideration, and possible approval of Resolution 2005-666, a resolution of the Common Council of the Town of Camp Verde, Arizona approving Use Permit 2005-01 for the purpose of placing an Off-Premise sign on parcel 403-22-035H for a period of three (3) years. The location of the sign is adjacent to the I-17 northbound off ramp.**
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
11. **Discussion, consideration, and possible approval of Resolution 2005-668, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-04 for the purpose of developing Millwood Subdivision on parcels 404-04-021 and 404-05-085 consisting of approximately 50.36 acres and 31 lots with the minimum lot size being one acre. The location of this site is 650 Quarterhorse Lane on the north side and south of Diamond S Ditch and Diamond Creek Subdivision.**
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**

- Call for **APPLICANT'S STATEMENT**
- Call for **COMMENT FROM OTHER PERSONS (either in favor or against)**
- Call for **APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**
- **Call for COUNCIL DISCUSSION**

12. **Discussion, consideration, and possible approval of Resolution 2005-667, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-10 for the purpose of developing River's View Estates Subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of approximately 16.91 acres and 15 lots with the minimum lot size being one acre.** The location of this site is off of Finnie Flat Road behind Outpost Mall and accessed by a new roadway.
- **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - Call for **APPLICANT'S STATEMENT**
 - Call for **COMMENT FROM OTHER PERSONS (either in favor or against)**
 - Call for **APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
13. **Discussion, consideration, and possible authorization to retain Indstone Appraisal Service, LLC for the appraisal of parcels 404-19-166, 404-19-018A, and 404-19-018C for the Black Bridge River Front Park in an amount not to exceed \$1,150.** This is a budgeted item related to the 2005 SLIF grant award.
14. **Discussion, consideration, and possible approval of the Public Works Project Manager and/or Engineer job description and direction to staff to advertise for one or the other position.**
15. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

16. **Advanced Approvals of Town Expenditures**
17. **Manager/Staff Report**
18. **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.
19. **Adjournment**

Posted by: 

Date/Time: 11-10-05 2:30 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.

**MINUTES
REGULAR SESSION
THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
THURSDAY NOVEMBER 3, 2005
6:30 PM**

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Minutes are a summary of the actions taken. They are not verbatim.
Public input is placed after Commission motion 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

Chairperson Foreman, Vice Chairperson Witt, Commissioners Hisrich, Bullard, Womack and Parry were present; Commissioner Morris was absent.

Also Present: Community Development Director Will Wright, Sr. Planner Nancy Buckel and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Womack.

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 Commission so requests.

a. Approval of Minutes:

October 6, 2005 – Regular Session
October 13, 2005 – Regular Session

b. Set Next Meeting, Date and Time:

November 10, 2005 – Regular Session – 6:30 p.m.
December 1, 2005 – Regular Session – 6:30 p.m.

On a motion by Womack, seconded by Witt, the Consent Agenda was unanimously approved with the following change and correction: The meeting scheduled for November 10, 2005 is canceled; Page 2 of the October 13, 2005 Minutes, first line, delete, "after recusing himself."

A correction to the Minutes of October 13, 2005 was requested as follows: On Page 2, first line, delete the phrase, "...after recusing himself."

Director Wright announced that there will not be a need for the meeting scheduled for November 10, 2005.

5. Call to the Public for Items not on the Agenda

There was no public input.

6. Public hearing, discussion, and possible recommendation to Council on PP 2005-04: An application submitted by Jeremy Bach, agent for AZNORTH Enterprises, prospective owner of parcels 404-04-021 and 404-05-085 requesting preliminary plat approval for the Millwood Estates Subdivision consisting of approximately 55 acres and 31 lots. This property is currently zoned R1-35 and is located on the north side of Quarterhorse Lane just east of Sunset Drive.

A motion by Womack to recommend to Council approval on PP 2005-04, an

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application submitted by Jeremy Bach, agent for AZNORTH Enterprises, prospective owner of parcels 404-04-021 and 404-05-085 requesting preliminary plat approval for the Millwood Estates Subdivision consisting of approximately 55 acres and 31 lots, with the exception that in lieu of sidewalks there be pathways along the roadways, failed for lack of a second.

On a motion by Hisrich, seconded by Parry, the Commission voted 4-2 to deny the application submitted by Jeremy Bach, agent for AZNORTH Enterprises, prospective owner of parcels 404-04-021 and 404-05-085 requesting preliminary plat approval for the Millwood Estates Subdivision consisting of approximately 55 acres and 31 lots; with 'no' votes by Witt and Womack,

STAFF'S PRESENTATION

Director Wright said the application was for a Preliminary Plat known as Millwood Estates located on two parcels off of Quarterhorse. The area has been a long-standing agricultural field. Although the existing zoning is R1-35, the proposed lots will be 70,000 square feet or larger which would be a different zoning; however, the applicant will deal with those zoning issues through the CC&R's. The applicant is requesting the exception that sidewalks not be required within the development because of wanting to retain the rural atmosphere. Wright reviewed the comments from the agencies that included questions in terms of the high water table, septic systems and well sites, which will be addressed through the construction plans and by the County. Concerns have been expressed by the Diamond S Ditch company, and the Trails Committee has requested trails be included. Traffic issues have also been addressed, and Wright described the roadway design taking into consideration the one entrance and exit for the development.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald, land surveyor with Heritage Land Surveying & Mapping, said that the developer has gone to great lengths to preserve the integrity of the parcels by making the lots so much larger than required by the zoning. The engineering staff has addressed the issues of water and sewer; the subdivision does include trails and pathways as well as a community park. Mr. McDonald added that he and Luke Sefton, engineer, were present to discuss questions or concerns that the Commission might have.

COMMENT FROM OTHER PERSONS

Bob Woodruff, who lives on Sunset, submitted five questions; in summary, how existing wells will be affected, how property values and property taxes will be affected, impact on irrigation and scheduling, easements for emergency vehicles, and the effect of traffic on Quarterhorse creating a need for improvement. Mr. Woodruff said he strongly objects to the subdivision and believes his neighbors feel the same, and he does not want his lifestyle to be ruined.

Nancy Jenner, a resident on Quarterhorse Lane, said that many of the residents are very concerned about what the development will do to the traffic on that street. She read from a signed petition expressing the opposition of the residents who are concerned about their calm and quiet rural lifestyle and safety being adversely affected by the increased traffic, and cited estimated numbers of trips

and vehicles. The petition suggested that the number of residences be reduced, or the entrance and exit for the subdivision come from Stollen Boulevard. Several other signed petitions were also presented by Ms. Jenner.

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Dick Timlin, President of Diamond S Ditch, in summary, said there was concern about a possible problem with the development affecting access to the existing Ditch bank, and being able to maintain the levee to prevent flooding; the easement has to be kept through there for access. As a hydro-geologist, and based on prior history, he described the potential for the problem that increases with development of roads, construction and diversion of surface runoff into the Ditch causing a "blowout" and subsequent flooding and questioned who would then be liable for the damage. Mr. Timlin also discussed in detail the issues of increased demands for irrigation and the effect on the water supply, commenting on the shallow water table in the area. Mr. Timlin added later comments based on his experience with and knowledge of the water table underlying the properties in the area and the arsenic levels and the question of finding potable water, which may involve having a water treatment system for every residence.

Kevin Hauser expressed his concern about the development of the farm land saying that he was adamantly against it. His family has farmed the area for 33 years; water has always been an issue. Mr. Hauser questioned the fact that there were no test holes in the upper area where the water problem has really been bad; in addition, the unstable, heavy clay soil is much better suited for farming than for development of homes. There are other uses that should be considered.

Rick Johnston, pointed out on a map where his property is located, saying that his concern is also for the water and expressing further concerns over the road and the ability to handle the potential flow of traffic caused by development, as well as the safety issues, all of which need to be resolved.

Ben Pemberton who lives on Quarterhorse told about research that was done in that area as much as 30 years ago, even before the County was involved, indicating that a right-of-way currently exists that was never transferred to either the Town or the County; there will be a problem over the right-of-way on Quarterhorse when the development starts because something will have to be done with the road because of the ingress and egress for the property.

Dave Ruman also expressed concern over the water, coming in and going out, and treatment plants for the individual homes in the proposed development and questioned what will happen to all the effluent.

Frank Geminden, who lives on Shill Road off of Quarterhorse, described the yearly maintenance performed on the Ditch and his familiarity with the area, and described how the subject property is one of the least desirable pieces along the area to develop for the simple reason that it is lower than all of the surrounding property and subject to heavy flooding.

Earl Bird, who is a neighbor to Bob Woodruff, said he agrees 100% with what is being said. He hates to see houses go in and destroy the wildlife and questions what will happen to them.

Bob Everts, a homeowner on Quarterhorse, said that his property line goes to the center of the street and that he pays taxes on that; there are many issues in

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regard to that road that will be brought up and will need to be resolved. He believes it is the responsibility of P&Z to take a hard look at what will be required to find a viable and efficient use for the land. He has seen what a catastrophic storm does to the area.

There was no further public input.

APPLICANT'S REBUTTAL

Luke Sefton, an engineer with SEC, pointed out that the development is a permitted use within the existing zoning, plus the density is being reduced from what is allowed. He described the planned pathway that will add to the community's trails system, and indicated on the plan an area to be set aside for a park. Mr. Sefton defended the plans for the wells, explaining that his firm has expertise in water rights and there should be no problem with the Ditch. He also commented on the issue of property values being raised, saying it would not happen immediately, but it does happen in all communities. Mr. Sefton believes that creating a 50-foot easement gives the Town the right-of-way to maintain Quarterhorse. He agreed with the traffic numbers cited by one of the speakers, but added that it could be much higher if the full permitted development was being requested. Mr. Sefton described plans to work with the Ditch company on the issue of easements and potential flooding. He said that perc tests were done regarding the septic systems, and that regarding wells and arsenic levels test results have been good but will nevertheless have to be approved by ADWR.

PUBLIC HEARING CLOSED

Board Discussion

The Commission discussed at length all of the questions and concerns raised by the public, requesting further information from the developer's engineer as to how some of the concerns have possibly been addressed by the developer, and offering suggestions for possible compromises. There was some question whether the Town would be liable for damage to the homes because of unstable soil, if the project were to be approved. There were divided opinions expressed by the members discussing the proposed development and considering the Town's responsibility to the citizens and welfare of the Town while acknowledging inevitable growth and the rights of property owners.

STAFF COMMENTS

Director Wright reminded the Commission that many of the issues brought out will have to be addressed through County and State regulations if the application is taken further. He pointed out that although most everybody would like things to stay the same, at some point the pressures of growth do create changes, and it is impossible to please everyone. The Council will be hearing the matter on November 16th; the only exception being requested is no sidewalks.

A recess was called at 8:06 p.m.; the meeting was called back to order at 8:14 p.m.

Prior to hearing Item 7 the Chairman announced that Commissioner Witt has recused himself from hearing this item.

- 7. Public hearing, discussion, and possible recommendation to Council on PP 2005-10:** An application submitted by AI Dupuy, A.L.D. Development, Inc., owner of a portion of parcel 403-23-010Z requesting preliminary plat approval for the River's Bend Acres at Simonton Ranch, a proposed subdivision consisting of

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approximately 16.91 acres and 15 lots. This property is zoned R1L-35 and is located at the NEC of Hwy 260 and Finnie Flat Road.

On a motion by Womack, seconded by Parry, the Commission voted unanimously to recommend to Council approval on PP 2005-10, an application submitted by Al Dupuy, A.L.D. Development, Inc., owner of a portion of parcel 403-23-010Z requesting preliminary plat approval for the River's Bend Acres at Simonton Ranch, a proposed subdivision consisting of approximately 16.91 acres and 15 lots.

STAFF'S PRESENTATION

Director Wright advised the Commissioner that Ryan Raab, the agent for Mr. Dupuy, had distributed copies of a Master Plan; Wright said that Parcels 14, 15 and 19 shown on the Plan had been brought before the Commission and approved recently. Parcel 13, River's View, is the project being planned for development by Mr. Dupuy. There are 15 lots planned for the 16.9 acres, and the density will be lower than what was originally allowed for the PAD. Meetings were held with the other agencies, including the irrigation company. There will be some changes to the road names; streets and sidewalks were approved when the PAD came before the Council, and were designed to retain a rural feel. Septic and water are available to the development. Connectivity of trails has been addressed.

PUBLIC HEARING OPEN

Applicant's Statement

Ryan Raab, of Hoskin-Ryan Consultants, the owner's representative and engineer for the project, confirmed Director Wright's introduction of the subdivision, said that it will be connected with the Parcel 14 development, and that all the utilities including water and public sewer will be coming from The Homestead at Simonton Ranch.

COMMENT FROM OTHER PERSONS

There were no comments.

APPLICANT'S REBUTTAL

There was no rebuttal necessary.

PUBLIC HEARING CLOSED

Board Discussion

There was a brief comment that the application presented goes in line with everything that has been talked about and approved during the past months in connection with the Simonton projects, and as long as the same standards are maintained there was no problem with recommending approval to the Council.

STAFF COMMENTS

No other staff comments were offered.

Prior to hearing Item 8, the Chairman announced that Commissioner Witt had rejoined the Commission.

- 8. Public hearing, discussion, and possible recommendation to Council on UP 2005-01:** An application submitted by Charles P. Malone, agent for Express Stop #407, and agent for Henry Shill, owner of parcel 403-22-035H requesting a use permit for an off-premise sign allowing a 6'X10' freestanding sign on the

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property at the Northbound Exit 287, adjacent to, but outside the I-17 right-of-way for a period of three years. This property is located on the south side of Hwy 260 adjacent to the northbound lane of I-17.

On a motion by Witt, seconded by Parry, the Commission voted unanimously to recommend to Council approval on UP 2005-01, an application submitted by Charles P. Malone, agent for Express Stop #407, and agent for Henry Shill, owner of parcel 403-22-035H requesting a use permit for an off-premise sign allowing a 6'X10' freestanding sign on the property at the Northbound Exit 287, adjacent to, but outside the I-17 right-of-way for a period of three years, SUBJECT TO significant design revision reflecting a Western rural flavor, with the stipulation that there be the ongoing approval of the owner property owner.

STAFF'S PRESENTATION

Director Wright referred to the map to show that the purpose of the proposed 60 square-foot sign is to direct traveling public to go to Wendy's and be able obtain to obtain fuel; a depiction of the proposed sign was included in the agenda packet. The existing zoning on the property on which the sign would be placed requires a Use Permit, although the area is designated in the General Plan as commercial. The applicant believes the sign is needed in order to promote his place of business since there is no space remaining on the ADOT sign listing the other places for food and fuel. A letter from the attorney for one of the other adjacent businesses has been received in opposition to the use of the sign. Although free-standing, the sign is small and would not be as intrusive as a large billboard, and is allowed as an off-premise use in compliance with the Code.

PUBLIC HEARING OPEN

Applicant's Statement

Charles Malone represents the applicant and is a partner in the facility known as The Verde Travel Center on the other side of the street and the "not so well known" part of Camp Verde. His group has invested in the community and had hoped that future development would result in the Center being more visible, but that has not yet happened. Mr. Malone said his interest was to provide some form of identity to the tenants; however, if there is a problem for Mr. Shill as the landowner, Mr. Malone would withdraw the application. Wendy's appears to have the biggest ongoing problem with lack of identify for the northbound travelers.

COMMENT FROM OTHER PERSONS

Henry Shill said he never dreamed he would get a complaint from the Carioca Company and said he just found out about the letter sent to the Town from their attorney. If allowing the sign would affect the grazing classification on his property he would not agree to go along with it because of the tax implications. He plans to check with the Assessor's Office in that regard, and suggested holding up the application in the interim.

There was a brief discussion with Mr. Shill suggesting that the application could be approved subject to the stipulation that Mr. Shill would still have the final approval to erect the sign on his property; Mr. Shill said that would be all right with him.

Jeffrey Adams, a partner with Musgrove, Drutz & Kask, spoke for his client, the Carioca Company, in support of the letter Mr. Adams sent the Town in opposition to the proposed sign. He stressed the contribution his client has made to the

Town through its development, having established its presence there several years ago and contributes to the tax base of the Town as opposed to the property on which the sign would be placed. He requested that the Commission deny the application because the existing zoning on Mr. Shill's property does not permit the kind of sign being proposed. In addition, the applicant knew the problems with visibility at the time the property was purchased for their business. Mr. Adams said that there are competing business owners involved, and having the separate large sign, plus an exception to the zoning by allowing the Use Permit, would not be fair.

APPLICANT'S REBUTTAL

Charles Malone said he had not anticipated any potential lawsuit or any opposition to the application. Guidelines for the Use Permit process had been followed, need has been shown, and that is what was placed before the Commission.

PUBLIC HEARING CLOSED

Board Discussion

The Commission discussion pointed out that the public would simply have a choice of places to eat, and that traffic would not be directed to one place over another by granting a sign. There was also agreement that the existing signs are not really adequate, but somewhat confusing, at the subject intersection. The sample depiction of the sign was generally criticized, and the Commission generally agreed and recommended that if the request is approved, the sign should be made more attractive, significantly improved, and professionally designed with a Western theme.

STAFF COMMENTS

Director Wright said that Mr. Adams is somewhat correct in his objection to the sign and the particular zoning, as confirmed by the Town Attorney; and drew attention to the concerns of both applicants, as well as the sign being in the nature of a billboard which is objected to by the community, although it is not a billboard per se.

9. Call to the Public for Items not on the Agenda

There was no public input.

10. Commission Informational Reports:

Commissioner Womack reminded everyone about the Boards & Commissions conference scheduled for December 12; he is planning to attend.

Chairperson Foreman said that Veterans Day is coming up and suggested ways to remember them.

11. Staff Report

Director Wright asked that those who plan to attend the Conference on December 12th notify his office as soon as possible; the members discussed transportation arrangements.

12. Adjournment

On a motion by Witt, seconded by Womack, the meeting was adjourned at 7:24 p.m.

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Commission Chairperson Robert Foreman

Planning and Zoning Division

CERTIFICATION:

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning and Zoning Commission of the Town of Camp Verde during the Regular Session of the Planning and Zoning Commission of the Town of Camp Verde, Arizona, held on the 3rd day of November, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Margaret Harper, Recording Secretary

**MINUTES
REGULAR SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, NOVEMBER 2, 2005
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Baker, Councilors Hauser, Smith, Kovacovich and Parrish were present; Councilor Teague was absent due to a family emergency.

Also Present: Town Manager Bill Lee, Town Attorney Brad Woodford, Library Director Gerard Laurito, P&R Director Lynda Moore, Deputy Town Clerk Virginia Jones, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Councilor Hauser.

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 19, 2005 – Regular Session

b) **Set Next Meeting, Date and Time:**

1) Work Session – November 9, 2005 at 6:30 p.m.

2) Regular Session/Council Hears P&Z – November 16, 2005 at 6:30 p.m.

3) Council Hears P&Z – November 23, 2005 at 6:30 p.m. – **CANCELLED**

c) **Possible approval of an extension of the collection agreement with the US Forest Service for the Community Park.**

d) **Possible approval of a technical assistance contract with NACOG for the 2006 CDBG funding cycle.** The \$5,000 fee for this contract is paid from the grant.

On a motion by Baker, seconded by Kovacovich, the Consent Agenda was approved, with Item 4.c) pulled for discussion.

4.c) **Possible approval of an extension of the collection agreement with the US Forest Service for the Community Park.**

On a motion by Baker, seconded by Gioia, the Council unanimously approved the extension of the collection agreement with the U.S. Forest Service for the Community Park.

Mayor Gioia pointed out that the proposed contract names the former Town Attorney, which must be corrected; and there was a brief discussion with Town Manager Lee confirming that the document was only an extension of time, with no change in the original amount authorized.

5. **Call to the Public for Items not on the Agenda.**

There was no public input.

6. **Presentation by Dave Fackler, followed by discussion, consideration, and possible approval of NF Planning and Development NF Planning and Development contract to continue assisting the Town in planning and development. The amount is not to exceed \$12,000.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously approved the consultant agreement between NFPD and the Town of Camp Verde for the planning and

development of the Redevelopment District, the amount not to exceed \$12,000, and adding under Section I, Period of Service: "...between the parties **as directed by Town Council.**"

Lee reviewed the last direction from Council to find additional funding without using Town resources in order to get the development plan in place. According to three individuals contacted at the State Department of Commerce, there is no assistance specifically available from the Department of Commerce for a redevelopment plan, and those individuals know of no other resources. Lee said that Dave Fackler was present to give the Council a better understanding of the tools that can be used in the redevelopment plan.

Dave Fackler presented an overview of the work his firm has done together with input from Town staff, starting approximately two years ago, towards establishing a redevelopment plan, as well as working on a number of other economic development projects during that period of time. Mr. Fackler said that much of the background and inventory work now has been completed, and he reviewed the steps that remain in order to prepare a plan to recommend to the Town Council for adoption, and ways of creating and using the tools to implement the plan.

The Council discussed with Mr. Fackler in further detail the issues of eminent domain, financial mechanisms for low-income homeowners, compatibility of redevelopment with the General Plan, benefits to the Town from downtown redevelopment; the proposed contract term, the scope and remaining schedule of work, and how expenses are incurred were also discussed.

There was no public input.

7. **Presentation by RBF Consultant, followed by discussion, consideration, and possible approval of an Additional Work Request for conceptual storm water system mapping and conceptual storm water system exhibit in the amount of \$4,150.**

On a motion by Gioia, seconded by Baker, the Council unanimously approved RBF Consultant's Additional Work Request for a conceptual storm water system mapping and conceptual storm water system exhibit in the amount of \$4,150.

In connection with the Town being under a mandate to develop a system of storm water management, Lee introduced Ryan Christensen of RBF Consultants who have been assisting the Town for the last year and a half, working primarily with Wendy Escoffier.

Ryan Christensen presented an update on the work done in connection with the storm water program, beginning with a brief history on the purpose of the Federally mandated program that started in 1990. He gave a comprehensive overview of the basic steps that the Town needs to take to comply with the program, including the value of public participation, and how to accomplish those steps and what remains to be done. A brief discussion with the Council followed the presentation.

There was no public input.

8. **Presentation by USFS representative Judy Adams regarding the proposed sale of a portion of the 213 acres of Forest Service land along SR 260. This may be followed by Council discussion, consideration, and possible direction to staff to prepare a letter to the USFS as it relates to the sale. SUPPORTING, OPPOSING, OR MAKING OTHER RECOMMENDATIONS ON THE PROPOSED SALE.**

Staff was directed to draft a letter to include comment on the historical significance of the Mail Trail and General Crook Trail to the Town of Camp Verde, appreciation for the Forest Service retaining the riparian area, acknowledgment of the notification of the permanent recorded easement from the Forest Service for Howards Road and attached to the private drives and a set-aside between the 260 right-of-way fence and Howards Road preserving that land for the historic Mail Trail and General Crook Wagon Trail.

Lee said that pursuant to Council's request that a representative from the US Forest Service be invited to come to a meeting to address concerns or questions regarding the proposed sale of land along SR 260, Judy Adams was present in response to that invitation.

US Forest Service representative Judy Adams gave an update on what has transpired since the packets requesting responses regarding the proposed sale were sent out; the period for receiving comments was over on October 17. She said that one comment was received and it was favorable; the Forest Service at this point is leaning toward the alternative of a sale of a portion of the 235-acre site, with new ranger station facilities to be built on the existing site. The NEPA study, administrative issues, and archaeological reports all still need to be worked through. Numerous issues, including an easement for Howards Road, the strip of right-of-way along 260, the intent of the Forest Service to retain ownership of some areas of land adjacent to the river, and the importance of the preservation of Camp Verde historical trails, were discussed with Ms. Adams in detail.

There was no public input.

9. **Update and discussion on the sale of 233 acres of USFS land for the Community Park. This property is commonly known as the 'Old Airstrip'.**

There was no action taken.

Lee called attention to an error in the agenda heading; the number should have been 223 acres. He then suggested that Judy Adams update Council as to where the Town stands with the Forest Service regarding using the Town Site Act in the attempt to acquire that property.

Ms. Adams said there are different issues involved, including the NEPA process, environmental policy act, the appraisal process, and other land processing work in order to complete the case. At this time the environmental consultants have provided the Forest Service with whatever has been asked for. Ms. Adams is reviewing a draft final environmental assessment document and has some changes and clarifications she will be requesting. A draft decision notice has been prepared, and the final decision is tied to the archaeological work remaining. Ms. Adams summarized the remaining steps and notification time periods involved in resolving the final details on the property, including some appraisal procedures.

Lee confirmed that in connection with the Heritage Grant an extension has been approved through April 2006 to be able to acquire the property, with six months then remaining to finish the 40-acre Park site development.

There was no public input.

Item 12 was addressed following the discussion on Item 9 in order to accommodate the schedule of the U.S. Forest Service representative.

A recess was called at 8:50 p.m.; the meeting was called back to order at 9:00 p.m.

10. **Discussion, consideration, and possible approval of the Camp Verde Chamber of Commerce services agreement.**

On a motion by Hauser, seconded by Smith, the Council unanimously approved the Camp Verde Chamber of Commerce services agreement with the following changes as shown in bold type: Page 2, Compensation & Matching Funds, change "no less than \$10,000" to "**up to \$10,000**"; in the same paragraph ~~delete~~ the Note regarding Bed Tax Revenues; Page 3, Reporting Strategies for Evaluation Funding, "Attraction Visitor Count – prepared by **Chamber**"; Page 4, revise under Town Duties, "Town shall **assist the Chamber in management** of the Business Recruitment Program."

Lee said that as discussed and explained at budget Work Sessions time, the contract with the Chamber had ended in August, and since the Chamber was bringing in a new Director, the Council was informed that approval of the services agreement would be brought back in the fall. The Town Attorney has reviewed and made minor changes to the proposed contract. Lee said that Roy Gugliotta, the new Chamber Director, was present to answer questions. There was comment from the members that the Chamber was now functioning very well, and suggestions made by Finance Director Bullard regarding the proposed contract were discussed with Mr. Gugliotta, with input and suggestions from Attorney Bradford. The subject of the Bed Tax Revenues and trackable funds was also discussed with Mr. Gugliotta, as well as other minor suggested changes and clarification of the responsibilities of both the Town and the Chamber.

There was no public input.

11. **Discussion, consideration, and possible approval of the attached Public Works/Engineer's job description and direction to staff to advertise for the position.** Staff was directed to bring back to Council some job descriptions from other communities and to hold off on advertising the position until review of those, also until after it is known whether or not the Water Company may be a reality.

Lee reminded the Council that during the budget talks last spring an amount was budgeted for the possible employment of an Engineer/Public Works Director to assist the Town not only with the Streets Department but with grants writing from the technical standpoint for roads and sidewalks, and for possible future operation or acquisition of utilities, as well as assist in the Zoning Department in review of development plans. By advertising the position now, it could be possible to hire someone by January 1st.

The Council discussed the proposed job description and the desirability of having an in-house engineer and the benefit of first having a cost analysis to compare with the existing cost of contracting the services of Arizona Engineering, although it was confirmed that without a full engineering staff, outside engineering would still be used. Another factor influencing a decision was the possibility of the acquisition of the Water Company. There was agreement that it would be helpful to have a cost analysis and to be able to review job descriptions from other communities, and that until the issue of the water company is resolved, the Town should not move forward with hiring at this time.

There was no public input.

12. **Update, discussion, consideration, and possible direction to staff regarding previous direction to research possible improvement on Forest Road #503 and annexation of adjacent county property.** Staff was directed to again meet with the owners and talk to them about the formation of a Homeowners Association and maybe assist them in getting a couple of local contractors to also attend the meeting to estimate costs of how much materials would be needed, what the cost would be to haul that material and to blade the road on an annual basis, and try to help the owners work through the process and obtain some of those numbers; staff was also cautioned to avoid confusion among the residents and to make sure that they understand the limitations to the help that the Town would be offering.

Lee reviewed the background of a prior meeting over a year ago regarding this item; staff was directed at that time to meet with some of the property owners to try to determine their interest in being annexed into the community, and to form an improvement district, for those who live within the Town, to try to help pave the roads. Lee said that 18 responses had been received, and basically there was a 9-to-9 split as to the opinions of the property owners. The Council is being asked to again address the issue, in response to a request from some property owners, and staff is now asking for further direction.

PUBLIC INPUT

Robert Johnson, Camp Verde, wanted to know where the road is; Council responded with the location.

Henry Shill said he had expected more people to be in attendance to discuss the issue. He commented that he believes many of the property owners were afraid they could not afford the assessments on any improvements, and he also questioned who would ultimately have the responsibility for maintenance. Lee responded with the suggestion that a Homeowners Association would be recognized by the Forest Service, and if the residents constructed the road to Town standards, the Town might then consider long-term maintenance of the road. There was also a brief discussion with Judy Adams on the subject road, as well as further discussion with Mr. Shill on whether the homeowners would be willing to bring the road up to standard.

Jody Kahn read from a document setting forth her thoughts on the issue, including expressing some conflict as to the understanding of what percentage of a vote would be necessary to bring the issue before the Council; the unanswered questions remaining after staff met with the residents as to cost and how it would be allocated, whether the city would help, whether the road would be public or remain a Forest Service road; annexation process; whether Henry Shill's donated material can be used; a plea for help from the Town; and a reference to a letter from the Fire Chief questioning whether emergency service would be possible.

A discussion followed, with input from Lee, to further clarify the understanding of the process regarding annexation; the Council further questioned Ms. Kahn regarding her assertions, and discussed at length the difficult position the Town is in by being asked to maintain a Forest road within the Town limits that also goes to properties that are in the County, and the fact that at one time the Town had maintained the road, but discontinued maintenance when it was found to be illegal. Lee pointed out that there had been no overwhelming support indicated from his prior contacts with the property owners. There was general agreement that the Town could not afford to improve the road, and whether it would even be fair to improve private property with taxpayers' money, when other proposed developments are required to pave their own streets as a condition of approval. The Council also afforded Ms. Kahn the opportunity to further comment during the discussion. The general consensus of the members, with input from Judy Adams and Attorney Woodford, was that the responsibility for the road lies with the property owners, and that the Town would direct staff to assist the homeowners through gathering information to disseminate among the homeowners to try to make decisions and arrive at some solution.

There was no further public input.

13. **Discussion, consideration, and possible direction to staff concerning the formation of an ad hoc committee to research funding possibilities for the new library. The committee will serve under the Town Manager's direction and their focus will be to research possible funding sources and fund raising options to construct the new library and administrative offices facility.**

Staff was directed to form a committee that is not subject to the Open Meeting Law, to be able to research funding ideas and bring those back to Council, working with individuals experienced in the high-finance world who could offer advice on funding sources, and to research fund-raising options.

Lee said that thought has been given to forming a committee that would not necessarily have to be subject to the Open Meeting Law, but could research and perhaps come up with funding ideas to bring back to Council, working with individuals from the Casino, Hospital Board, even the County who deal in the financial world and who might be willing to assist in moving the library project forward, outside of staff looking into simply borrowing money. Library Director Laurito added his support for the idea of such a committee, suggesting it is a way to involve the community in the project.

There was no public input.

14. **DISCUSSION, CONSIDERATION, AND POSSIBLE DIRECTION TO STAFF TO RESEARCH AVAILABLE FACILITIES TO HOUSE THE AFTER SCHOOL PROGRAM AND TO PRESENT OPTIONS AT A FUTURE COUNCIL MEETING.**

Staff was directed to continue researching available facilities to house the After School Program, and to present to Council any options that are found.

Lee said that last week the Council suggested that staff should be looking into possible facilities to house the After School Program, and Council could formally direct staff accordingly under this agenda item. Councilor Hauser advised the members that those responsible for managing the After School Program are researching places, and the situation is probably stabilized for the summer and there may not be a need for the Town to assist. There was agreement that the staff should continue to work with the program and assist where possible.

15. **Discussion, consideration, and possible determination of some type of activity and/or direction to staff to prepare a resolution to declare a *Business Appreciation Week* to honor those merchants that have voluntarily improved the appearance of their buildings, which in turn has greatly enhanced the beauty of our Town.**

Staff was directed to prepare a resolution to declare a Business Appreciation Week to honor those merchants that have voluntarily improved the appearance of their buildings, and to agendize a formal presentation of Certificates of Appreciation, inviting the merchants to attend, and identifying those merchants with the help of Vice Mayor Baker and including the Chamber in the plan.

Councilor Baker said she felt it would be a positive move for the Town to formally acknowledge the efforts of the owners of businesses that have been already working on their own to redo and make their buildings attractive, and suggested declaring a Business Appreciation Week and find ways to honor those business owners and encourage others to follow suit. The Council accepted the proposal with complete agreement and suggested ways to show their appreciation.

16. **Call to the Public for Items not on the Agenda.**

There was no public input.

17. **Advanced Approvals of Town Expenditures**

There were no Advance Approvals.

18. **Manager/Staff Report**

Lee reported on a successful and well attended Haunted House event and Lions Club Carnival, and expressed appreciation for the great number of volunteers, including Council members, who worked on the event through the weekend. Lee also asked for comments on the installation of the pews salvaged from the Church property; there will also be room for more chairs if necessary.

Deputy Town Clerk Jones reminded everyone about the upcoming election Tuesday; at present there is only a 20% return.

19. **Council Informational Reports**

Gioia reported that he attended the League of Cities Resolution Committee last Friday; two of our resolutions are on the five-resolution priority list; he also stopped off in Tempe to look at their redevelopment, which is impressive.

Kovacovich wanted to thank Parks & Rec for another great Haunted House, adding thanks to those restaurants that had donated food and to Home Depot for the \$500 in materials.

Smith reminded everyone about the Marshal's Toy Ride scheduled for November 12 at 9:00 a.m.; lunch will be provided by Crusty's Pizza, and there will be a dinner and dance in the evening. Also, everyone was urged to attend the Board of Supervisors special session at 9:00 a.m. on Monday regarding the centralization of the Jail and Justice facilities in Prescott; comments can either be made at the meeting or through a teleconference room to be set up in the County facilities in Cottonwood. Smith also described the fun he and other members had volunteering at the Haunted House, and encouraged others to volunteer.

Hauser announced that the Book Sale will be starting at 8:30 a.m. tomorrow at the library, all day, and continuing on Friday; the football team has reached the playoffs and it will be a home game, 7:00 p.m. Friday night; she also reminded others to consider participating in the Adopt-A-Family program.

Parrish said that on November 11th, 9:00 a.m., everyone is invited to come out to Clear Creek Cemetery and honor our Veterans.

Baker reported on the NACOG grants for the sidewalks on Finney Flat Road and the 260 bypass.

20. **Adjournment**

On a motion by Hauser, seconded by Kovacovich, the meeting was adjourned at 10:10 p.m.

Tony Gioia, Mayor

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 meeting of the Town Council of Camp Verde, Arizona, held on the 2nd day of November, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, OCTOBER 27, 2005
at 6:00 P.M.**

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

1. **Call to Order**

2. **Roll Call**

3. **Discussion, consideration, and possible direction to staff to sign a change order to strengthen the stability of the walls of the new Marshal's facility so the building meets current International Building Codes.**

On a motion by Smith, seconded by Baker, the Council voted to direct staff to sign a change order to strengthen the stability of the walls in the new Marshal's Office facility in the amount of \$183,168.00. Gioia voted no.

Manager Lee presented a set of figures indicating that the Town saved over one-half million dollars in the purchase and reconstruction of this building vs. new construction. Lee introduced Stroh & Rogers representatives Mark Rogers and Mark Sieman. Mr. Rogers explained that the original plans for the building showed rebar in the walls, but that they were not constructed according to plans. He advised that they had considered various alternatives to correct the problem and that this plan was most economical.

Mike Amon and Don Hamman, Project Manager of Amon Construction explained the work involved with the change order and answered questions from Council about various alternatives and the recommendations from structural engineers.

Mayor Gioia stressed that he felt it was important to talk to the Stroh Rogers' structural engineer to determine why he was told to go with this particular solution to correct the defect.

During the break between the end of the executive session and the resumption of the special session, Finance Director Bullard presented a set of figures that indicated with the approved change order, there was about \$17,000 remaining in the CVMO facility budget. He advised that the \$600,000 CIP fund repayment is included in that budget.

4. **Discussion, consideration, and possible approval of payment to Stroh Rogers Architect for the redesign of the Camp Verde Marshal's facility in the amount of \$12,042.50 which is above and beyond the contracted amount.**

On a motion by Smith, seconded by Kovacovich, the Council voted to approve the payment to Stroh Rogers Architect for the redesign of the Marshal's Office facility in the amount of \$12,042.50.

Lee recommended approval of this item explaining that this is related to the previous item in that the architects performed the design for the change order.

5. **Continued discussion with the Town Manager concerning his annual performance evaluation.**

Mayor Gioia noted that the Manager had filed a notice requesting an executive session to discuss this item.

On a motion by Smith, seconded Kovacovich, the Council voter to go into executive session to discuss this item, pursuant to ARS §38-431.03 (A)(1) for discussion or consideration of assignment, appointment, promotion, demotion, dismissal, salaries, disciplining or resignation of a public officer, appointee or employee of any public body.

The Special Session was recessed at 6:58 p.m. and called back to order at 7:35 p.m.

6. **Discussion, consideration, and possible approval of one or more of the following items: assignment, appointment, promotion, demotion, dismissal, salaries, disciplining, or resignation of the Town Manager and/or Finance Director.**

On a motion by Parrish, seconded by Hauser, the Council voted to re-evaluate the Manager in 90 days. Baker voted no.

On a motion by Gioia, seconded by Hauser, the Council voted to give the Finance Director a one step salary increase.

Baker stated that Council needed to set policies and procedures in some formal manner to avoid confusion with staff. She suggested that perhaps members could prepare a list of objectives and then the Council meet to make a decision. Gioia asked that she put this request into a memo and it could be put on the next work session agenda.

Smith said that Council needed to work on a faster, more streamline evaluation process since this one took too long. He said that staff should have input on the procedure. Gioia said that he was working on this and advised that part of the delay was to accommodate staff requests.

Smith noted that there were no goals listed on the evaluation forms and that it was perfectly correct to ask direction from Council.

Gioia cautioned Smith not to speak about what happened in executive session.

(Parrish made the motion to extend the evaluation at this time.) Lee stated that he needed to be crystal clear as to what Council expected to see in 90 days since his career was on the line.

Baker said that she was voting against the motion because employees need an opportunity to change and the direction should be made clear. She noted that though she did not complete the goals section, she did make suggestions throughout the evaluation. She said that she felt it was important for Council to decide as a body what was expected from the Manager. She said that if Council did not do so, then there would be nothing to re-evaluated.

Gioia said that Lee came up with a number of ideas to work through and that 90 days is a good time frame. Baker disagreed.

Lee asked for clarification again. He noted that he had spoken with Council members individually, but that he needed to hear from Council as a whole to ensure that they were all in agreement. He did not want to find out 90 days from now that 4 Council members were unhappy about something. He said that he felt that the most important area that needed improvement was communication and asked if that was correct.

Gioia agreed, but noted that Lee had heard a number of other areas that needed attention in executive session. Gioia asked Lee why they met in executive session if Lee wanted to go through these areas in public.

Lee again responded that Council was talking about his job and he wanted to hear from them as a group so that he could be crystal clear as to what was expected. He noted that the communication issues have occurred because direction from the 'bench' has not been clear. He said that he thought it fair to hear this direction from the whole Council.

Hauser said that Council was responding to a negative evaluation. She agreed that communication was a big problem and that there were no secrets about the other problems. She said that 'we' would have to keep working together to see if the evaluation marks could be improved.

Parrish said that Council gave directions, but Lee spent money on the jeep and other things and that he needed to come to Council before going out on his own.

Baker said that Council needs to list these things since Council feels that some of them are policy, while the administrative team feels differently. She noted that this is a common problem in all communities. She asked how Lee would know if Council did not line those out. She said that it is important to create policies and procedures so that staff knows what to do.

Lee said that he would ask members how he was doing in their weekly meetings and he asked that Council call him if they hear something on the street or have other concerns. He said that it has been a pleasure to work for the Town for the past 10 years and as manager for the past 2 years. He assured Council that he was going to work hard to live up to what Council would like to see him do. He reiterated that the evaluation comments were not all in the same area, and he is concerned about getting crossways with some Council members.

Smith agreed that the biggest problem is communication and said that it was Council's responsibility to communicate to Bill. He said that we all have the same interests at heart, but that sometimes we go in 8 different directions. He suggested taking a team approach and get things done. He said that the weekly meetings are wonderful and he implored Council to take advantage. He expressed concerns that if Council splits, everyone will lose and it will take longer to get things accomplished.

Hauser said that she would commit to the meetings.

Kovacovich said the meetings were beneficial and agreed the primary problem lies with communication.

Parrish said that he has not gone to the meetings because Lee did all the talking. He said that Lee needed to listen. Lee gave Parrish his word that he would listen.

Baker said that Lee hit the nail on the head. She said that Lee works for Council and Council has to make sure that they remember that he is the administrator and let him do his job. She said that Council's job is to set goals and the manager needs to be able to work without feeling that he is getting directions from 7 different people. She said if things are going to change, it needs to change with Council sitting as a body.

Bullard asked that Council authorize the Mayor to sign the Personnel Action Forms and noted that he too, would be meeting with Council members to keep them apprised of financial and personnel matters.

7. **Adjournment**

The meeting was adjourned at 7:58 p.m. Following a motion by Hauser, seconded by Baker.

Tony Gioia, Mayor

Deborah Barber, Town Clerk

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 Special Session of the Town Council of Camp Verde, Arizona, held on the 27th day of October, 2005. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2005

Deborah Barber, Town Clerk

**MINUTES
COUNCIL HEARS PLANNING & ZONING
MAYOR and COMMON COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, OCTOBER 26, 2005
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.
Input is placed after Council motion 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 Baker, Councilors Smith, Hauser, Kovacovich, and Parrish were present; Councilor Teague was absent.

Also Present: Community Development Director Wright, Sr. Planner Nancy Buckel, Special Projects Administrator Wendy Escoffier, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**
The Pledge was led by Smith.

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 18, 2005 – Special Session
 - b) **Set Next Meeting, Date and Time:**
 - 1) Special Session – October 27, 2005 at 6:00 p.m.
 - 2) Regular Session – November 2, 2005 at 6:30 p.m.
 - 3) Work Session – November 9, 2005 at 6:30 p.m.
 - 4) Regular Session/Council Hears P&Z – November 16, 2005 at 6:30 p.m.
 - 5) Council Hears P&Z – November 23, 2005 at 6:30 p.m. – **CANCELLED**
 - c) **Possible recommendation of approval for a Special Event Liquor License application by the American Legion #93 Auxiliary for Saturday, December 31, 2005.**

On a motion by Baker, seconded by Parrish, the Consent Agenda was unanimously approved as presented.

5. **Call to the Public for Items not on the Agenda.**
There was no public input.

6. **Possible approval of Resolution 2005-665, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, authorizing the submission of an application for USDA Forest Service Rural Development Section 523 Self-Help Housing Technical Assistance Pre-Development Grant and Authorize all actions necessary to implement and complete the activities as outlined in said application.**
On a motion by Baker, seconded by Gioia, the Council unanimously approved Resolution 2005-665, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, authorizing the submission of an application for USDA Forest Service Rural Development Section 523 Self-Help Housing Technical Assistance Pre-Development Grant and Authorize all actions necessary to implement and complete the activities as outlined in said application.

Special Projects Administrator Wendy Escoffier reviewed the background of preparing the subject application which is the first step in beginning the self-help housing program grant. Escoffier

explained that this pre-development grant of \$10,000 will aid in putting the main grant application together, but is no guarantee that the full grant will be awarded.

The Council commended Escoffier for her thoroughness and the excellent work she is doing on the project, and discussed with Escoffier the document she had presented, requesting clarification of some of the information listed, including estimated costs to the Town.

PUBLIC INPUT

Robert Johnson, Camp Verde, expressed his concern about using taxpayers' money for projects, and his opinion that property taxes are too high already.

There was no further public input.

7. **Discussion, consideration, and possible approval of Resolution 2005-661, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-08 for the purpose of developing Homestead Subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of approximately 36.2 acres and 52 lots with the minimum lot size being 18,000 square feet. The site is located off Finnie Flat Road behind Outpost Mall and will be accessed by a new roadway.**

On a motion by Baker, seconded by Smith, the Council unanimously approved Resolution 2005-661, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-08 for the purpose of developing Homestead Subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of approximately 36.2 acres and 52 lots with the minimum lot size being 18,000 square feet; this resolution will include the following changes: Under No. 1, a 4-foot sidewalk changed to a 6-foot sidewalk on the west side of the roadway; under No. 2, one 6-foot asphalt walkway on one side of the road, with parking on the other side of the road; also, upon approval of the final plat the inclusion of impact fees if they are approved at that time; a review of unused water rights to be transferred to the Town of Camp Verde; and research on an emergency exit from the subdivision.

STAFF PRESENTATION

Community Development Director Wright explained that the subject Preliminary Plat is for the first phase of the old Homestead development as part of the Simonton Ranch Master Planned Community. The applicant's presentation will show the phases planned for the total project; colored copies have been provided to illustrate how The Homestead portion fits into that project. Director Wright reviewed the background of the Council discussing and approving the PAD some months ago. The densities, roadways and sidewalks that were discussed at that time have all been provided for in the development plan. Since there will only be one entrance into the development, the applicant is proposing a large roadway that addresses the concern of the Street Department. Discussions at the well-attended pre-development meeting covered several issues, including drainage and use of water rights for landscaping. The Planning & Zoning Commission unanimously recommended approval of the plan as presented.

PUBLIC HEARING OPEN

Applicant's Statement

Thomas Ryan, of Casa Verde Consultants, the engineers and planners for The Homestead, with projected slides for illustration presented the graphics to back up the overview supplied by Director Wright. Mr. Ryan described the planned rural design for the subdivision accomplished through the lot sizes, roads without curbs, gutters and sidewalks, and densities, and provisions for pedestrian access ways; he also described how drainage issues have been addressed and engineered. Director Wright commented on the planned pedestrian walkways throughout the development as well as trails that had been discussed and that Council should consider as part of the effort to establish connectivity of all the subdivisions within the community. The Council

commenced a general discussion with Mr. Ryan, with input from Director Wright, covering further clarification of the plans for the entrance road, flood control concerns, water rights, street names, the possibility of providing an emergency exit, impact fees, on-street parking, widths of sidewalks for commercial and residential, retention of native vegetation, and measures to satisfy ADEQ requirements re storm water prevention plans.

COMMENT FROM OTHER PERSONS

Robert Johnson, of Camp Verde, complained about what he perceived as a lack of information available so that the public could understand what was being discussed. There was a response from Council regarding how the information could be obtained. After other individuals had spoken, Mr. Johnson then requested to be shown where the washes are located on the plat and there was further discussion with him by the Council.

John Reddell, Camp Verde, explained how water rights that are owned by the Verde Ditch are allocated to the properties along the Ditch; the Council commenced a discussion with Mr. Reddell regarding water rights and ownership of a bridge located on the development along the channel drainage.

Rick Tackitt, Camp Verde Water System, said that widening of the sidewalk would take some re-engineering of the water line in that location.

There was no further public input.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

There was no further Council discussion, other than reviewing points to be covered in taking action on the application.

8. **Discussion, consideration, and possible approval of Resolution 2005-662, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-09 for the purpose of developing Silverado Subdivision within Simonton Ranch Master Planned Community on parcel 403-23-008U and a portion of parcel 403-23-010Z consisting of approximately 62.9 acres and 252 lots with the minimum lot size being 5,000 square feet. The site is located off Finnie Flat Road accessed by a new roadway.**

On a motion by Baker, seconded by Kovacovich, the Council by a 6-1 vote approved Resolution 2005-662, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-09 for the purpose of developing Silverado Subdivision within Simonton Ranch Master Planned Community on parcel 403-23-008U and a portion of parcel 403-23-010Z consisting of approximately 62.9 acres and 252 lots with the minimum lot size being 5,000 square feet; with the following exceptions: To also include the transfer of any unused water rights to the Town of Camp Verde, and impact fees if approved before final plat approval; also, upon staff's review of the recording on the original PAD, if 6-foot was agreed to, the 6-foot sidewalk will remain for this subdivision; **with a 'no' vote by Hauser.**

STAFF PRESENTATION

Director Wright said that the Preliminary Plat now before the Council is part of the Simonton Ranch PAD that was approved previously and consists of 252 lots on approximately 65 acres with densities of about 4 units per acre. Director Wright also described the provisions for accesses to the development, the lot sizes and planned sidewalks and roads. The Planning & Zoning Commission has recommended approval of the Preliminary Plat as designed.

PUBLIC HEARING OPEN

Applicant's Statement

Alan Willis, of Haven Homes, made a Power Point presentation, pointing out and describing the planned two house product types, the lot sizes, setbacks, and the amenities that will be provided consisting of a clubhouse, swimming pool, tennis and basketball courts for homeowners in both developments. The Council then discussed with Mr. Willis, with input from Mr. Ryan, Director Wright and Scott Simonton, several of the issues addressed in the preceding item, including street names, water rights, flood control engineering, emergency access, impact fees, planned sewage measures, on-street parking, and width of sidewalks.

COMMENT FROM OTHER PERSONS

Luke Rose, Camp Verde, said he left Scottsdale because of the crowded conditions, and he believes a development of this type is not what Camp Verde is all about; this is not what Camp Verde has been promoting for years, and does not reflect Camp Verde.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

There was comment from the Council explaining that when people want to move here, homes must be provided for them; there was a brief further opinion on the issue from Mr. Rose. The Council discussion briefly addressed the problem of trade-offs in lifestyles in trying to meet the need for affordable housing. There was also some discussion regarding a traffic study, and a review of points to be considered in a motion for action on this item.

A recess was called at 8:35 p.m.; the meeting was called back to order at 8:44 p.m.

9. **Discussion, consideration, and possible approval of Resolution 2005-660, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-07 for the purpose of developing a commercial subdivision on parcels 404-02-024Q and 404-02-024N consisting of approximately 21.48 acres and 28 lots. The location of the project is off Howards Road.**

On a motion by Gioia, seconded by Smith, the Council unanimously approved Resolution 2005-660, a resolution of the Common Council of the Town of Camp Verde, Arizona approving the Preliminary Plat 2005-07 for the purpose of developing a commercial subdivision on parcels 404-02-024Q and 404-02-024N consisting of approximately 18-plus acres and 28 lots, with stipulations of: 6-foot sidewalk, the buildings will be subject to commercial design review, block wall buffer will be erected buffering all residential-used properties, and granting the exception for 50-foot width of road.

STAFF PRESENTATION

Director Wright advised the Council that the acreage indicated should be corrected to reflect approximately 18-plus acres for the total subdivision consisting of 28 lots. He described the development as a C-3 light industrial commercial subdivision being proposed, and explained the recent re-zoning along Howards Road to correct some existing dual zoning. Director Wright pointed out exceptions to be considered in connection with the roadway and sidewalks, and the height and screening abutting residential use. The Planning & Zoning has recommended approval, with stipulations regarding the exceptions and road construction.

PUBLIC HEARING OPEN

Applicant's Statement

Rob Witt, representing Northeast Industries Commercial Park, described the planning for the proposed commercial park and the need for such a development to create and bring in good jobs. Mr. Witt's presentation with visuals included the projection of a Town map to point out the

location of the proposed development; he stated that all of the concerns of the agencies have been addressed, including drainage provisions which he described in detail. Mr. Witt also reviewed planned trails and a small park in compliance with the General Plan and raised the issue of public use and assuming liability, which he believes will need to be resolved. The Council agreed with Mr. Witt regarding the need to resolve the liability issue, and discussed with Mr. Witt the responsibility for maintenance of the small park, the location of trails, the types of businesses anticipated, and water and sewer services.

COMMENT FROM OTHER PERSONS

Rick Tackitt, President of the Diamond Creek North HOA, expressed their concerns about protecting their subdivision and wanted assurance that promises made by the developer during meetings with the homeowners would be kept regarding screening, height restrictions and work that will be done in connection with flood control and drainage.

Jim Bullard, commented on a reference made by Mr. Witt to a trails system in the wealthy Palos Verdes development in California, suggesting it was hardly a fair comparison.

Ron Detherage, Camp Verde, pointed out where his lot is located and asked about the planned height restrictions and buffer zone for the Diamond Creek side of the development, and said he felt that all residences should be given the same consideration, not just Diamond Creek.

The Council discussed that issue with Mr. Detherage and with input from Rob Witt. Mr. Detherage also brought up a drainage issue for the Council to consider, and Mr. Witt explained that there will be engineering designed to correct that drainage. There was further Council discussion with Mr. Detherage and Mr. Witt in connection with buffering and height restrictions.

There was no further public input.

APPLICANT'S REBUTTAL

There was no rebuttal.

PUBLIC HEARING CLOSED

Council Discussion

The Council further discussed with Mr. Witt the issues of buffering for all residential properties, drainage engineering, trails and public liability, responsibility for maintenance of the planned park, sidewalks, and design review.

10. **Discussion, consideration, and possible approval of Resolution 2005-664, a resolution of the Town Council of the Town of Camp Verde, Arizona approving General Plan Amendment 2005-06 that amends the Land Use Map of the General Plan for parcels 403-21-010A, 403-21-010L, 403-21-200 and a portion of 403-21-012 from Rural Residential to High Density Residential and Open Space. This amendment is to accommodate a commercial development and town homes.**

On a motion by Baker, seconded by Parrish, the Council by a 6-1 vote approved Resolution 2005-664, a resolution of the Town Council of the Town of Camp Verde, Arizona approving General Plan Amendment 2005-06 that amends the Land Use Map of the General Plan for parcels 403-21-010A, 403-21-010L, 403-21-200 and a portion of 403-21-012 from Rural Residential to High Density Residential and Open Space. This amendment is to accommodate a commercial development and town homes; **with a 'no' vote by Hauser.**

STAFF PRESENTATION

Director Wright described the planned proposal for the commercial development and town homes as shown on a conceptual design to illustrate what is generally planned if the General Plan Amendment is approved. The Planning & Zoning Commission has recommended approval, with

stipulations regarding water and sewer services, by a 4-0 vote with one member abstaining. Resolution of flood plain issues and circulation still will need to be addressed.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald, with Heritage Land Survey Mapping, said that the subject property is bounded on the north by three independently-owned parcels, and to the southwest by the Rio Verde Vista subdivision consisting of 119 0.14-acre lots and on the east by the Verde River. Mr. McDonald reviewed the improvements and home sites depicted on the conceptual drawing, copies of which had been distributed to the members. He added that the owners feel the development would be the ideal use of the property and would have a positive impact on the Town. There was a brief discussion with the Council regarding the floodway plain.

COMMENT FROM OTHER PERSONS

Jim Bullard expressed his opinion that the development is just what Camp Verde needs.

Luke Rose spoke in opposition to the proposal, objecting to the planned density, and complaining that the property is already being cleared and leveled. He also expressed concern over the possible impact on the Verde River from the runoff affected by the activities.

John Reddell said that the property is totally below the Ditch, and the development is something that would be a good use for the property, would not be damaging anything, and the sewer goes right up to the property.

APPLICANT'S REBUTTAL

Dugan McDonald expressed his shock at anyone objecting to the project, adding that it is a much needed facility for the Town to enjoy.

PUBLIC HEARING CLOSED

Council Discussion

The Council discussion reflected general support for the project, including the subject of the grading work being done through a permit, and the issues of trails and open space.

FURTHER PUBLIC INPUT

Luke Rose made additional comments protesting the bulldozing activities long before this meeting and questioning what is going on.

Bill Miller explained the work he had done in removing the trees and bushes, and said that the County Flood Control has been at the site; everything is at least one foot higher than what the County specifies.

Dugan McDonald added that the property owners intend to follow the basic shape of the development shown on the conceptual drawing.

There was no further public input.

There was additional Council discussion regarding the issues of sewer and trails.

11. **Discussion, consideration, and possible approval of Ordinance 2005-A318, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcels 403-21-010A, 403-21-010L, 403-21-200 and 403-21-012 consisting of approximately 15.77 acres from R1-70 to C2, R2 and OS. This rezoning is to allow for a commercial development and 20 town homes. This property is located on the east side of SR 260 and accessed by Dickison Circle.**

On a motion by Smith , seconded by Parrish, the Council unanimously approved Ordinance 2005-A318, an ordinance of the Town of Camp Verde, Yavapai County, Arizona adopting an amendment to the Zoning Map of the Planning & Zoning Ordinance for parcels 403-21-010A, 403-21-010L, 403-21-200 and 403-21-012 consisting of approximately 15.77 acres from R1-70 to C2, R2 and OS.; this rezoning is to allow for a commercial development and 20 town homes; with the following stipulations, that this property be annexed by the Camp Verde Fire District; that if impact fees apply they will be paid by the developer; the development will be subject to commercial design review; and that there be hookup to the Town sewer as early as possible, with the possible temporary option of a vault-and-haul system.

STAFF PRESENTATION

Director Wright explained that this item is a follow-up to the one just discussed, with the rezoning to allow the concept to occur that was presented. The locations of the different zoning uses will be stipulated as presented in terms of the amount of acreage that will be used for the type of the proposed development. The Planning & Zoning Commission has recommended approval of the request.

PUBLIC HEARING OPEN

Applicant's Statement

Dugan McDonald pointed out that most of the items have already been reviewed during the General Plan Amendment portion, and added that in his experience the proposed development is one of the most attractive plans he has ever had the opportunity to work on, very worthwhile and something that the general public can utilize.

COMMENT FROM OTHER PERSONS

Luke Rose said that he believes the plan exceeds the carrying capacity of that land; it is nice, but the density is a bit much.

John Reddell said that the development is a good use of the land and will benefit people, and is something the owner wants for his own family to live here.

There was no further public input.

APPLICANT'S REBUTTAL

Dugan McDonald said that the portion of the ground that will carry the 20 homes is approximately six acres and should not be a crowded situation.

PUBLIC HEARING CLOSED

Council Discussion

The Council confirmed that the six acres includes the pasture, and discussed with Mr. McDonald further details regarding the residential and commercial portions, access to Hwy 260, use of a backage road, annexation to the Fire District, water and sewer services, impact fees and commercial design review.

12. **Discussion, consideration, and possible approval of Ordinance 2005-A317, an ordinance of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, pertaining to the National Flood Insurance Program, adopting by reference Revised Flood Insurance Study and Flood Insurance Rate Maps, and Floodplain Management Regulations; providing for repeal of conflicting ordinances; providing for severability; and providing penalties.**

On a motion by Baker, seconded by Kovacovich, the Council unanimously adopted Ordinance 2005-A317, an ordinance of the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, pertaining to the National Flood Insurance Program, adopting by reference Revised Flood Insurance Study and Flood Insurance Rate Maps, and Floodplain Management Regulations; providing for repeal of conflicting ordinances; providing for severability; and providing penalties.

November 1, 2005

Ms. Lynda Moore
Asst. Parks & Recreation Director
473 S. Main Street
Camp Verde, AZ 86322

Dear Lynda,

This letter is to inform you that I need to resign from the Parks & Recreation Commission. I have had a hard time trying to fit the meetings into my schedule, so I believe that by resigning my seat this will enable the commission to get someone who can attend the meetings on a regular basis.

Thank you for letting me be a very important part of our town.

Sincerely,

Toni L. Harris
1810 Murdock Road
Camp Verde, AZ 86322
928) 567-0047

**COUNCIL
AGENDA ITEM REPORT**

Council meeting of: November 16, 2005 – Regular Session

Title: Discussion, consideration, and possible approval of a letter supporting Dr. Wilbert Odem’s proposed sabbatical activities to assist the Town of Camp Verde with the problematic road crossing into the Verde Lakes neighborhood.

Budgeted item: N/A

Description of Item: I am requesting support of the attached letter.

Council Member’s Recommendation: I am requesting a motion to support Dr. Odem by allowing me (the Mayor) to sign the letter.

Comments: On September 7, 2005 staff was directed to seek funding and engineering changes. Supporting this letter will facilitate Dr. Odem’s ability to pursue the Verde Lakes project funding and engineering.

Attachments: Yes

Prepared by: Mayor Gioia/cjb

DRAFT

November 17, 2005

Debra S. Larson, Ph.D., P.E.
Professor and Chair
Department of Civil and Environmental Engineering
Northern Arizona University
Flagstaff, AZ 86011-1560

Dr. Debra S. Larson:

This is a letter of support for Dr. Wilbert Odem's proposed sabbatical activities during the next academic year. The Town of Camp Verde looks forward to his assistance with the problematic road crossing into the Verde Lakes neighborhood. This road crossing presents significant issues with respect to emergency access when high flows occur. On behalf of the Town Council, I hope that Dr. Odem will be able to work with the Town during this period to do hydraulic analysis of existing conditions and to identify effective solutions for remedial action at this site.

Additionally, Dr. Odem has proposed that he will participate with the Town of Camp Verde staff in identifying and pursuing potential funding sources for the Town for financing this design and construction work. The Town already has working relationships with the Army Corps of Engineers. I would expect that Dr. Odem would participate in working with the Corps; both for funding opportunities and for permitting issues related to site construction.

In summary, I do support Dr. Odem's request for sabbatical. I also am enthusiastic about developing a working relationship between the Town of Camp Verde and the Civil and Environmental Engineering program at Northern Arizona University. I believe this can be a precedent-setting collaboration that can enhance the Town of Camp Verde's technical support for addressing engineering issues, and also provide experiential opportunities for the faculty and students of NAU's Engineering programs. Please contact me for additional questions regarding my support for Dr. Odem's request.

Sincerely,

Tony Gioia,
Mayor

STAFF REPORT

Council Meeting of: November 16, 2005

Title: Acceptance of Summit Point Court in Verde Valley Business Park

Description Of Item: The developer for the Verde Valley Business Park has completed the construction of the street in this commercial/light industrial subdivision that was approved on July 2004. Both the Town Engineer and streets supervisor have reviewed the construction of Summit Point Court and found it to meet the Town's Uniform Standards Specifications.

Recommended Council Action: Staff would recommend accepting this street as it meets the construction standards approved by Council for the Final Plat of this subdivision.

Attachments: Yes

Prepared by: Will Wright

Memo

To: Nancy Buckel, Senior Planner
From: Marvin Buckel, Public Works Inspector
Date: November 2nd, 2005
Re: Verde Valley Business Park

The road sections within this project are completed and constructed to the engineered specifications as verified by laboratory testing. This project is complete as inspected "memo 10-12-05" with only the noted signage to be installed. It is recommended that the roadways be accepted into the Town of Camp Verde road system.

Thank You,



Marvin Buckel

Street Inspector



**ARIZONA
ENGINEERING
COMPANY**

Civil Engineering
Land Surveying

October 6, 2005

Marvin Buckle
P.O. Box 710
Camp Verde, AZ 86322

Project Number: 04TOCV02
Project Name: Town of Camp Verde Street Subdivision Inspections

Dear Marvin:

The following letter addresses comments or deficiencies we discussed regarding the Verde Valley Business Park, the Las Estancias Unit 3 subdivision, the Pebble Rock subdivision, and the Verde Cliffs subdivision on October 5, 2005.

Verde Valley Business Park

We take no exception to the Town's acceptance of the Verde Valley Business Park.

End of Verde Valley Business Park Section

Las Estancias Unit 3

Prior to the Town's acceptance of the Equestrian Estates Phases 2 and 3 the developer should install riprap pads behind the curb at all curb cuts to prevent erosion and under cutting of the curb and roadway. The developer should address comments from our letter dated March 8, 2005:

- "We recommend that the entire road along Mondale Lane be resealed per the Town of Camp Verde's original Notice of Action for Unit 2."
- "Additionally we recommend that the existing culvert crossing Via Linda be re-graded as stipulated in the Las Estancias – Unit 3 Approval we sent to you letter dated February 22, 2005." "The existing culvert crossing Via Linda at the intersection with Horseshoe Bend should be cleaned out and the upstream end of the channel re-graded. The upstream channel at the inlet of the culvert should be lined with riprap or concrete to prevent further erosion."

End of Las Estancias Unit 3 Section

Pebble Rock

The Pebble Rock subdivision is deficient in the following items:

- The contractor shall provide AC densities to the Town.
- The contractor shall provide AB thickness to the Town.
- Remove and replace the crushed culvert.



RESOLUTION 2005-669

**A RESOLUTION OF THE MAYOR
AND COMMON COUNCIL OF THE
TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
DECLARING AND ADOPTING THE RESULTS OF THE
SPECIAL ELECTION HELD ON NOVEMBER 8, 2005**

WHEREAS, the Town of Camp Verde ("Town"), held a Special Election on November 8, 2005 for Proposition 400; and

WHEREAS, the election returns have been presented by the Yavapai County Elections Department have been canvassed by the Mayor and Council,

NOW THEREFORE, BE IT RESOLVED, by the Mayor and Council of the Town of Camp Verde, Yavapai County, Arizona, as follows:

- 1. The total number of ballots cast at the Special Election, as shown on the poll lists, were 1606 and the total number of registered voters in the Town was 4,100, for a turnout of 39.0%.**
- 2. There were 14 rejected mail ballots.**
- 3. The number of votes cast were as follows:**

**PROPOSITION 400
Acquisition of Camp Verde Water System**

	<u>CVI</u>	<u>Total</u>	<u>Percentage</u>
Yes	959	959	59.71%
No	647	647	40.29%

- 4. That it is hereby found, determined, and declared of record, that Proposition 400, Acquisition of Camp Verde Water System, did receive more than one-half of the total number of valid votes cast and is hereby in effect as provided by manner of law.**
- 5. This resolution shall be in full force and effect immediately upon its adoption.**

Passed and approved by the Mayor and Common Council of the Town of Camp Verde at their Regular Session of November 16, 2005.

Tony Gioia, Mayor

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney

**COUNCIL
AGENDA ITEM REPORT**

Council meeting of: November 16, 2005 – Regular Session

Title: Discussion, consideration, and possible authorization to enter into a contract and for the Mayor to execute a contract for a biological evaluation, cultural resources investigation, and Section 404 Clean Water Act Permit application submittal in an amount not to exceed \$20,000 for the Verde Lakes Drive/Clear Creek Crossing project.

Budgeted item: This is an eligible activity within the budgeted Flood Control monies.

Description of Item: Council directed staff to investigate funding sources and to develop timelines for those sources to move this project forward. Arizona Engineering presented a proposal and estimated timeline for the 404 Permit and construction. The project in its totality is expected to cost approximately \$1,100,000. This is the first step in moving the project forward.

Council Member's Recommendation: Authorize to enter into a contract to begin the 404 permitting process.

Comments: This project will substantially reduce the number of days that Verde Lakes Drive is closed to those citizens who live on the other side of West Clear Creek.

Attachments: No

Prepared by: D. Barber for Mayor Gioia

**TOWN OF CAMP VERDE
PUBLIC HEARING #1
November 16, 2005**

BACKGROUND

CDBG, or Community Development Block Grants, is a U.S. Housing and Urban Development (HUD) Small Cities and Towns Program that provides funds for housing and community development activities in rural Arizona. The Arizona Department of Housing (DOH) is the state agency that administers the funds. Northern Arizona Council of Governments (NACOG) administers the planning of annual allocations and provides technical assistance for application preparation to communities in its region.

CDBG can fund a diverse assortment of projects. However, eligibility is based on meeting at least one of the three following national objectives:

- ❖ At least 51% of the persons who benefit from the project must be low-to-moderate income.
- ❖ The project must aid in the prevention or elimination of slums or blight.
- ❖ The project must solve an urgent need health hazard.

FUNDS AVAILABLE

The DOH allocates funds to the four rural COGs using a poverty/population formula. Then NACOG employs an 'entitlement' process for distribution of these funds to the four NACOG counties of Apache, Coconino, Navajo, and Yavapai. First, funds are allocated to each county based on a poverty/population formula. Second, the entities in the counties establish a rotation schedule that determines the year in which each city, town, or county will apply for funding. For FY 2006, the funding allocations are estimated to be:

NACOG Regional Account	\$to be announced
State Special Projects Account	\$to be announced
Town of Camp Verde	\$ 433,066

ELIGIBLE TYPES OF CDBG-FUNDED ACTIVITIES

As mentioned, CDBG can fund a variety of projects, as long as one of the three National Objectives is met. Examples are listed below:

- Public Works and Safety
- Water system and waste water system improvements
 - Road and street improvements, parking facilities
 - Flood and drainage improvements
 - Fire protection facilities and equipment

Community and Supportive Housing Facilities and Removal of Architectural Barriers

- Parks, playgrounds, and recreational facilities
- Libraries
- Neighborhood facilities (youth center, senior center, social services center)
- Supportive Housing (shelters, halfway houses, group homes, hospitals, nursing homes)

Public Services

- Child care, health care
- Education programs, job training programs
- Services for senior citizens, homeless, counseling
- Labor, supplies, materials, operations, and maintenance (in some cases)

Housing

- Housing rehabilitation
- Housing development support
- Home-ownership assistance
- Housing development by eligible sub-recipient

Economic Development

- Assistance to businesses for retention or expansion
- Infrastructure improvements, acquisition of land or buildings, construction of buildings to create permanent, full-time jobs (speculative projects are not eligible)

Neighborhood Revitalization and Redevelopment

- Pedestrian malls or walkways
- Historic preservation
- Clearance or demolition
- Commercial or industrial rehabilitation

Planning and Capacity Building

- Comprehensive plans
- Community development plans
- Policy, planning, and management capacity building

Administration

- General CDBG administration activities

PREVIOUSLY FUNDED CAMP VERDE PROJECTS

1987	\$190,000	Planning, street improvements
1991	173,200	Flood Control, drainage improvements, streets, housing rehabilitation
1994	312,584	Flood and drainage improvements, removal of barriers, Head Start Playground, ADA activities
1998	347,578	Domestic violence outreach project, Owner-occupied housing rehabilitation revolving loan fund
2004	410,068	Street improvements (Hollamon Str), removal of barriers (ramada), ADA activities (restrooms)
TOTAL:	\$1,433,430	

GRIEVANCE PROCEDURE

The Town of Camp Verde has adopted a grievance procedure for the CDBG program and its implementation. The grievance procedure is on file with the Town Clerk. Please contact Deborah Barber at 567-6631, ext. 107 for further information.

The telephone number for filing a grievance or complaint is the same (567-6631, ext. 107). The Town uses the relay for disability phone assistance. The address for filing a complaint by mail is P.O. Box 710, Camp Verde, AZ 86322. Complaints may be filed in person at 473 S. Main, Room 102.

BACK-UP APPLICATIONS

Back-up applications are no longer allowed.

TIMELINE FOR THE PROCESS

CDBG applications are due March 17, 2006. Council will select projects for funding no later than January 18, 2006.

CALL TO THE PUBLIC (IDENTIFICATION OF HOUSING AND COMMUNITY DEVELOPMENT NEEDS)

At this time, the public, Council, and staff have the opportunity to identify housing and development needs, and to present potential projects for funding. The Council may not apply for a project that has not been discussed at a public hearing. Therefore, it is a good idea to discuss all potential projects whether or not funding is available.

The Council has the final authority and responsibility to select projects that have been identified as best suited to fit the community's housing and community development needs.

Staff Concerns:

- Flood & drainage improvements
- ADA compliant entrance to Community Development offices
- Acquisition of land for affordable housing purposes
- Housing rehabilitation
- Acquisition of land/buildings for economic development purposes
- Redevelopment activities
- Economic development activities
- Accessible water fountains
- Pool enclosure
- Street improvements
- Library
- Marshal's Office

Public Requests:

- Medical Center located at the Jewell House to provide free and/or low cost medical and dental care to qualified persons.
- Senior Center building and parking improvements

STAFF REPORT

Council meeting of: November 16, 2005

Title: Presentation by Chamber of Commerce Executive Director Roy Gugliotta and a request for \$2,000 to join the Northern Arizona Marketing Coalition followed by discussion, consideration, and possible approval for funding the \$2,000.

Budgeted item: NO

Description of Item: Roy is planning on attending a December 6th meeting based upon receiving the \$2,000 funding. This will allow the Chamber of Commerce to become a member.

Staff Recommendation: Recommend this amount be part of the potential \$10,000 draw.

Comments: None

Attachments: None

Prepared by: Bill Lee

Camp Verde Chamber of Commerce

Tuesday, November 08, 2005

To: Mayor Gioia & Town Council

Subject: Investing in Northern Arizona Marketing Coalition

This is a request for \$2000 from Camp Verde Town Council for the Chamber to join the *Northern Arizona Marketing Coalition (NAMC)*. The NAMC works with Arizona Office of Tourism (AOT) to direct AOT marketing budget for Northern Arizona of \$250,000 each year.

As you can see from the information packet that Mike Finney sent me and the web site information, this would be extremely helpful for the Chamber to have a seat at the table and a voice as to how the money is spent.

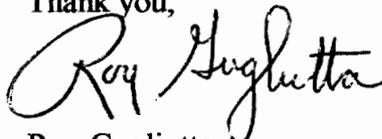
Benefits of joining NAMC is the following:

- ↓ Camp Verde exposure to over 7 million people – circulation of print advertising that will bring people to the web site where there will be information on Camp Verde
- ↓ Radio advertising (circulation not given) but again potential tourist will go the web site and see Camp Verde information
- ↓ Target Online exposure to bring people to the web site
- ↓ Additional benefit is a recognizable web site that Camp Verde will be listed and have information available for tourist

This is one of the first steps that would help build tourism for Camp Verde and our businesses. By having another web site that is recognized and promoting Camp Verde, we can promote town's events and get more tourists interested in Camp Verde.

The results of investing in this promotion campaign will help Camp Verde increase bed tax and sales tax dollars.

Thank you,



Roy Gugliotta
Chamber Director

Success through Communication, Harmony, & Cooperation

Roy Gugliotta

From: Mike Finney [mike@azcomgroup.com]
Sent: Monday, November 07, 2005 10:29 AM
To: rgugliotta@campverde.org
Cc: 'Bruce Brossman '; 'Donna M. Eastman'; 'Teresa Propeck'
Subject: NAMC participation

Roy –

I have attached the Media Plan that the Office of tourism developed for the current fiscal year (July 05 – June 06). As you will see, the majority of the quarter of a million dollars that will be spent promoting northern Arizona is allocated to the spring of 2006. Consumers will be directed to the www.northern-arizona.com website and they will receive the NAMC brochure by mail. (I put a copy of the brochure in the mail to you yesterday). If you become a member, Camp Verde will be featured in both the website and the brochure in equal positioning to the other destinations.

The members will be meeting in Verde Valley in early December – let me know if you are interested in attending. That is when decisions will be made on the reprint of the brochure and retooling the website.

Best Regards,

Mike Finney
AZ Communications Group
1050 East Southern C-3
Tempe, Az 85282
480-897-3331
www.AZcomgroup.com

11/7/2005



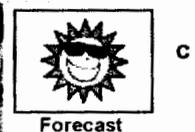
FY06 Media Plan
Northern Arizona Marketing Coalition

Dated: August 29, 2005



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- Dining
- Things To Do
- Weather
- Calendar of Events
- Media Room
- Itineraries
- Public Lands
- Northern-Arizona Newsletter
- Interactive Map
- Contact Us



CALEN

Today's

- Northern Arizona Association Gro DATES: January 31, 2005; TIME:
- Amazing Anthro: DATES: January 31, 2005; TIME: p.m. (Wednesda
- Kids Belay DATES: May 1 - 2005; TIME: noc (Saturdays) at V
- Stories on Stone DATES: June 4 TIME: 9:00 a.m. Museum of Nortl
- Kids Belay DATES: Septem 1, 2006; TIME: r Vertical Relief C
- Native Quilters c DATES: Septem December 31 21



NORTHERN ARIZONA MARKETING COALITION

FY 2006 MEDIA BUDGET RECAP

OUT-OF-STATE			
PRINT	\$83,519	33%	
ONLINE	\$75,000	30%	
INSTATE			
PRINT	\$27,549	11%	
BROADCAST	\$32,932	13%	
ONLINE	\$25,000	10%	
E-MAIL BLAST	\$3,000	1%	
Campaign Support	\$3,000	1%	
Total	\$250,000		

OUT OF STATE PRINT	JULY	AUGUST	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	TOTALS
OUT OF STATE PRINT SUBJECT Circulation: 1,480,000 City: 296,000 AZ, NKT, NV, CO, ID, MT, UT, WY, CANADA Rep name: Virginia Williams phone: 310-268-7586 fax: 310-268-1607 email: williamv@turnst.com Special Materials Deadline Costs												Travel Planner- Destination: Southwest & Mbr 1/2P 4C non-bleed square special circulation EZ Advtg Travel Planner RSL SIM: 2/24-2/24 \$ 5,920	\$ 5,920 OUT OF STATE PRINT TOTAL: \$ 5,920 83,519

OUT OF STATE ONLINE	JULY	AUGUST	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	TOTALS
OUT OF STATE ONLINE SUBJECT Rep name: Bill Campare phone: 480-908-0081 fax: none email: billc@thefinetworkmedia.com Materials Deadline Costs												Targeted IP addresses: Southern CA SM \$ 19,640 SM \$ 19,640	Targeted IP addresses: Southern CA SM \$ 19,640 SM \$ 19,640 OUT OF STATE ONLINE TOTAL: \$ 76,000 75,000

IN STATE PRINT	JULY	AUGUST	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	TOTALS
IN STATE PRINT SUBJECT Circ: 390,000 Rep name: Loriam Rhodes phone: 760-416-1505 fax: 760-416-1700 email: loriam@rhodesmedia.biz Special Materials Deadline Costs												1/2P4C plus 1/2 PAC advertorial "handbook promotion, Grand Canyon editorial" EZ Advtg online RSL only SIM: 3/20-3/27 \$ 4,347	\$ 4,347 4,347

ARIZONA REPUBLIC	JULY	AUGUST	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	TOTALS
ARIZONA REPUBLIC SUBJECT Circ: 594,000 / 118,113 Rep name: Suzanne Yazell phone: (602) 444-8438 fax: (602) 444-8691 email: Suzanne.Yazell@gnr.com Special Materials Deadline Costs												June 4 "Summer Vacation Guide" 1/2P4C Tabloid 4 page AZ Subscription EZ Advtg SIM: 5/10-5/25 est '08 \$ 16,176	\$ 16,176 16,176

ESTABLISH TRIBUNE	JULY	AUGUST	SEPT	OCT	NOV	DEC	JAN	FEB	MARCH	APRIL	MAY	JUNE	TOTALS
ESTABLISH TRIBUNE Circ: Daily & Sat. 103,997, Sunday 66,277 Rep name: Marty Marshall phone: (480) 866-5638 fax: 480-866-9463 email: mmarshall@azctb.com Special Materials Deadline Costs												Date: 4/9 "Arizona Gateways" 6 x 5.25" 4C Broadsheet EZ Advtg SIM: 3/31-4/2 \$ 2,159	\$ 2,159 2,159

STAFF REPORT

Council Meeting of:

November 16, 2005

Title:

Ordinance 2005-A316

Description Of Item:

This ordinance amends Ordinance 2005-A313 by increasing the sidewalk width from four (4) feet to six (6) feet through the area that serves the commercial property on the one side of the street. In addition, it was agreed that rather than have a four foot path on both sides of the street through the residential area of the Silverado subdivision that the developer would place a six (6) foot path on one side of the street. The attached memo describes what the Town Attorney indicated was required to make the above changes, which Council decided on in the October meeting.

Recommended Council Action:

The Council took this action at in their October 26, 2005 meeting and this ordinance ratifies these agreed upon amended stipulations by the developer and the Council.

Attachments:

Yes

Prepared by:

Will Wright



ORDINANCE 2005 A316

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING AN AMENDMENT TO EXHIBIT C OF ORDINANCE 2005 A313 THAT INCLUDES EXCEPTIONS TO THE STREET STANDARDS FOR FIVE PARCELS 403-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z AND 404-19-152L. THIS AMENDMENT CHANGES THE SIDEWALK WIDTH IN 'SECTION D' TO SIX FEET AND THE ASPHALT WALKWAY IN 'SECTION E' TO SIX FEET ON ONE SIDE OF THE STREET ONLY.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, the Town Council approved 2002-A228 with certain conditions; and

WHEREAS, ordinance will not injure the public health, safety, or welfare of the general public; and

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

- I. The Town Council hereby approves **Ordinance 2005-A316** for the purpose of amending **Ordinance 2005-A313** with the following change:
 - A. Section D. Local Residential Street with Median, to have one sidewalk to be six feet as shown in Exhibit A
 - B. Section E, Local Street, to have one six foot asphalt walkway as shown in Exhibit B

Section 2.

All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance,

Ordinance 2005-A313, or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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.

*PASSED AND ADOPTED by a majority vote of the Town Council of in open meeting by the Town Council, Town of Camp Verde, Arizona, on the **16th day of November 2005**, to be effective when publication and posting, pursuant to ARS 9-813, is completed.*

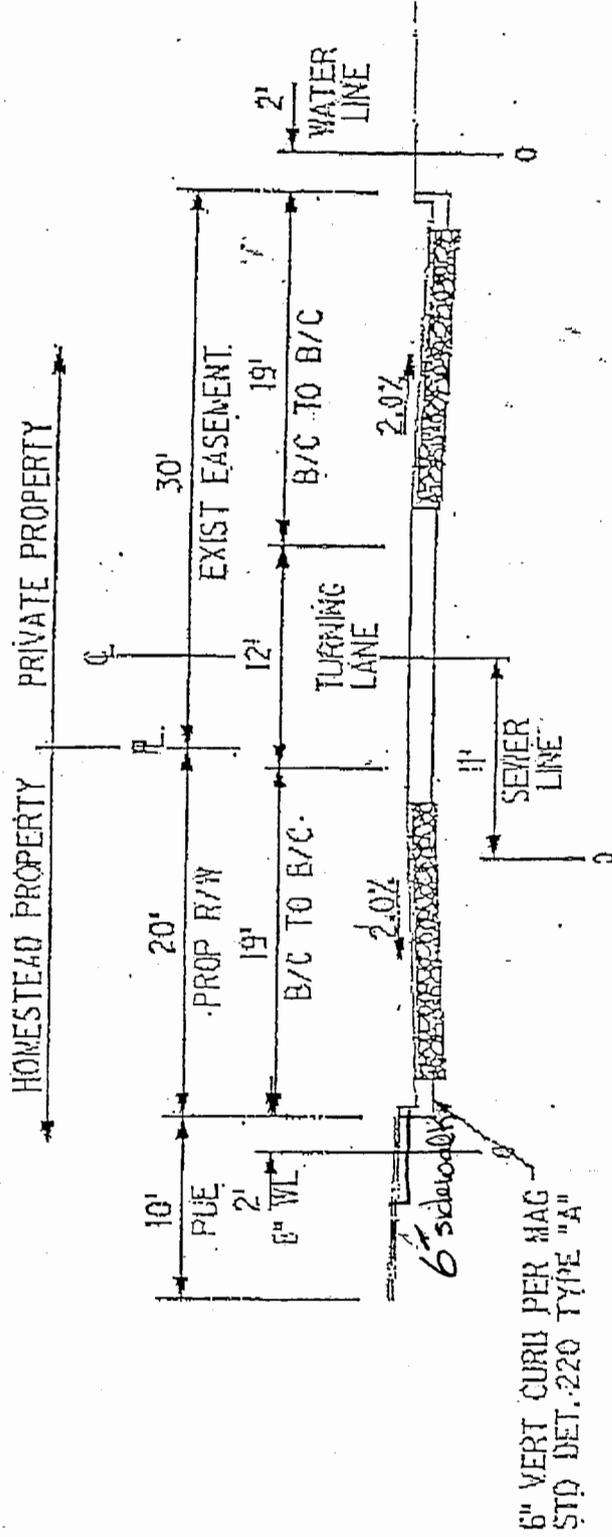
Approved: _____
Tony Gioia, Mayor

Attest: _____
Deborah Barber, Town Clerk

Approved as to form:

Town Attorney: _____

EXHIBIT A

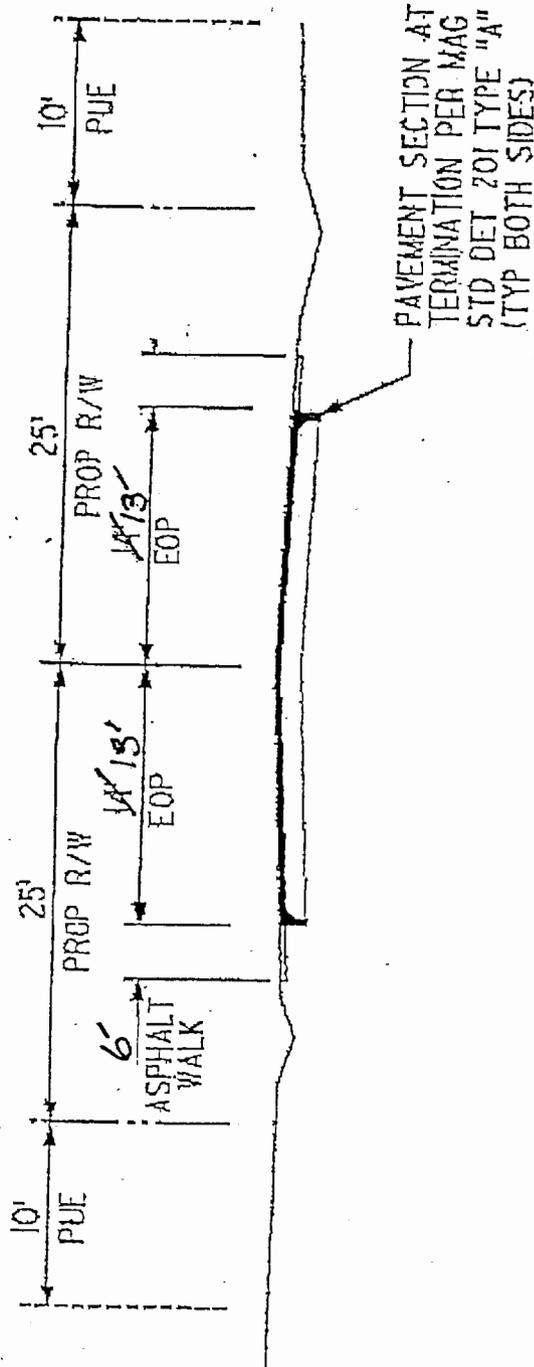


SECTION "D"

LOCAL RESIDENTIAL STREET WITH MEDIAN

(FOR SINGLE ACCESS TO PARCELS 13, 14 & ADDITIONAL ACCESS TO PARCEL 20)

EXHIBIT B



SECTION "E"
LOCAL STREET
(FOR PARCELS 12, 13, & 14)

DATE: November 1, 2005

TO: Members of the Camp Verde Town Council and P&Z Commission

THROUGH: Bill Lee, Town Manager

FROM: Will Wright, Community Development Director

SUBJECT: Response to Council Inquiries and Actions during P&Z Meeting

The Town Council had question(s) and took action(s) that needed some clarification by staff, who visited with the Town Attorney, Mr. Brad Woodford. The Town Attorney reiterated what staff has been saying for at least a couple of years now and that is the Town's P&Z regulations are convoluted and confusing, even for them to understand, as well as for us to administer. A case in point is regarding how the PAD was amended by Council for the Simonton Ranch development with the street standards and sidewalks being approved during those discussions about the PAD and then attached as exhibits to the Ordinance 2005-A313.

Brad indicated there are two separate authorizations for municipalities in Arizona and they are; 1) planning and zoning regulations, and 2) the subdivision platting and approval process. The zoning pertains to items such as the use of property within the incorporated limits of the community, the size of the lot, setback standards, height limits, lot coverage and so forth. The subdivision regulations provide standards for street widths, street construction standards as well as for sidewalks, drainage needs and other infrastructure improvements pertaining to a development. The review/approval of infrastructure items generally occurs during the discussions for preliminary and final plats, which processes are prescribed by the State and adopted by the town. Since the regulatory authority for onsite or pertaining to a lot versus offsite or pertaining to infrastructure improvements are found in separate sections of the State statutes, the items pertaining to zoning should be reviewed with Use Permits or Zoning Map Changes, while those items pertaining to the streets, sidewalks and other infrastructure improvements should be reviewed under the subdivision approval process.

The fact that Homestead had been given street and sidewalk standards in their initial PAD ~~was~~ picked up by the applicant, Scott Simonton, who also sought some assurances from the Town Council on what he could do with regard to the streets and sidewalks in the Simonton Ranch development. In short, it is typical for a Council to consider any exceptions to the Uniform Standard Specifications for streets or sidewalks in the Preliminary Plat review. However, ~~since~~ these had been prescribed in Ordinance 2005-A313 Brad indicated that they should not be changed unless there is proper notice given that this Ordinance is to be amended. In addition, since preliminary plats are approved by resolution, they can not be used to change an ordinance. However, since both the developer, Chartwell Homes and the Council agreed to modify the width of the sidewalks, Brad felt a change to the Ordinance 2005-A313 could be brought to Council to ratify the ordinance, noting that the change in the width of the sidewalk would also be listed in the resolution for this subdivision. For these reasons, Brad did caution that any other changes to

Ordinance 2005-A313 should be placed on an agenda noticing a proposed amendment to this ordinance before action is proposed to be taken.

Page 2

Staff also consulted the town attorney about impact fees and adding any clause regarding when they would affect development. He indicated the approval of the final plat and the issuance of the certificate of occupancy did not affect when a house could be charged an impact fee. He opined that once the Council adopts impact fees and they have become effective after the notice of the ordinance and the thirty days from the Council vote, impact fees can then be charged to any new building permit applications. However, once the building permit has been issued the Council may not go back and place an impact fee on that particular structure since it was permitted prior to the effective date of the ordinance establishing the impact fees.

It would seem appropriate that the Council consider posing this question to Tischler-Bise who has a lot of background and a wealth of experience regarding impact fees. They would probably add some light onto this subject and help the Council understand how they would be implemented once passed by the Council and accepted by the community.

Staff Report

Council

Meeting of: November 16, 2005

Title: **RESOLUTION 2005-666:** A use permit (2005-01) application filed by Charles P. Malone, agent for Express Stop #407, requesting a use permit for an off premise sign to be placed on parcel 403-22-035H (79 acres) owned by Henry Shill.

Description: The location of the property is off State Route 260 at I-17. The zoning is R1L-70. The zoning for the immediate area is as follows:

East: HWY 260 / PAD - SIMONTON RANCH

West: FWY / RCU-2A

North: FWY I-17 / C2-4

South: R1L-70

The land use for this area is Commercial. The surrounding uses are as follows:

West: FWY / VACANT

East: COMMERCIAL / RESIDENTIAL

North: COMMERCIAL

South: VACANT

An Off Premise sign requires a Use Permit and permission from the property owner. The Use Permit is only issued for a period of three years and cannot exceed 64 square feet. The proposed sign will be placed adjacent to the ADOT ROW on private property for the I-17 north bound off ramp so that vehicles exiting the freeway will know that the Express Stop is located to the northwest so that they can make a left at the light.

The purpose of this request is to encourage traffic to their businesses and they are unable to have use of the ADOT signs at this time because there is no space available.

Agency Review: ADOT was notified of this request and at the time of this writing, no comment has been received.

Town of Camp Verde Community Development Director: The applicant is interested in this off premise sign to advertise their business, which cannot be placed on the ADOT informational sign also located along the off ramp in ADOT ROW, since that blue information sign is already full. Again, there are time, size and height limits for these signs, but there is one adjacent property owner opposing this request for a Use Permit (see enclosed).

Replies to the 300' Letters: Ten (10) letters were sent out. Staff has received one reply at this time opposing this use permit. It is from the attorney representing the Carioca Company who owns two parcels near the proposed sign site and has a competing business on one of the parcels. The letter is enclosed for your information.

Commission

Recommendation: The Commission held a public hearing on this application on November 3, 2005 and voted to recommend to Council approval with the stipulation that there is the continued approval of the owner, Mr. Shill. The Commission also recommended to the applicant that the signage be professionally done to include more of a western flavor.

Attachments: Yes

Prepared By: Nancy Buckel



RESOLUTION 2005-666

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING USE PERMIT 2005-01 FOR THE PURPOSE OF PLACING AN OFF PREMISE SIGN ON PARCEL 403-22-035H FOR A PERIOD OF THREE YEARS. THE LOCATION OF THE SIGN IS ADJACENT TO THE NORTHBOUND OFF-RAMP OF I-17.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 2005-01 was filed by Mr. Charles Malone, agent for Express Stop #407, to allow placement of an off-premise sign on parcel 403-22-035H.
 - B. The request was reviewed by the Planning and Zoning Commission on November 3, 2005 and by the Common Council on November 16, 2005 in public hearings that were advertised and posted according to state law.
 - C. The purpose of the off premise sign is to indicate the location of the Express Stop on the West side of I-17.
 - D. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves UP 2005-01 for the purpose of allowing the Express Stop to place an off premise sign on parcel 403-22-035H for a period of three years.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 16, 2005.

Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

APPROVED AS TO FORM:

Town Attorney

CL Quest_{LLC}

1223 S. CLEARVIEW AVENUE, Suite 108
MESA, ARIZONA 85209
OFFICE: (480) 222-5812
FAX: (480) 222-5813

CELL: (480) 329-7489
EMAIL: cmalone@clquest.com

09-22-05P04:07 RCVD

September 21, 2005

Town of Camp Verde
Community Development Department
473 S. Main St., Suite 108
Camp Verde, AZ 86322

RE: Permit Application for Off-Premise Sign
Benefited Businesses: Express Stop & Wendy's (1897 Pueblo Ridge Road, Camp Verde)

To Whom It May Concern:

Please accept this narrative as our written request to receive an "Off-Premise Sign Permit" from the Town of Camp Verde, Arizona, to place a 6' X 10' (maximum 64 sqft) directional sign at the Northbound Exit 287, adjacent to, but outside the I-17 right of way, for the period of Three (3) years. This sign will benefit the existing businesses located in the Travel Center at 1897 Pueblo Ridge Road, at the NWC of I-17 and Hwy 260.

Please find included herewith, the following:

- Use Permit Application, containing signature of existing property owner granting agent authority to Charles P. Malone.
- Letter from property owner to Charles P. Malone approving proposal to locate sign on property.
- Plot Plan sketch showing proposed sign location on tax parcel 403-22-035H and identifying existing improvements (fences) located near the proposed sign location.
- Permission To Enter Property statement, executed by applicant as agent for property owner.
- Directions to Property.
- Preliminary draft of sign design.
- \$300.00 Application Fee.

Should there be additional questions concerning this application, please do not hesitate to contact me directly at (480) 329-7489.

Sincerely,



Charles P. Malone
Agent for Express Stop #407

CASE NO. 2005-41
PROJECT NO. UP05-01

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
USE PERMIT APPLICATION

APPLICATION DATE <u>9-22-05</u>	TAKEN BY <u>ND</u>
ASSESSOR'S PARCEL NO. <u>403-22-035H</u>	CLASSIFICATION OF UP _____
PRESENT ZONING <u>R1L-70</u>	FEES <u>\$300⁰⁰</u>
SUBDIVISION <u>N/A</u>	HEARING DATE <u>11-3-05 & 11-23-05</u>
ADDRESS OF PROPERTY <u>N/A</u>	

REQUEST: To locate an off-premise sign identifying the location of the Verde Travel Center and its tenants.

OWNER Shill Family Revocable Trust PHONE _____ FAX _____
ADDRESS PO Box 5266 CITY Lake Montezuma STATE AZ ZIP 86342
CONTACT PERSON Henry Shill

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize Charles P. Malone to act as my agent in the application.
Name of Agent
Henry M. Shill, Trustee 9-17-05
Signature of Owner Date

AGENT Charles P. Malone, on behalf of
Express Stop #407 PHONE _____ FAX _____
ADDRESS 2541 E. University Dr. CITY Phoenix STATE AZ ZIP 85034
CONTACT PERSON Chuck Malone Phone: 480-222-5812 Fax: 480-222-5813

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.
Charles P. Malone 9-22-05
Signature of Applicant Date

Sept. 8, 05

Dear Chuck,

This will serve as an agreement to your proposal for a sign on assessors parcel 403-22-0358 submitted to us in your letter of August 25,

The only condition would be if we sold the property then the new owners could decide if they wanted to continue the lease.

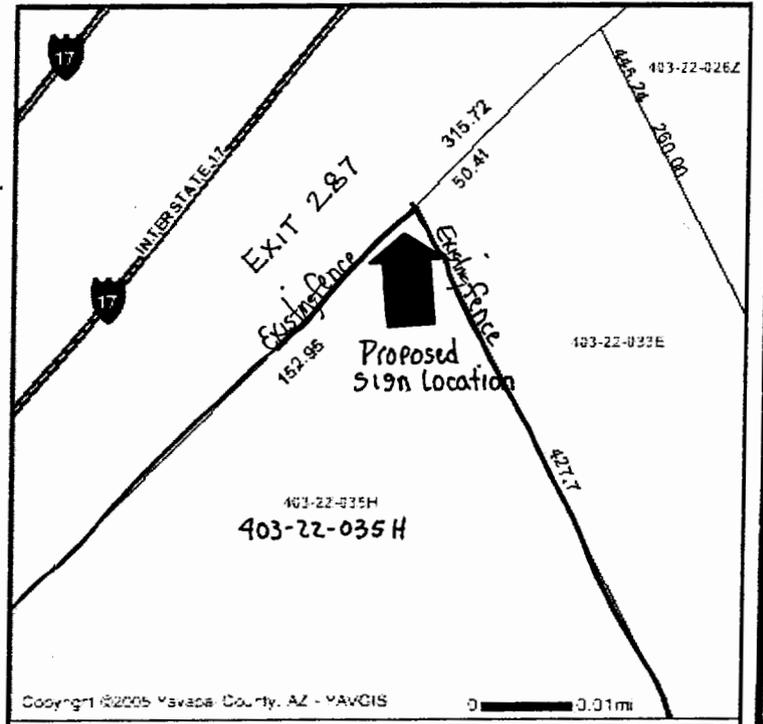
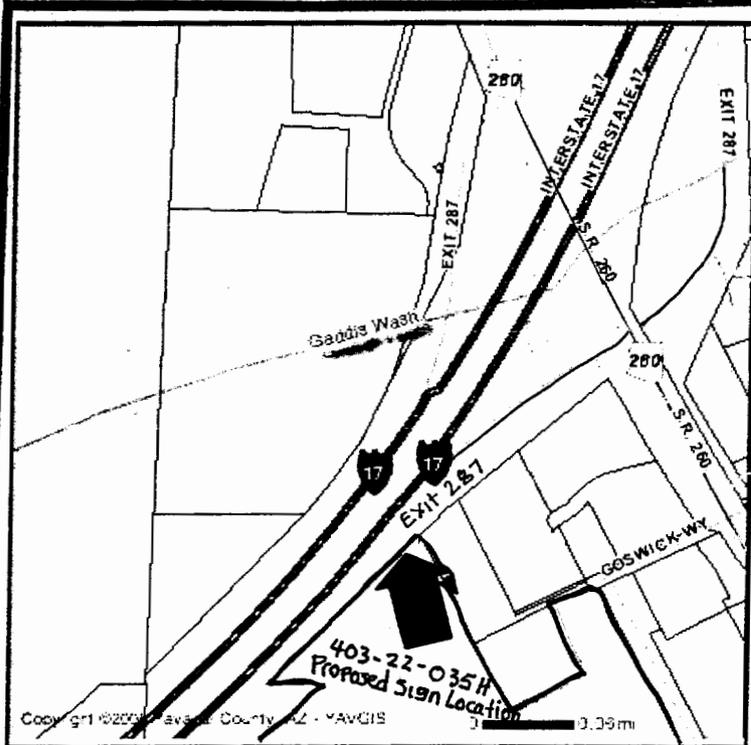
Good luck on your project.

Sincerely,

Henry Stall, et al

**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
PLOT PLAN SKETCH**

Show lot/parcel lines and dimensions, adjacent streets and alleys, front of property, driveway, location of all proposed and existing buildings including dimensions, all building setbacks and distances between buildings, location of septic tank and leach lines, locations of incoming water yard lines and meter, electric yard line and meter, gas lines and tanks, any terrain features that affect placements, location and dimensions of easements and any washes, creeks or ditches within 20 feet of the property.



PERMIT #	ASSESSOR'S PARCEL #	ADDRESS

I/we certify that the proposed construction will conform to the dimensions and uses shown and that no changes will be made without first obtaining approval. All structures (including fences, walls and pads, correct setback distances, legal access and easements, cuts, fills, drainage and any water course on or adjacent to the property within 20 feet of any proposed or existing structure has been indicated.



Scale: _____

Approved By: _____

Date: _____

[Signature]
Signature of Owner or Authorized Representative

_____ Date

PERMISSION TO ENTER PROPERTY

Hearing Application: UP0501

Parcel No. 403-22-035H

Date: 9-22-05

Legal Description: U&B

Name: EXPRESS STOP #407

403-22-035H

Address: 1897 Pueblo Ridge Rd. Camp Verde, AZ

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Dept. or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected, maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

Charles P. Malone
Applicant's Signature

9/21/05
Date

Agent for: EXPRESS STOP #407

Agent for: Henry M. Shill, Property Owner

State of Arizona

Town of Camp Verde

On this 21st day of September, 2005 before me, the undersigned Notary Public, personally appeared Charles P. Malone who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.

Sandra Calandrilla
Notary Public

4/14/2008
Date Commission Expires



DIRECTIONS TO PROPERTY

ASSESSOR'S PARCEL NUMBER 403-22-0354

APPLICANT'S NAME EXPRESS STOP #407 (Charles P. Malone)

PROPERTY ADDRESS _____

DIRECTIONS TO PROPERTY The Property can be accessed off HWY 26C
onto Goswick Way - Travel SW to the Comfort Inn property-
Go NW toward I17 and cross vacant Parcel #403-22-033E
to the NWC of that Parcel, which is adjacent to the
Subject 403-22-0354 Parcel.

PRELIMINARY SIGN COPY

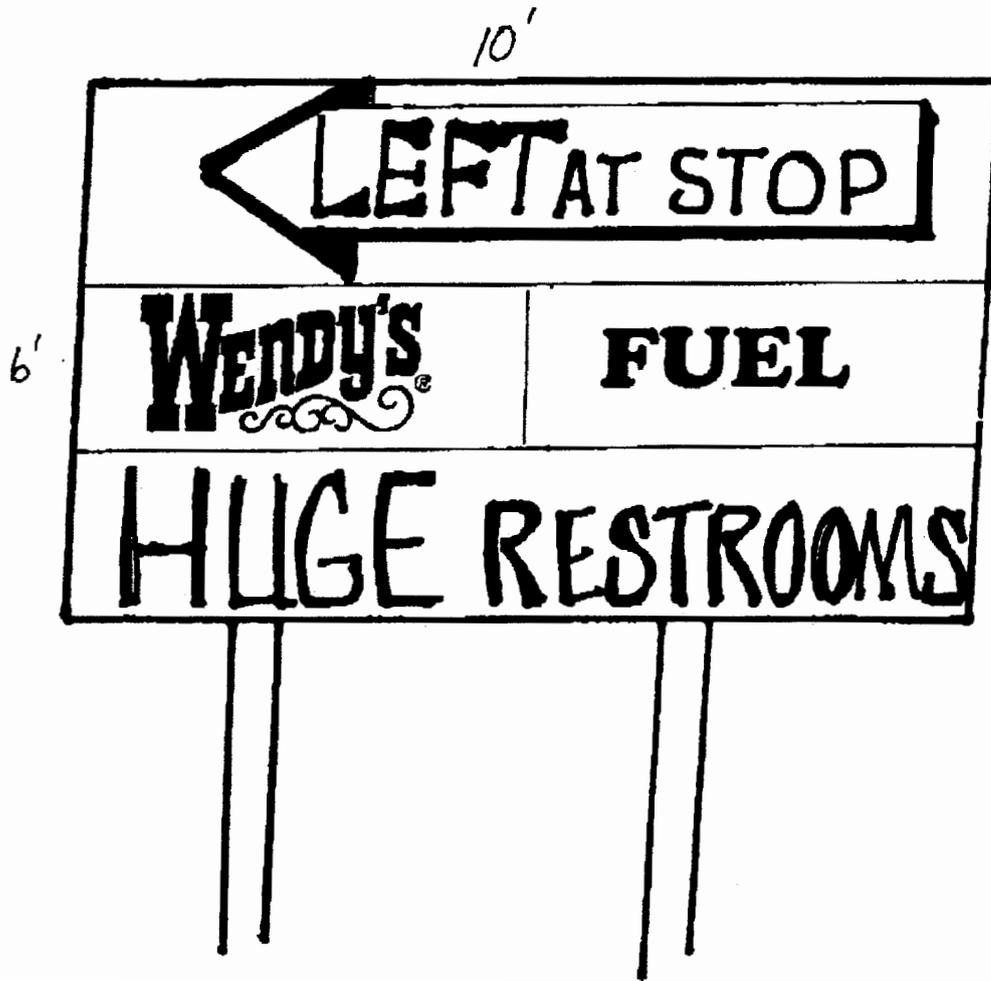
10'

 CLEAN RESTROOMS	
Wendy's [®]	FUEL
EXPRESS STOP	TRADING POST

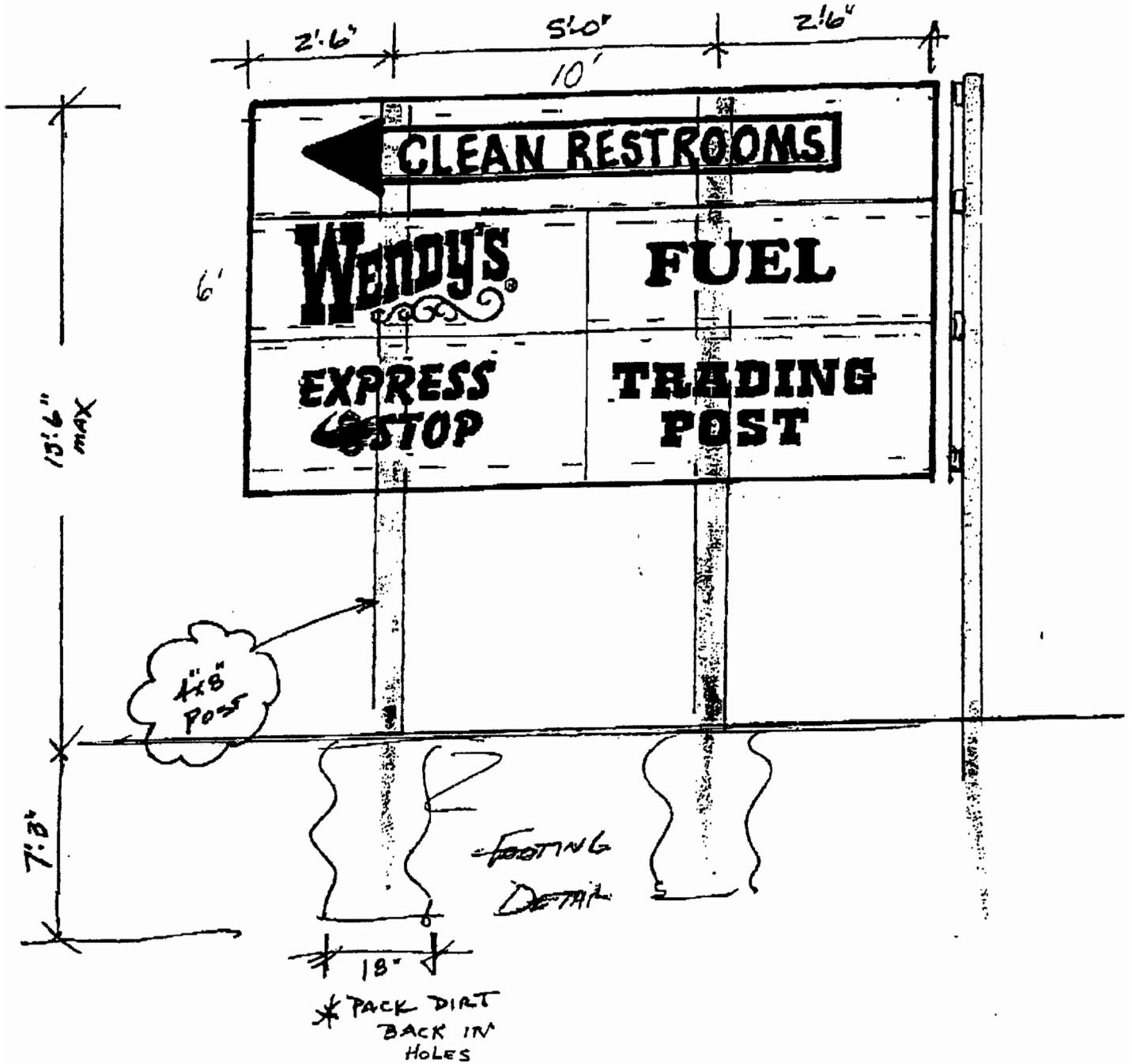
6'

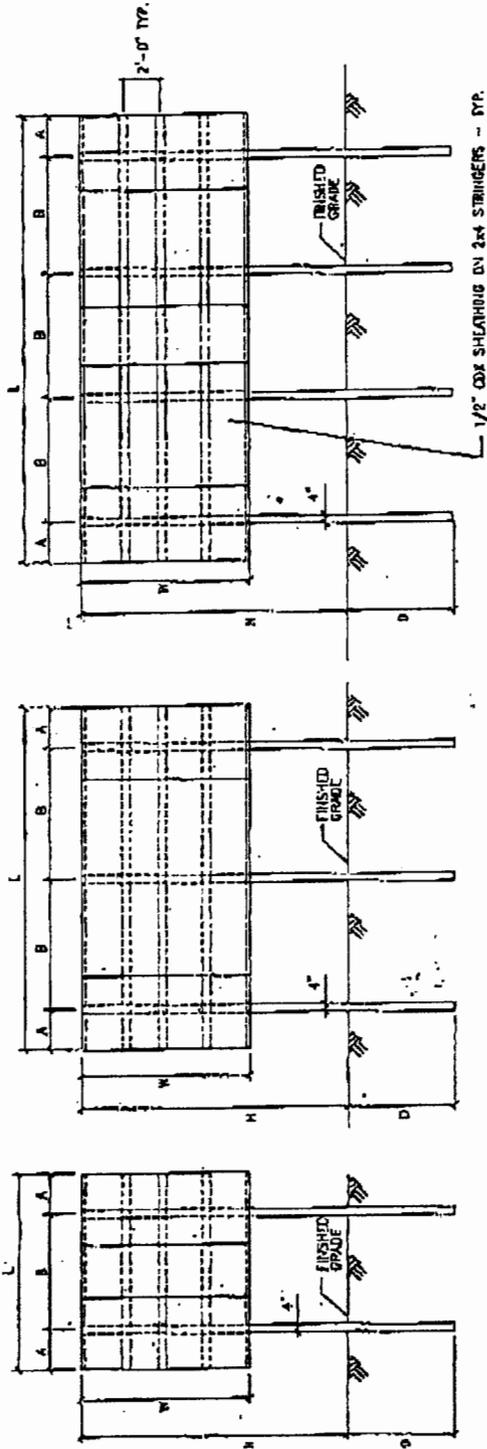
SIGN COPY

REVISED OCT 17, 2005



FOOTING DETAIL

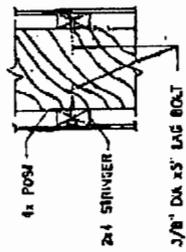




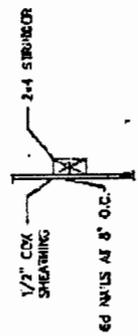
TYPE I

TYPE II

TYPE III



4x POST
2x4 STRINGER
3/8" DIA x 5" LAG BOLT
STRINGER TO POST CONNECTION



1/2" CDX SHEATHING
2x4 STRINGER
6D NAILS AT 8" O.C.
SPACE TO STRINGER CONNECTION

- NOTES:
1. SIGNS MAY BE SIGNED OR DOUBLE SIDED
 2. SEE SHEET ASA 01-9 FOR SPECIFICATIONS AND DESIGN CRITERIA
 3. SEE SHEET ASA 01-8 FOR SIGN SIZES AND POST REQUIREMENTS

COMMERCIAL WOOD SIGNS

ARIZONA SIGN ASSOCIATION
SIGN STANDARDS FOR 2003 INTERNATIONAL BUILDING CODE

PROJECT	ASA 04-9		SCHNEIDER ASSOCIATES STRUCTURAL ENGINEERS
DATE	4-7-04		
BY			

1070 NORTH AUBURN WAY
TUCSON, ARIZONA 85711
PHONE 520.312.8103
FAX 520.312.8169
PROJECT NO. 384888



MUSGROVE, DRUTZ & KACK, P.C.
ATTORNEYS AT LAW
POST OFFICE BOX 2720, PRESCOTT, ARIZONA 86302-2720

JAMES B. MUSGROVE
MARK W. DRUTZ
THOMAS P. KACK
JOHN G. MULL
JEFFREY R. ADAMS
CATHY L. KNAPP
SHARON SARGENT-FLACK

PRESCOTT OFFICE
1135 IRON SPRINGS ROAD
PRESCOTT, ARIZONA 86305

PRESCOTT VALLEY OFFICE
3001 MAIN STREET, SUITE 2C
PRESCOTT VALLEY, ARIZONA 86314

TELEPHONE
(928) 445-5935
(928) 445-5980 (FAX)

TELEPHONE
(928) 775-9565
(928) 775-9550 (FAX)

GRANT K. MCGREGOR (1959-2005)

October 24, 2005

File No. 9889-1

**TRANSMITTED VIA FACSIMILE (928) 567-7401
AND FIRST-CLASS MAIL**

Town of Camp Verde
Community Development
P.O. Box 710
Camp Verde, Arizona 86322
Attn: Becky Oium

RE: Case No. 2005-41
Project no. UP05-01
Objection to Use Permit Application ("**Application**") filed by Charles P.
Malone f/b/o Express Stop #407 ("**Applicant**")

Dear Ms. Oium:

This firm represents The Carioca Company, an Arizona corporation ("**Carioca**"), the owner of the real properties legally described as Yavapai County Assessor's Parcel Nos. 403-22-033B and 403-22-033E (collectively, "**Carioca Property**"). As set forth in more detail below, Carioca objects to, and opposes, the above-referenced Use Permit Application.

As the public records will reveal, the real property that is the subject of the referenced Use Permit Application is located directly adjacent and very close to the Carioca Property. One significant difference between the Carioca Property and the subject property is that both parcels of the Carioca Property are zoned C2-4. The subject real property, however, is zoned R1L-70.

An even more substantial difference exists between the Carioca Property and the subject property in the form of real property taxes. As is evident from the Yavapai County Assessor's Parcel Information Sheet attached hereto as Exhibit "1", Carioca paid a total of \$26,842.00 in real property taxes in the 2004 tax year and will pay a total of \$35,427.00 in real property taxes in the 2005 tax year. However, as is evident from the Yavapai County Assessor's Parcel Information Sheet attached hereto as Exhibit "2", the owner of the subject real property only paid \$11.00 in real property taxes in the 2004 and will only pay \$12.00 in real property taxes in the 2005 tax year. Based on the

foregoing, it takes no stretch of the imagination to conclude that Carioca has paid a steep price in the form of real property taxes to own its commercially-zoned property. This is the case despite the fact that Carioca has not made commercial use of Assessor's Parcel Number 403-22-033E since November, 2004. The owner of the Applicant's property, on the other hand, has not suffered a similar fate, paying virtually nothing in the form of real property taxes on its residentially-zoned property despite the fact that its real property is dramatically larger in terms of acreage than that owned by Carioca.

It is worth noting that commercial activities, and the placement of commercial signs, are allowed on the Carioca Property pursuant to the Camp Verde Zoning Ordinance. However, the Zoning Ordinance does not permit the placement of commercial signs on residential property carrying the R1L-70 zoning. Hence the requirement that the Applicant apply for and secure either a re-zone of the property or a use permit. And it is clear why the Applicant and owner of the subject property are seeking a use permit as opposed to an application to re-zone the subject property – the Applicant and the owner of the subject property are seeking to use residentially-zoned property for commercial purposes without a corresponding increase in their real property tax liabilities. It equally should not be lost that the Applicant likely has elected to contract with the owner of the subject property as the location for its sign because (i) Applicant is aware that Carioca, one of the Applicant's most significant competitors along I-17/Hwy 260, owns the adjacent parcel and (ii) the Applicant wants to gain and ensure an unequal competitive advantage through the placement of its advertising that would be seen by north-bound motorists on I-17 before those motorists would have the opportunity to see signage placed on the parcel of Carioca Property bordering I-17 by Carioca. Granting the permit request also would also adversely affect Carioca in that it would force Carioca to install a sign on their property that would not otherwise be necessary to compete with the Applicant. Thus, the act of installing such a sign would constitute an additional improvement to the Carioca Property that the Assessor would use as a basis to increase Carioca's commercial tax liability.

Based on the foregoing and given the dramatic difference in real property tax liabilities between the Carioca Property and the subject property, absent a waiver of, or significant reduction in, real property taxes assessed against Carioca and all of the other owners of commercially-zoned properties located adjacent to or nearby the subject property, the grant of a use permit to the Applicant would amount to arbitrary, capricious and discriminatory treatment of Carioca and those property owners similarly situated. The simple fact is that to ensure that all real property owners owning property in the vicinity of the subject property should be treated fairly, consistently and should be subject to the same rules – namely, compliance with the Zoning Ordinance.

Town of Camp Verde
Community Development Department
October 24, 2005
Page 3

If the Applicant and the owner of the subject property wish to use the subject property for commercial purposes, they should seek a re-zoning of the subject property. Simply put, the owner of the subject property could obtain re-zoning and the subject property could be taxed, and treated under the zoning ordinance, as commercial property. Neither the Applicant nor the owner of the subject property should be rewarded for their efforts to change the residential nature of the subject property to commercial use without a corresponding obligation to comply with the commercial zoning requirements or tax liabilities.

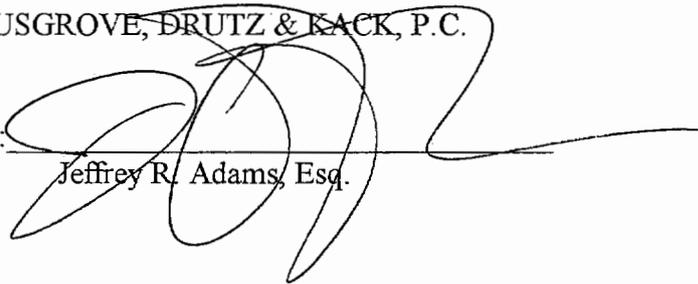
For the foregoing reasons, the Application should be denied. This is especially necessary as the intent of Section 118 of the Zoning Ordinance (the sign ordinance) is to "provide fair, comprehensive, and enforceable regulations that will foster a good visual environment for Camp Verde, enhancing it as a place to live and do business."

Should you have any questions, comments or concerns, you or your attorney may call at your convenience. Otherwise, we anxiously await your response to the demands articulated above.

Sincerely,

MUSGROVE, DRUTZ & KACK, P.C.

By:

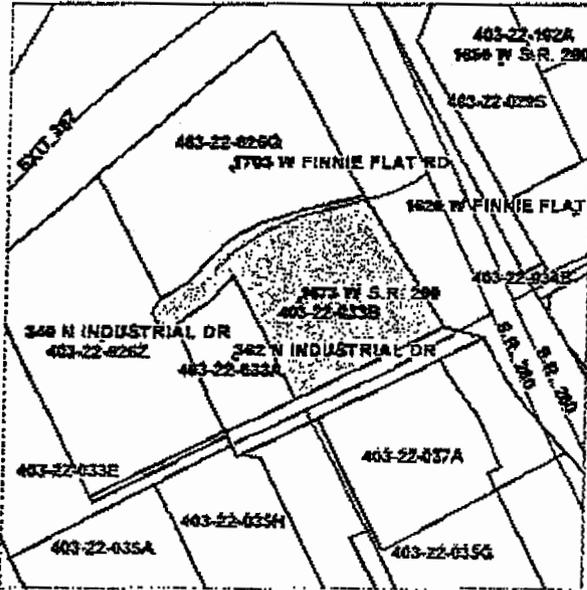

Jeffrey R. Adams, Esq.

JRA/hs

cc: client

Yavapai County, AZ-Parcel summary

Printed: 10/24/2005



Map Scale = 1:4029

Parcel ID

403-22-033B

Owner

CARIOCA CO

Mailing Address

2601 W DUNLAP #10

City

PHOENIX

State

AZ

Zip

85021

Secondary owner

N/A

Recent Sale Date

N/A

Sale Amount

N/A

Deed Type

N/A

Sale Docket

N/A

Sale Page

N/A

2005 Taxes Billed

\$26,723

2004 Taxes Billed

\$18,973

Subdivision

Incorporated Area

TOWN OF CAMP VERDE

School District

CAMP VERDE SD #28

Fire District

CAMP VERDE FD

Legal Class

Commercial / Real & Improvements Not In Other Classes

Assessment Ratio

25

DOR Acres

1.95

2006 Full Cash Value

\$853,995

2006 Limited Value

\$853,995

2006 Net Assessed FCV

\$213,499

2005 Full Cash Value

\$848,230

2005 Limited Value

\$837,277

2006 Net Assessed LPV

\$213,499

Recorded Date

N/A

Last Transfer Doc Docket

Legal Class

01.12

Last Transfer Doc Page

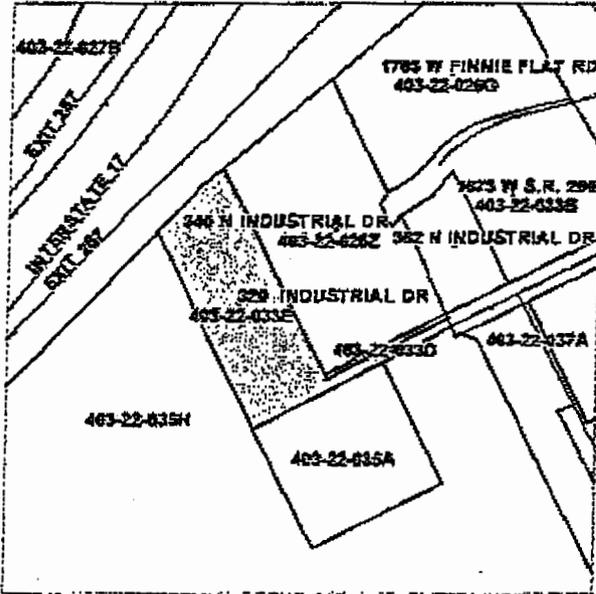
**Improvements
(4)**

Model Type	Total Floor Area	Const. Year
COMM'L MISC YARD IMPROVEMENTS	1	1991
SERVICE STATION, SELF-SERVICE	1	1987
RETAIL STORE	3048	2003
CONVENIENCE MARKET	4619	1991

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. **No portion of the information should be considered to be, or used as, a legal document.** The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Yavapai County, AZ-Parcel summary

Printed: 10/24/2005



Map Scale = 1:4472

Parcel ID

403-22-033E

Owner

CARIOCA CO

Mailing Address

2601 W DUNLAP #10

City	State	Zip
PHOENIX	AZ	85021

Secondary owner

N/A

Recent Sale Date	Sale Amount
N/A	N/A

Deed Type	Sale Docket	Sale Page
	N/A	N/A

2005 Taxes Billed

\$8,704

2004 Taxes Billed

\$7,869

Subdivision

Incorporated Area

TOWN OF CAMP VERDE

School District

CAMP VERDE SD #28

Fire District

CAMP VERDE FD

Legal Class

AG/Vacant Land/Non-Profit-Real Property & Improvements

Assessment Ratio

16

DOR Acres

1.78

2006 Full Cash Value

\$272,904

2006 Limited Value

\$227,337

2006 Net Assessed FCV

\$43,665

2005 Full Cash Value

\$274,222

2005 Limited Value

\$274,222

2006 Net Assessed LPV

\$36,374

Recorded Date

N/A

Last Transfer Doc Docket

Last Transfer Doc Page

Instrument Type

Legal Class

02.R

Improvements

(0)

Model Type

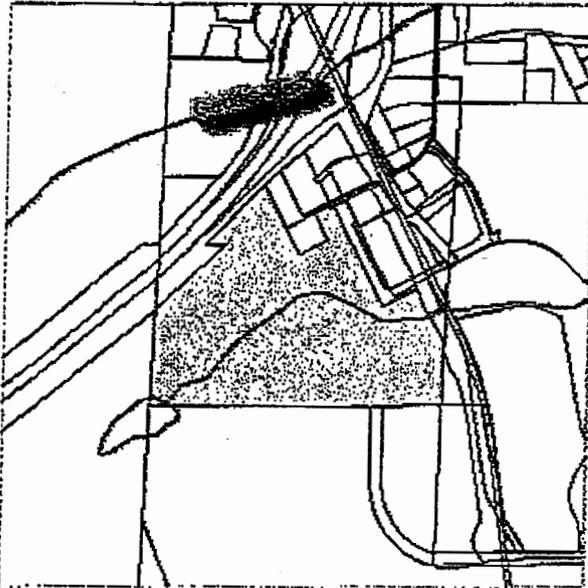
Total Floor Area

Const. Year

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. **No portion of the information should be considered to be, or used as, a legal document.** The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Yavapai County, AZ-Parcel summary

Printed: 10/24/2005



Map Scale = 1:20417

Parcel ID

403-22-035H

Owner

SHILL FAMILY REVOC TR UI &

Mailing Address

P O BOX 5266

City State Zip

LAKE MONTEZUMA AZ 86342

Secondary owner

SHILL MELBA N TRUST UI & BOYLE NORMAN S LIV TR UI

Recent Sale Date	Sale Amount
N/A	N/A

Deed Type	Sale Docket	Sale Page
	N/A	N/A

2005 Taxes Billed
\$12

2004 Taxes Billed
\$11

Subdivision

Incorporated Area
TOWN OF CAMP VERDE

School District

Fire District

CAMP VERDE SD #28

CAMP VERDE FD

Legal Class
Mixed

Assessment Ratio
16

DOR Acres
79.24

2006 Full Cash Value

\$599

2006 Limited Value

\$599

2006 Net Assessed FCV

\$96

2005 Full Cash Value

\$599

2005 Limited Value

\$599

2006 Net Assessed LPV

\$96

Recorded Date

N/A

Last Transfer Doc Docket

Last Transfer Doc Page

Instrument Type

Legal Class

Improvements
(0)

Model Type	Total Floor Area	Const. Year
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Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. **No portion of the information should be considered to be, or used as, a legal document.** The information is provided subject to the express condition that the user knowingly waives any and all claims for damages against Yavapai County that may arise from the use of this data.

Staff Report

Council

Meeting of: November 16, 2005

Title: **RESOLUTION 2005-668:** A resolution of the common council of the Town of Camp Verde, Arizona approving the preliminary plat 2005-04 for the purpose of developing Millwood subdivision on parcels 404-05-085 and 404-04-021 consisting of approximately 50.36 acres and 31 lots with the minimum lot size being 1 acre.

Description Of Item:

This property is located on the north side of Quarterhorse Lane to the south of the Diamond S ditch and Diamond Creek Subdivision. It is currently zoned R1-35 that would allow for either site built dwellings or manufactured homes; The developer has envisioned this subdivision mirroring the image of the Diamond Creek subdivisions to the North of this location with larger lots and site built homes. In the CC&Rs submitted with the preliminary plat, the developer will be controlling the construction type of the residences as well as the size of the homes. The current design of the subdivision shows the lots to be from one acre to over two acres in size. Lot splits will be controlled by deed restrictions that would prevent any further splits of the resulting lots. The developer understands that the Town will not be enforcing the CC&Rs and it will be the responsibility of the homeowner's association to monitor the development of the lots.

The development will have a looping roadway and one cul-de-sac serving it. The proposed names are Landon Lane, Cole Blvd, and Kynlee Drive. These names appear to be acceptable as there are no roads with a similar name in the 911 directory.

The applicant has submitted an **Application of Exception** requesting that the requirement for sidewalks within the subdivision be waived because they would detract from the rural atmosphere they are trying to preserve in this subdivision.

The engineer has submitted the preliminary drainage report for the subdivision and it is in the Community Development Department office for anyone to review. In his conclusion, the project engineer states that the site should be constructed as proposed because it significantly improves the site's drainage and will have long term, nearly maintenance free drainage structures and erosion protection.

Agency Review: Fourteen (14) agencies were sent notification and the following are the comments received by staff at this writing of the application summary.

Arizona Engineering: The preliminary construction plans have been reviewed. All issues must be addressed or explained when the final construction plans are submitted for Final Plat approval. There were no major outstanding deficiencies found in the review.

Yavapai County Environmental Services: Septic systems are common in the area and State code provisions regarding percolation testing, sizing & installation must be met. There must be adequate room to accommodate both the primary & reserve leach fields on each developed lot.

Camp Verde Trails Committee: At their meeting of October 11, 2005 they voted to recommend that there be a marked walking path along the roads in the subdivision, and in addition a hiking trail on one side of the road of the subdivision, and in addition that a hiking trail to be constructed along the irrigation ditch with an access through Tract R from the subdivision to the trail on the irrigation ditch.

Diamond S Ditch Inc: The ditch company has the following concerns:

1. Acknowledgement and maintenance of easements for the ditch. (They are requesting a 50' easement from the center of the ditch on both sides for access to clean and maintain the ditch banks and turnouts.)
2. The potential for flooding below the ditch needs to be brought to the property owners' attention when purchasing lots in the subdivision.
3. The impact of 30+ new irrigators on the ditch use for the current ditch users.

Yavapai County Flood Control: The project is not impacted by any delineated floodplains, nor is it impacted by watercourses with tributary drainage areas of 80 acres or larger; therefore, the District has no objection to this proposed preliminary plat for Millwood Estates.

Camp Verde Water Co.: This area is in our Certificate of Convenience and Necessity but there is no main adjacent to these parcels. The closest main is located at Hwy 260 and Quarterhorse. Water cannot be provided by any other entity. Each property may have a separate domestic well. If the developer wants to have fire protection, they must enter into an Advance In Aid Construction Agreement with us. As part of the agreement we must have utility easements and the Arizona Corporation Commission must approve the agreement before the agreement becomes valid.

We are recommending approval of this project and that consideration be given on how the potable water supply will be provided and the need for fire protection.

Town of Camp Verde Community Development Director: The 31 lots being proposed on the 50 acres meets the current R1-35 zoning and is consistent with the current development of this area. There are concerns about the length of the cul-de-sac exceeding the suggested 1,320 linear

feet, but the street design due to a narrow neck in the properties does provide for good circulation. Additionally, the amount of traffic that would be generated is not seen as a problem since the lots on that upper piece are larger in size, which design will be reviewed further by the Town's engineer.

There have also been concerns mentioned about the water table that will be reconciled with the County as they review the percolation tests, water table, and so forth. It should be noted, however, that the proposed lots are large enough to have both a water well and septic system and meet the State/County's separation requirements for these utilities. The density is about 1.6 lots per 1 acre so this lower density than is currently allowed by the R1-35 zoning, which the applicant intends to preserve the integrity of the subdivision through CC&Rs.

Replies to the 300' Letters: Forty five (45) letters were sent out concerning the preliminary plat application for this project. Staff has received no responses to the notification letter as of 10-26-05.

Commission

Recommendation: The Commission held a public hearing on this item on November 3, 2005 where they voted 4-2 to recommend denial of this application. During the meeting several members of the audience spoke in opposition to this development citing their concern about the impact of the traffic generated by this subdivision would have on their neighborhood. Other subjects discussed were the effect of this development on the Diamond S Ditch and the water table in the area.

Attachments: Yes

Prepared by: Nancy Buckel



RESOLUTION 2005-668

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING THE PRELIMINARY PLAT 2005-04 FOR THE PURPOSE OF DEVELOPING MILLWOOD SUBDIVISION ON PARCELS 404-04-021 AND 404-05-085 CONSISTING OF APPROXIMATELY 50.36 ACRES AND 31 LOTS WITH THE MINIMUM LOT SIZE BEING 1 ACRE.

SITE LOCATION: 650 QUARTERHORSE LANE.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for approval of Preliminary Plat 2005-04 was filed by AZNORTH Enterprises, agent for Melba Shill, owner of parcels 404-04-021 and 404-05-085.
 - B. The request was reviewed by the Planning and Zoning Commission on November 3, 2005 and by the Common Council on November 16, 2005 in public hearings that were advertised and posted according to state law.
 - C. The purpose of the preliminary plat is to develop Millwood residential subdivision with 31 lots.
 - D. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves PP 2005-04 for the purpose of developing Millwood Subdivision with 31 lots on parcels 404-04-021 and 404-05-085 with the following exceptions:

1. An exception has been granted to the developer waiving the requirement for concrete sidewalks in this subdivision.

**PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 16, 2005.**

Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

APPROVED AS TO FORM:

Town Attorney

AZNORTH Enterprises

725 Howard Road Suite B

Camp Verde, AZ 86322

Office: (928) 567-8808 Fax: (928) 567-8809

June 16,2005

Town of Camp Verde

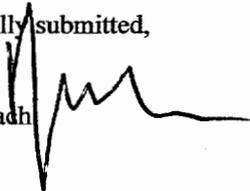
Re: Parcel# 404-04-021 & 404-04-085 Millwood Estates

AZNORTH Enterprises desires to use this property for a site-built home sub-division consisting of not more than 31 lots.

The intent of AZNORTH Enterprises is for this property to be a sub-division to be named "Millwood Estates" for a site-built homes in Camp Verde, Arizona.

Respectfully submitted,

Jeremy Badh

A handwritten signature in black ink, appearing to read 'Jeremy Badh', written over the printed name.

CASE NO. 2005-30
 PROJECT NO. PP05-04

TOWN OF CAMP VERDE
 COMMUNITY DEVELOPMENT DEPARTMENT
 P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
 CAMP VERDE, ARIZONA 86322
 (928) 567-8513 • FAX (928) 567-7401
SUBDIVISION PLAT APPLICATION

REQUEST: PRELIMINARY PLAT <u> X </u> FINAL PLAT _____ CONCEPTUAL PLAN _____ AMENDED PLAT _____ RESUBDIVISION _____ REVERSION TO ACREAGE _____ SUBDIVISION NAME <u>MILLWOOD ESTATES</u> TRACT _____	06-29-05P04:37 RCVD APPLICATION DATE _____ ASSESSOR'S PARCEL NO. <u>404-05-085</u> <u>404-04-021</u> PRESENT ZONING <u>R1-35</u> TAKEN BY <u>B. Quinn</u> FEES <u>\$710</u> HEARING DATE <u>September 1, 2005</u>
---	--

OWNER/DEVELOPER AZNORTH Enterprises PHONE ⁹²⁸⁻567-8808 FAX 567-8809
 ADDRESS 725 Howards Rd CITY Camp Verde STATE Az ZIP 86322
 CONTACT PERSON JEREMY BACH

ENGINEER S.E.C PHONE 282-7787 FAX 282-0731
 ADDRESS 20 STUTZ BEARCAT DR CITY SEDONA STATE AZ ZIP 86336
 CONTACT PERSON LUKE SEFTON, P.E.

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY	<u>+ 1.12 to</u> <u>+ 1.65</u>	<u>31</u>	<u>1.12</u>		
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL					
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) _____ LINEAR FT OF STREETS _____

CASE NO. 2005-30

PROJECT NO. PP05-04

APPLICATION OF EXCEPTION

Note: Subdivision Regulations ILL.10. (Any waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc. shall be in the form of an application of exception specifying each requested waiver or variance and associated justification.)

ASSESSOR'S PARCEL NO. 404-04-085 404-04-021 PRESENT ZONING R1-35
SUBDIVISION MILLWOOD ESTATES EXISTING USE OF PROPERTY VACANT
ADDRESS OF PROPERTY QUARTER HORSE LANE CAMP VERDE, AZ

REQUESTED WAIVER OR VARIANCE:

Subdivision NOT to include sidewalks.

JUSTIFICATION

AREA IS RURAL AND THERE ARE NO SIDEWALKS
ON ANY PROPERTY IN THIS NEIGHBORHOOD
WILL BE HORSE PROPERTY AND PAVED SIDEWALKS
WOULD REQUIRE EXTENSIVE MAINTAINCE.
WANT TO CONTINUE THE RURAL FEEL OF THE
AREA.

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.

[Signature] 10-27-05
Signature of Applicant Date

Town of Camp Verde
Post Office Box 710
Camp Verde, AZ 86322
(520) 567-6631

**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: 404-04-021/404-04-085 Date: 09/07/05
Owner: Melba Goodman, fka Melba Skill
Address: C/O Bueler Jones LLP, 1300 N. McClintock Dr.
Phone: (480) 775-6400 Chandler, AZ 85226

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates AZ North Development, as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to December 18, 2005, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

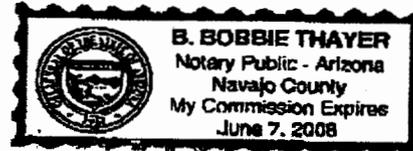
* Melba Skill Goodman, Owner(s)

State of Arizona
County of Navajo, ss.

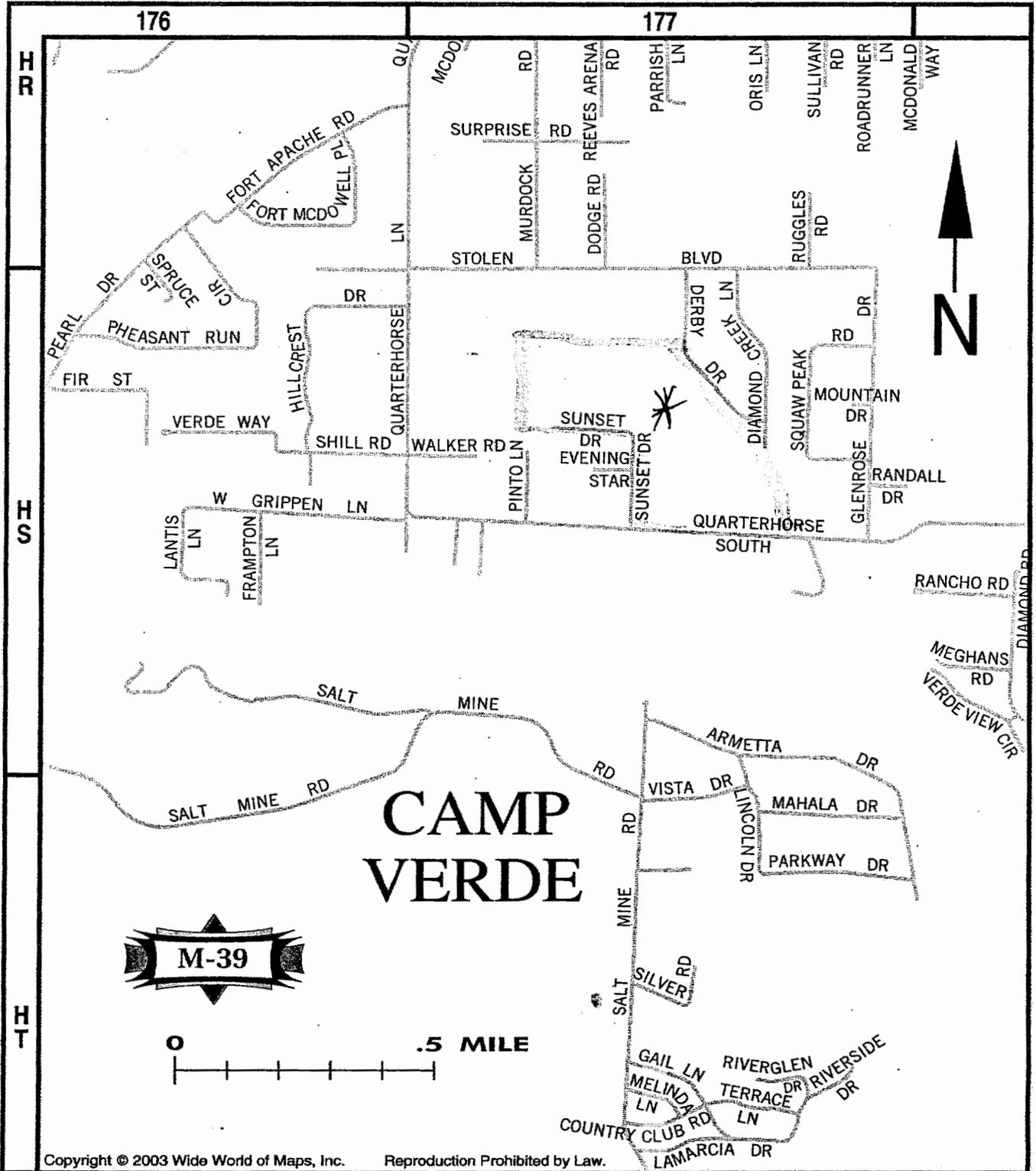
The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 9 day of September, 2005, by Melba Skill Goodman, who is/are personally known by me or have produced identification.

Bobbie Thayer, Notary Public

My Commission Expires: June 7, 2008



Camp Verde



**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT**

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: _____ PARCEL NO.: 404-04-021
404-05-085

DATE: _____ LEGAL DESCRIPTION: SEE ATTACHED

NAME: AZ NORTH ENTERPRISES

ADDRESS: 725 HOWARDS RD #B Camp Verde AZ 86322

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is **OPTIONAL** and **VOLUNTARILY GIVEN** and may be withdrawn or revoked (either in writing or orally) at any time.

Applicant's Signature _____ Date 6.29.05

Agent for: AZ NORTH Enterprises

State of Arizona
Town of Camp Verde

On this 29th day of June, 192005 before me, the undersigned Notary Public, personally appeared _____
Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.



Miriam K. Urias
Notary Public
Aug. 28, 2007
Date Commission Expires

DECLARATION OF COVENANTS, CONDITIONS AND
RESTRICTIONS
FOR
MILLWOOD ESTATES

This Declaration of Covenants, Conditions and Restrictions (hereinafter the “Declarant”), made this 16th day of April 2005, by AZNORTH Enterprises, LLC, an Arizona limited liability company, (hereinafter the “Declarant”).

WHEREAS, Declarant is the Owner of real property in Yavapai County, Arizona (hereinafter the “Property”) more particularly described on Exhibit “A” attached hereto.

WHEREAS, Declarant desires to establish and maintain the rural nature of the property for the benefit of all owners;

NOW, THEREFORE, Declarant declares that the Property is and shall be held, conveyed, encumbered, leased and used subject to the following covenants, conditions and restrictions which are for the purpose of enhancing and protecting the value of the Property. The covenants, conditions and restrictions set forth herein shall run with the Property; shall be binding upon all persona having any interest in the Property; shall inure to the benefit of and be binding upon Declarant, its successors, each Owner and their successors; and may be enforced by Declarant or its successors, by any Owner or their successors, or by any entity having an interest in the Property.

ARTICLE I

DEFINITIONS

Unless the context otherwise specifies or requires, the following words and phrases shall have the following meanings:

“Declarant” means AZNORTH Enterprises, LLC, an Arizona limited liability company, its successors, or assigns.

“Declaration” shall mean the covenants, conditions and restrictions herein set forth in this entire document, as the same may be from time to time amended.

“Dwelling Unit” shall mean the structure constructed on a lot, designated to be used as a place of residence.

“Improvement” or “Improvements” shall mean any and all alterations of the land, other than interior modifications of existing structures, including, but not limited to, outbuildings, armadas, garages, guest houses, servant’s quarters, swimming pools, walls, fencing, stables, landscaping and driveways, whether intended to be temporary or permanent.

“Lot” shall mean those parcels of real property shown on the recorded subdivision plat.

“Owner” shall mean (1) the record Owner, whether one or more persons of legal title in the fee simple of any Lot, or (2) the purchaser of a lot under a recorded executory contact for the sale of real property. The foregoing does not include persons who hold a interest in a lot as security for the performance of an obligation, or a lessee or tenant, or a purchaser under an executory contact of sale which has not “closed” and been recorded in the Office of County Recorder of Yavapai County, Arizona.

“Person” shall mean an individual or any other entity with the legal right to hold title to real property.

“Plat” shall mean the final subdivision plat for the Millwood Estates property recorded in the Office of the County Recorder of Yavapai County, Arizona.

“Property” or Subdivision” shall mean Millwood Estates, as described on the plat recorded in the Office of the Yavapai County Recorder.

ARTICLE II

USES AND RESTRICTIONS

Section 2.01 Construction and Architectural Restrictions

- A. There may be erected on any one lot not more than one single-family residence plus such accessory and auxiliary garages, barns and tack rooms as are incidental to the single-family residential use. All structures erected or maintained on any lot or tract must be of new construction and no buildings or structures may be moved from any other location onto said lots or tracts.
- B. Only detached single-family dwellings containing a minimum livable area of Two Thousand Three Hundred (2,300) square feet may be erected on any lot. Guest quarters may be erected to be occupied solely by non-paying quests or servants. Any quarters for guests or servants shall be attached to the main residence. All construction for the guest quarters will be of the same type and materials as the main residence and comply with current County standards for guest quarters.
- C. The height of such dwelling may not exceed thirty-five (35) feet.
- D. Each single-family dwelling must have a minimum 2-car garage with a floor area of not less than Four Hundred (400) square feet.
- E. All dwellings must have standard architectural appearance and no non-conventional home may be constructed.
- F. The exterior of the main residence shall be of non-combustible limited flame spread material, with the exception of log homes, which shall be constructed with 8” diameter peeled logs, either round, swan or hewn. Other construction materials may consist of masonry or rock, redwood and/or cedar materials.

Straw Bale type housing will have conventional appearance and follow architectural guidelines and combustionable material standards. House colors must be earth-tone colors (i.e., browns, grays, soft greens, etc.). No bright or garish colors may be used.

- G. Roofing materials for the main residence, and any outbuildings shall be a class-A roof as defined by the Uniform Building Code, and shall be earth-tone colored metal, cooper metal roofing, concrete tile, fiberglass shingles, or clay tile. No reflective or white roofing materials shall be permitted. Corrugated metal roofing, composite asphalt, or rolled type asphalt roofing will not be permitted. Single-family residence shall have a minimum roof pitch of five feet (5') in twelve feet (12'), 5'/12'. All roof eaves shall be enclosed using non-combustible materials.
- H. Exterior decks and side enclosures shall be of a non-combustible limited flame spread material, and shall be constructed with 8' or larger structural beams or peeled logs, as described in the Uniform Building Code. Storage will not be allowed under the deck. Patio covers will be constructed using heavy timber or non-combustible materials (no light weight, easily ignited materials).
- I. No galvanized steel, press board, masonite, T-111 type plywood, corrugated or aluminum corrugated panels may be used for exterior construction of any type.
- J. Outbuildings may not exceed twenty (20) feet in height.
- K. A garage or similar structure may be erected on a lot prior to construction of the primary single-family residence; however, construction of the primary residence must be commenced within one year.
- L. All utility services such as electricity, telephone, water lines, gas lines, water storage tanks, or storage tanks of any other nature shall be installed underground in accordance with local county codes at the time of installation, and subject to the requirements of the supplying utility company.
- M. Septic systems on all lots shall be installed and maintained in accordance with the standards of the Town of Camp Verde, Yavapai County Health Department and the Arizona Department of Environmental Quality. Only designed alternative septic systems are allowed in the Millwood Estates Subdivision. They shall be properly landscaped so as to blend in with the area.
- N. All exterior construction of any buildings permitted hereunder must be completed within twelve (12) months from commencement thereof and conform to standard accepted construction practices. All materials must be new or approved by the Town of Camp Verde Building Inspector. All construction shall (i) be according to the rules and regulations governing construction in the Town of Camp Verde, (ii) be accomplished under a permit issued by the Town of Camp Verde, and (iii) be completed under the latest codes and requirements in effect in the Town of Camp Verde at the time of construction.
- O. All buildings and structures within the Millwood Estates subdivision shall be constructed within Fifty (50) feet from the front or rear of the house and Twenty-five (25) feet from either side and out buildings will comply to the setbacks as depicted on the final Plat. For the purpose of this covenant steps and unsupported eaves shall not be considered a part of any building or

structure, but decks, patios, and support structures shall be considered a part of a structure or building.

- P. Any fences erected on the property shall be constructed in a manner and fashion consistent with the character of the surrounding area. The fencing shall be installed in a neat and professional manner using new materials. All fencing shall be constructed of the following materials: galvanized pipe rail, pressure-treated doveled rail, wood rail, vertical wood slat privacy style, stone or masonry walls up to three feet in height, and pressure treated fence posts with field fence. The finished height of any fence shall not exceed six (6) feet if erected within fifty (50) feet of the property line, nor more than eight (8) feet otherwise. An exception exists for dog runs inconspicuously near buildings or homes. Perimeter Lot fencing must be consistent with existing perimeter fencing.
- Q. None of the Lots shall be subdivided into smaller lots, and no portion of any of said Lots or any easement or other interest therein shall be conveyed, leased or otherwise disposed of without the prior written approval of the Declarant. The ownership of two or more adjacent Lots shall, with the written approval of the Declarant, be deemed to constitute a single Lot for the purposes of these restrictions.

Section 2.02 General Use Restrictions

- A. No boarders or renters of portion of any of said Lots shall be permitted, but an entire lot, together with the improvements thereon, may be rented only to a single family.
- B. No garage, trailer, mobile home, motor vehicle or any temporary structure of any nature may be used as a permanent residence on any lot or tract. Temporary use is permitted, in small trailers and motor homes, for short periods of time (visitors, family members, home construction). Such temporary use, however, will not exceed a continuous period of two weeks or four weeks in the aggregate during any one-year calendar year, except during home construction the time period may be extended to six months.
- C. No open fires or burning shall be permitted on any Lot. Incinerators or like equipment shall be approved by the Camp Verde Fire Department and a permit obtained from same. The foregoing shall not be deemed to preclude the use in customary fashion of outdoor barbeques or grills, unless such use is prevented or restricted by fire protection rules or regulations.
- D. All residences must be equipped with smoke detectors and a fire sprinkler system which shall be installed in conformance with NFPA standards as required by the subdivision ordinance of the Town of Camp Verde. All exterior building construction materials shall be of limited combustibility. All lot owners shall establish and maintain a defensible space around each structure constructed on a lot. All fireplace chimneys and outlets from stoves, heating appliances and outside fireboxes must be protected from flying sparks by the use of approved spark arrestors. All other fire management issues shall be under the control of the Declarant.
- E. Due to the possibility of fire, each of the Owners of said Lots shall at all times maintain his entire Lot cleared of hazardous growth, vegetation, dead wood, and other flammable or host materials. Additionally:

- i) All buildings upon said Lots shall have not less than two garden hose outlets with adequate hoses so as to permit a stream of water to be directed at all sides and the roof of said building and all trees and other structures upon such Lot;
 - ii) Each Owner shall own and maintain a sufficient number of fire extinguishers to adequately protect the improvements upon the Lot.
 - iii) No Owner shall maintain any flammable materials or otherwise use his Lot in a manner which would create a fire danger to any of said Lots;
 - iv) Each Owner shall be bound by all fire protection rules and regulations issued by the Declarant;
 - v) Outdoor storage of firewood, kindling or compost material must be stored at least 30' from any structure, unless the material is stored in an approved bin or enclosure. No LPG tanks will be maintained within 30' of any structure.
- F. No motor-driven vehicles of any kind shall make use of any easements or areas set aside for pedestrian use.
- G. No hotel, store, multi-family dwelling, boarding house, guest ranch or any other place of business of any kind, and no hospital, sanitarium or other place for the care or treatment of the sick or disabled, physically or mentally; nor any facility for care or treatment for compensation of sick or disabled animals shall ever be erected or permitted upon any lot, or any part thereof, and no business of any kind or character whatsoever shall be conducted in or from any residence or building on any of said lots or tracts, except for a home office or other activity that can be operated within a residence and without disturbing neighboring properties.
- H. Addresses for all residences will be at least 4" in height and will be in front of and affixed to the structure itself, per fire department specifications. All numbers will be clearly visible from the street, and each number will be on a contrasting background.
- I. Individual owners will be responsible for flood insurance if their Lot is affected by these designations.
- J. Any homeowner that has livestock on their property in excess of 60 days per year is required to have a mechanical backflow prevention device consisting of a residential dual check valve (RDC), a reduced-pressure principle assembly (RP), or a pressure vacuum breaker assembly (PVB) installed on their water service line immediately downstream of their water meter. This backflow preventer shall be inspected annually. Installation maintenance, and the operation of the backflow prevention device is the sole responsibility of the respective homeowner.

Section 2.03 Noise and Visual Restrictions

- A. Storing of trailers, boats, campers, cars or horse trailers shall be kept reasonably out of sight so as not to be visual nuisance to adjoining properties or highways; either in a garage or approved outbuilding, along side yards in a

- neat, inconspicuous manner, or within fenced or planted perimeters. Under no circumstances may a stored trailer be lived in during the period of storage.
- B. No tanks of any kind, elevated above the surface of the ground or visible in any manner, shall be erected, placed or permitted on any of said Lots. All rubbish, trash or garbage shall be kept in airtight containers and not allowed to accumulate on any of said Lots. Woodpiles, service yards, and said rubbish, trash or garbage containers shall be kept screened by adequate planting, or screened enclosure, so as to conceal them from view of streets and of neighboring parcels or any other recreation areas. Incineration of rubbish, trash, garbage, or vegetation shall not be permitted.
 - C. No motor vehicle, which is under repair and not in operating condition, shall be placed or permitted to remain on the road or any portion of any lot unless it is within an enclosed garage or structure.
 - D. No advertising signs, billboards, unsightly objects or nuisances shall be erected, placed or permitted to remain on any of said lots or tracts, nor shall the premises be used in any way for any purpose which may endanger the health or unreasonably disturb the holder or occupant of any surrounding property; PROVIDED, HOWEVER, that a single "For Sale" sign, not larger than twenty-four (24") inches by twenty-four (24") inches, may be placed on any lot and such signs shall not be deemed in violation if these restrictions. Signs identifying residences will also be allowed at the entrance to such property.
 - E. None of the land shall be used, in whole or in part, for the storage of any property or thing that will cause the land to appear in an unclean or untidy condition, or that will be obnoxious to the eye; nor shall any substance or material be kept upon the land that will emit a foul or obnoxious odor, or cause any noise that will or might disturb the peace, quiet, comfort or serenity of the occupants of the surrounding property.
 - F. All rubbish, trash and garbage shall be removed from the lots and shall not be allowed to accumulate thereon. All garbage must be kept in closed containers, and must be concealed from view of the surrounding lots and roads.
 - G. Noises which would be of nuisance to neighbors such as continually barking dogs, abnormally loud motors or engines, excessively loud music, or any other noise-producing sources which disturb the normal levels of sound in a rural atmosphere shall not be permitted.
 - H. No outside speakers, amplifiers or other sound producing equipment shall be permitted to be installed or maintained on any lot. No radio antenna shall be permitted to be installed or maintained on the exterior of any dwelling or structure or other improvements. Ordinary television antennas may be erected provided they do not extend above the roof of the house more than five (5) feet. Satellite dishes are permitted provided they are installed in a location not visibly offensive to neighboring properties and provided they do not exceed eighteen (18) inches in diameter.
 - I. Lighting Restrictions: All Owners must strictly adhere to the standards of the Town of Camp Verde Planning and Zoning Ordinance, Section 120, Outdoor Lighting Ordinance, together with the following restrictions.

1. All outdoor lighting is to be fully shielded, no matter the output. This means that no outdoor light source is to allow light to shine above the horizontal. Any floodlights or spotlights mounted on buildings must either be located up under eaves such that the eave extends below the lamp or fixture opening on all sides and the lamp is not directly visible from any point off the parcel, or they must be aimed straight down toward the ground. Porch lights can be either fully shielded by design, or they can be located above the door and shielded by the building eave as described above for spotlights and floodlights.
2. A maximum of 10,000 lumens (initial output) of installed lighting, per parcel, is permitted. This total applies to all outdoor lighting fixtures, whether or not they will all be on at once or be used at all. All property owners are encouraged to use the minimum lighting required for safety and utility of their property, and to leave lighting turned off when it is not needed.
3. No outdoor lighting is to remain on all night except for a single fully shielded porch light, if desired, at the main entrance for the home, and any low-output walkway lighting necessary for safety; the total output of any such constantly illuminated lighting must not exceed 1500 lumens (initial output). If security lighting is desired, lights activated by properly aimed and adjusted motion-sensors are suggested.

Section 2.04 Animal Restrictions

Livestock and poultry and all animals, of any kind, shall only be maintained on any Lot in strict accordance with the Town of Camp Verde Planning and Zoning ordinances, Section 108, General District Provisions. No hogs, pigs or domestic farm animals, with the exception of horses, shall be kept on any of the Lots. There may be no more than two (2) horses kept on any single Lot for purposes of this Section, a mare and foal shall be considered one horse until the foal is weaned; however, said period of time shall not exceed six (6) months from the date of birth of the foal. The following restrictions shall also apply for all animals maintained on a Lot:

1. Household pets shall not offend or annoy any other Owner, shall not be left unattended at any time and shall be controlled by a leash or other form of restraint at all times when outside the confines of a single family residence;
2. Household pets may not be kept, bred or maintained for any commercial purpose;
3. No kennels, pens, enclosures or similar structures shall be built on any Lot, except pursuant to such plan approved by the Town of Camp Verde Planning and Zoning Ordinance.
4. Each Owner of a household pet shall immediately be required to clean up waste products of a household pet and dispose of the same in the designated sanitary containers of such Owner.

Section 2.05 Water and Mining Restrictions

- A. No oil or mineral drilling, development, refining, quarrying, or mining operation of any nature shall be permitted on the property. No derrick or other structure designed or used in boring for oil or natural gas shall be erected, placed or permitted upon any part of the property, nor shall any oil, natural gas, petroleum, asphaltum or hydrocarbon products or minerals of any kind be produced or extracted there from.

2.06 Easements

In addition to the easements granted in the Plat, the Declarant is authorized and empowered to grant upon, across or under real property owned or controlled by the Declarant such permits, licenses, easements, dedications, and right-of-way for:

- A. Electricity, natural gas, telephone, water lines, underground conduits, storm drains, television cable and other similar public or private utility purposes.
- B. Roadways, or;
- C. Other purposes as may be reasonably necessary and appropriate for the orderly maintenance or for preservation of the health, safety, convenience and welfare of the Owners.
- D. Provided, however, that any damage to a Lot resulting from such grant shall be required by the Declarant at its expense.

Article III

ARCHITECTURAL REVIEW COMMITTEE

Section 3.01. Organization, Power of Appointment and Removal of Architectural Design Review Committee Members.

An Architectural Review Committee is hereby established to perform the functions set forth in this Declaration with respect to architectural control and other controls contained in this Declaration. The Architectural Review Committee shall be the Declarant until such time as ninety (90%) of the lots have been sold, at which time the Board will appoint an Architectural Review Committee upon the following terms and conditions:

- (a) Committee Composition The Architectural Review Committee shall consist of three (3) members and two (2) alternate members. None such members shall be required to be an architect or to meet any other particular qualifications for membership. In the event one or two of the regular

members are absent or disabled, the remaining Architectural Review Committee member or members, even though less than a quorum, may, but are not required to, designate either or both if the alternate members to act as substitutes and such alternates shall then assume the full authority or regular members of that meeting. The consulting architect shall have no voting rights on the Architectural Review Committee, and the management company will orchestrate the architecture review after all the Lots are sold, the members of the Architectural Review Committee shall serve without compensation.

- (b) Initial Members. AZNorth Townhouses #2, LLC shall appoint the initial members and alternates of the Architectural Review Committee.
- (c) Terms of Office. The term of office for each Architectural Review Committee member shall be two (2) years or until the appointment of a successor. Any new member appointed to replace a member who has resigned or been removed shall serve such member's unexpired term. Any member who has resigned, been removed or whose term has expired may be reappointed if such member accepts reappointment.
- (d) Appointment and Removal. The right to appoint and remove members of the Architectural Review Committee at any time so long as Declarant owns a single Lot shall be and is hereby vested solely in the Declarant or its nominee. Notwithstanding the foregoing, the Declarant may at any time relinquish the right to appoint and remove members of the Architectural Review Committee. Upon such early relinquishment by Declarant of its right to appoint the members of the Architectural Review Committee and after the Declarant owns no Lots, the right to appoint and remove regular members of the Architectural Review Committee at any time shall be and is hereby vested solely in the Owners by majority vote; provided, however, that no regular member may be removed from the Architectural Review Committee except by the vote or written consent of fifty one (51%) of all the Owners. The regular members shall have the right to appoint up to two (2) alternate members of the Architectural Review Committee. Such appointees must be Owners at the time of such appointment and shall serve until such time as the regular members designate. Exercise of the right of appointment and removal of regular members, as set forth herein, shall be evidenced by the recordation of a declaration identifying each new regular member appointed to the Architectural Review Committee and each regular member replaced or removed therefrom and shall not be effective until a notice setting forth the name and address of the person or persons appointed or removed is signed by the owners of more than fifty (50%) of Lots and recorded.
- (e) Resignations. Any regular or alternate member of the Architectural Review Committee may at any time resign from the Architectural Review Committee by recording a notice of their resignation.

Section 3.02. Duties. It shall be the right and duty of the Architectural Review Committee to consider and act upon any and all proposals or plans submitted to it pursuant to the terms hereof, to adopt Architectural Review Committee Rules, and to carry out all other duties imposed upon it by this Declaration. Without in any way limiting the generality of the foregoing provisions of this Section, the Architectural Review Committee or any member thereof may, but is not required to consult with or

hear the view of any Owner with respect to any plans, drawings, specifications or other proposals submitted to the Architectural Review Committee.

Section 3.03. Meetings. The Architectural Review Committee shall meet from time to time as necessary to perform its duties hereafter, shall appoint a committee chairman, and shall prepare Minutes of Meetings. The vote of any two members at a meeting shall constitute the act of the Architectural Review Committee unless the unanimous decision of the Architectural Review Committee is otherwise required.

Section 3.04. Architectural Review Committee Rules. The Architectural Review Committee may, from time to time, adopt, amend and repeal rules and regulations. The Architectural Review Committee shall interpret and implement this Declaration by setting forth the standards and procedures for design review and the guidelines for architectural design, landscaping, color schemes exterior window coverings, exterior finishes and materials and similar features which are recommended or required for use within the Property.

Section 3.05. Waiver. The approval by the Architectural Review Committee of any plans, drawings or specifications for any work done or proposed, or of any other matter requiring the approval of the Architectural Review Committee under this Declaration, shall not be deemed to constitute a waiver of any right to withhold approval of any similar plan, drawing, specification or matter subsequently submitted for approval.

Section 3.06. Time for Approval. Subject to the other provisions contained herein, in the event the Architectural Review Committee fails to approve or disapprove any design and location within forty (40) days after said plans and specifications have been submitted to it, approval will not be required and the Owner will have been deemed to have complied with this Article.

Section 3.07. Processing Fee. With respect to any requests made to the Architectural Review Committee to review any plans, drawings or specifications for any work done or proposed, the Architectural Review Committee may establish processing fees for such requests or actions. The payment of such fees shall be condition precedent to any Architectural Review Committee action on such request or other item, and the non-payment of such fees shall be deemed to toll the time for approval of such items set forth in Section 4.06 of this Article.

Section 3.08. Liability. Neither the Architectural Review Committee nor any member thereof nor the Association nor the Declarant shall be liable to any Owner, or to any other party, for any damage, loss or prejudice suffered or claimed on account of; (a) the approval or disapproval of any plans, drawings or specifications, whether or not defective; (b) the construction or performance of any work, whether or not pursuant to approved plans, drawing and specifications; (c) the development of any Lot, or; (d) the execution and filing of any estoppel certificate, whether or not the facts therein are correct; provided, however, that with respect to the liability of a member, such member has acted in good faith on the basis of such information as may be possessed by him. Without in any way limiting the generally of the foregoing provisions of this section, the Architectural Review Committee, or any member

thereof, may, but is not required to, consult with or hear the views of the Declarant or any Owner with respect to any plans, drawings, specifications, or any other proposal submitted to the Architectural Review Committee.

ARTICLE IV

GENERAL PROVISIONS

Section 4.01. Term. The covenants, conditions and restrictions of this Declaration shall remain in full force and effect for a period of twenty (20) years from the date this Declaration is recorded. Thereafter, they shall be deemed to have been renewed and automatically extended for successive periods of ten (10) years each.

Section 4.02. Amendments. This Declaration may be amended at any time by an instrument in writing, signed by Owners representing sixty-seven percent (67%) of the Lots and approved by Declarant as long as Declarant owns any Lots. Any amendment that does not apply equally to all lots within the subdivision must be approved by one hundred percent (100%) of the owners. All amendments shall be effective upon recordation with the Yavapai County Recorder.

Section 4.03. Enforcement and Non-waiver

- A. Enforcement. Except as otherwise provided herein, the Declarant or any Owner shall have the right to enforce, by any proceeding at law; all covenants, conditions and restrictions. Failure to enforce any of these restrictions, rights, regenerations, limitations, covenants and conditions contained herein shall not, in any event, be constructed or held to be waiver thereof or a consent to any further or succeeding breach or violation. Upon the breach of any of said covenants or restrictions, anyone owing or having interest in the lands covered by these restrictive covenants may bring an appropriate action in the proper court to enforce or restrain said violation or to compel compliance with the said covenants or restrictions herein contained or to collect damages on account thereof; provided, however, that a violation of these restrictive covenants, or any one or more of them, shall not affect the lien of any mortgage now of record, or which hereafter may be placed of record, upon said lots, or any part thereof, but provided further that these restrictive covenants shall, without limitation, apply to any lots acquired through foreclosure or any deed in lieu of foreclosure of any said mortgage. In the event legal action is brought to enforce any of the covenants or conditions set forth herein, the prevailing party in such action shall be entitled to recover its costs and attorney's fees. The use of any one or more of the

remedies provided for in this paragraph shall not defeat the lien of a purchase money or construction mortgage or deed of trust made in good faith and for value.

- B. Prerequisite to Litigation. In the event of a dispute between an Owner or Declarant, the complainant, as a condition precedent to instituting legal action, must first serve notice in writing on respondent advising them of the alleged grievance, the results desired, and a date for compliance.

Section 4.04. Construction

- A. Interpretation. The provisions of this Declaration shall be liberally constructed to effectuate the purpose of creating a uniform plan for the development and operation of the subdivision. This Declaration shall be construed and governed by the laws of the State of Arizona. The subdivision shall be subject to any and all rights and privileges which the Town of Camp Verde, County of Yavapai, or the State of Arizona may have acquired through dedication or the filing or recording of maps or plats of said property, as authorized by law, and provided further that no conditions, restrictions or privileges or acts performed shall be in conflict with any Town of Camp Verde Zoning Ordinance or law.
- B. Restrictions Severable. Each of the provisions of this Declaration shall be deemed independent and severable, and the invalidity of any provision thereof shall not affect the validity or enforceability of any other provision.
- C. Rules Against Perpetuities. In the event the provisions hereunder are declared void by a court of proper jurisdiction by reason of the period of time herein stated for which the same shall be effective, then, in the event, said periods of time shall be reduced to a period of time which shall not violate the rules against perpetuities as set forth in the laws of the State of Arizona.
- D. Singular Includes Plural. Unless the context requires a contrary construction, the singular shall include the plural, and the plural the singular; and the masculine shall include the feminine or neuter, and the feminine the masculine or neuter.
- E. Captions. All captions and titles used in this Declaration are intended solely for convenience or reference purposes only and in no way define, limit or describe the true intent and meaning of the provisions hereof.

Section 4.05. Delivery of Notices. Any written notice required by this Declaration may be delivered either personally or by mail. If by mail, it shall be deemed to have been delivered five (5) days after it has been deposited in the United States mail, postage prepaid, addressed as follows: if to an Owner, to the address of the Owner within the subdivisions.

Section 3.06. Binding Effect. By acceptance of a deed or acquiring any ownership interest in any of the Property affected by this Declaration, each person, their heirs,

personal representatives, successors and assigns, binds themselves, and their heirs, personal representatives, successors and assigns to all of the covenants, conditions and restrictions imposed by this Declaration. In addition, each such person by doing thereby acknowledges that this Declaration sets forth a general scheme for the Property and hereby evidences their intent that all of the covenants, conditions and restrictions contained herein shall run with the land and be binding on all future Owners. Furthermore, each such person acknowledges that this Declaration shall be mutually beneficial, and enforceable by future Owners.

IN WITNESS WHEREOF, Declarant has executed this Declaration the date and year first above written.

AZNORTH Enterprises, LLC

STATE OF ARIZONA) By _____
) Jeremy Bach Member/Owner
) SS.
County of Yavapai)

The foregoing Declaration of Covenants, Conditions and Restrictions for Millwood Estates, was acknowledged before me this _____ day of _____, 2005, by Jeremy Bach, Member/Owner, AZNORTH Enterprises, LLC.

My Commission Expires:

Notary Public

7/6/05 cs



Diamond S Ditch, Inc.
P. O. Box 1836
Camp Verde, AZ 86322

10-12-05A08:10 RCVD

Monday, October 10, 2005

Nancy Buckel, Senior Planner
Town of Camp Verde
POB 710
Camp Verde, AZ 86322

Ms. Buckel,

RE: Proposed subdivision of parcels 404-04-021 and 404-05-085.

Subdivision of the above property is of concern to the Board of Directors of the Diamond S Ditch (hereafter "the Board") because the ditch historically has provided and maintained a means for conveyance of irrigation water to the property. The proposed change from farmland to subdivision will significantly impact the way the ditch is operated. AZNORTH/Jeremy Bach (hereafter "the Developer") needs to be aware of the concerns of the Board and take actions to address these concerns.

These concerns are;

- (1) Acknowledgement and maintenance of easements for the ditch.
- (2) The potential for flooding below the ditch.
- (3) The impact of 30 plus new irrigators on the ditch.

- (1) EASEMENTS - Easements of 50 feet from the middle must be maintained of both sides of the ditch to provide

ready access for cleaning and maintaining the ditch banks and turnouts. The easement must remain free of obstructions such as buildings, fences and tree plantings. Gates must be provided for access.

(2) POTENTIAL FLOODING - The developer needs to be aware that the ditch does not function as a floodway for runoff. Unfortunately, due to new development up and down the ditch, conditions are being created whereby runoff from streets and subdivisions is being directed into the ditch. An example of particular significance to the Shill property is drainage toward the ditch directly up gradient from the property. Historically during high runoff events, this drainage flowed into the ditch causing the ditch bank to breach, flooding the Shill property. To prevent this from happening, a retention basin was created upgradient to retain and dissipate these runoff events. This retention basin is now under private ownership and not maintained. The flooding of farmland was one thing; the flooding of a subdivision carries a much greater liability. The Board needs assurance the retention basin will be maintained and runoff during extreme rainfall events will not exceed its' holding capacity.

The assurance needed by the Board will be in the form of a rainfall/runoff study showing that the retention basin will hold runoff from an unusual event. Not only will this protect the ditch; it will assure the safety of the future homesites in the proposed subdivision.

(3) IMPACT OF 30+ NEW IRRIGATORS ON THE DITCH -The water table on the Shill property is less than three feet below ground surface in the N/W corner. (A portion of the property is water logged and reportedly never farmed.) The capillary fringe at the surface of the water table extends to the ground surface at times. This is evidenced by the presence of evaporates (salts) at the ground surface, certainly a formidable problem. As farmland the property was irrigated in relatively short order. It was possible to release a large volume of water into a parallel concrete ditch and, using a large number of siphon tubes, transfer the water to the field quickly.

The homesites in the subdivision will require an extensive underground piping system. The typical time required to irrigate a 1.6 acre homesite on the ditch is 3 hours. Thirty plus homes would require, based on a 10 day

irrigation cycle, approximately 270 hours a month, an excess of ten 24 hours days. This will clearly impact the down ditch users, requiring some type of scheduling. The Developer needs to provide a detailed plan of proposed irrigation system.

This plan should at a minimum detail the following:

- (a) The lots to be served and design of the underground pipe system.
- (b) The time anticipated to irrigate each lot based on pipeline flow rates and delivered volumes.
- (c) A proposed irrigation schedule for the subdivision demonstrating that the irrigation system will operate in a timely and efficient manner.

It is the function of the Diamond S Ditch Company to deliver water to its' members. The Ditch Company is a non-profit organization. It does not grant or control water rights. Water is delivered based on certain representations to the Board, i.e., that the property has a water right and a claim filed. All water rights in the Gila River Basin are currently being adjudicated. When properties are divided, if the property has less water right acreage than the total acreage, the water right cannot be re-distributed without utilization of the severance and transfer process. It would be useful to the Ditch to know specifically which parcels are claimed to have a water right, in order to be assured that the irrigation plan requested will be adequate.

In summary, the Diamond S Ditch Company and its' board of Directors will need the following:

- (1) Assurance the adequate easements are being provided.
- (2) A rainfall/runoff study demonstrating that the upgradient retention will hold potential floodwaters from upgradient development.
- (3) An irrigation system design and an estimate of time to irrigate the proposed homesites using the new system.

- (4) A display showing how the water rights held by the Shill property are presently distributed on the property, and if to be redistributed that the severance and transfer process will be utilized.

The Ditch Company Board thanks Planning and Zoning and the Town Council for the consideration of our concerns and technical needs. In order for our Board to pass on a recommendation to continue to provide irrigation water to the property, the Developer need place of record, either within the plat or the CC&Rs for the subdivision, that the ability to use water from the Diamond S Ditch is subject to the Rules and Regulations of the Diamond S Ditch, including scheduling, assessments, efficient use and maintenance.

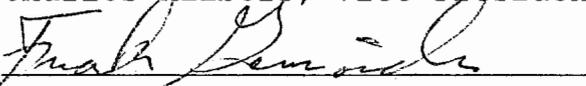
Board of Directors
Diamond S Ditch



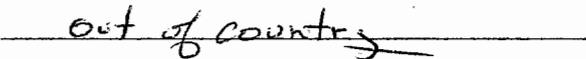
Dick Tinlin, President



Charles Hilbers, Vice President



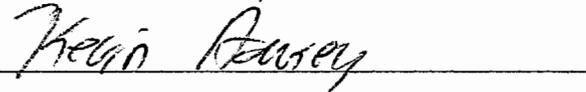
Frank Geminden, Secty/Treasurer



Clive Jordan, Member



Ben Pemberton, Member



Kevin Hauser, Member



Camron Brees, Member

A subdivision is being planned for the north side of East Quarterhorse Lane. If approved, it will be on the agricultural land between Sunset Drive and Glenrose Drive. The proposal is to allow 31 homes on approximately 55 acres.

Some residents of East Quarterhorse Lane are concerned that an additional 60, 70 or more vehicles passing our properties daily will have an adverse effect on our quiet rural lifestyle. Safety is an issue, as well, because the street is not designed for that amount of traffic. We plan to ask the Planning and Zoning Board to consider two changes:

1. Drastically reduce the number of residences allowed in the subdivision, and
2. Allow entrance to and exit from the subdivision from Stolen Boulevard, but not from East Quarterhorse Lane.

If you agree with these concerns, please attend the Planning and Zoning Board meeting at 6:30 PM on Thursday, November 3, 2005, at the Camp Verde City Council Chambers. A large turnout of affected residents will be necessary for the Board to consider our requests.

A petition is attached. Please sign it and bring it to the P&Z Board meeting. (Have your family members and neighbors sign it, too, if they agree.)

If you cannot attend but want your petition submitted, call by Thursday afternoon:
Nancy Jenner 567-3740

We, the undersigned residents of East Quarterhorse Lane in Camp Verde, Arizona, respectfully request that the Planning and Zoning Board consider the following changes to the subdivision planned for the north side of East Quarterhorse Lane between Sunset Drive and Glenrose Drive:

- 1. Drastically reduce the number of residences allowed in the subdivision.**
- 2. Allow entrance to and exit from the subdivision from Stolen Boulevard, but not from Quarterhorse Lane.**

We believe that our quiet rural lifestyle will be adversely affected by the increased traffic produced by the subdivision. Owners of the 31 new residences can be expected to have 60 or 70 vehicles -- or more. If each vehicle makes only two round trips a day, that would be equivalent to 240 to 280 additional vehicles passing our property daily. One important reason we choose to live where we do is because it is calm and quiet. Please don't take that away!

Safety is also a concern. Because it is a slow-paced and narrow country lane, East Quarterhorse is not designed to handle a significantly larger number of vehicles than those that currently use it. Widening the street is not an option, as residents have previously voiced their preference to keep the rural character of the lane, and the city has respected that choice. Please mitigate the effect the subdivision will have on the future of our street by routing its traffic away from East Quarterhorse Lane.

<u>Date</u>	<u>Name</u>	<u>Address</u>	
11-03-05	Laci Coleman Pemberton	376 E Quarterhorse Ln.	Camp Verde, AZ
11-03-05	Kenny B. Pemberton	376 E QUARTERHORSE LN	Camp Verde, AZ
_____	_____	_____	Camp Verde, AZ
_____	_____	_____	Camp Verde, AZ

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<u>Date</u>	<u>Name</u>	<u>Address</u>
11/3/05	Marciall Cramer	476 E QUARTER HORSE Lane Camp Verde, AZ
11/3/05	Diana M. Cramer	476 E QUARTER HORSE Lane Camp Verde, AZ
11/3/05	Ellen F. Cramer	496 E Quarterhorse Ln Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ

We, the undersigned residents of East Quarterhorse Lane in Camp Verde, Arizona, respectfully request that the Planning and Zoning Board consider the following changes to the subdivision planned for the north side of East Quarterhorse Lane between Sunset Drive and Glenrose Drive:

- 1. Drastically reduce the number of residences allowed in the subdivision.**
- 2. Allow entrance to and exit from the subdivision from Stolen Boulevard, but not from Quarterhorse Lane.**

We believe that our quiet rural lifestyle will be adversely affected by the increased traffic produced by the subdivision. Owners of the 31 new residences can be expected to have 60 or 70 vehicles -- or more. If each vehicle makes only two round trips a day, that would be equivalent to 240 to 280 additional vehicles passing our property daily. One important reason we choose to live where we do is because it is calm and quiet. Please don't take that away!

Safety is also a concern. Because it is a slow-paced and narrow country lane, East Quarterhorse is not designed to handle a significantly larger number of vehicles than those that currently use it. Widening the street is not an option, as residents have previously voiced their preference to keep the rural character of the lane, and the city has respected that choice. Please mitigate the effect the subdivision will have on the future of our street by routing its traffic away from East Quarterhorse Lane.

<u>Date</u>	<u>Name</u>	<u>Address</u>
11/3/05	Thomas Hagdom	205 E. Quarterhorse Ln. Camp Verde, AZ
11/3/05	Juanita Hagdom	205 E. Quarterhorse Ln. Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ

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<u>Date</u>	<u>Name</u>	<u>Address</u>	
11-00-03	Howard E. Pat	487 Quarter	Camp Verde, AZ
	Johnston	House Ln.	Camp Verde, AZ
11-3-05	Robin Bruno	487 E. Quarterhorse	Camp Verde, AZ
		Ln	Camp Verde, AZ

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<u>Date</u>	<u>Name</u>	<u>Address</u>	
11/3/05	Darin A. Jenner	393 Qtr Lane	Camp Verde, AZ
November 3, 2005	Nancy Jenner	393 EAST QUARTERHORSE LANE	Camp Verde, AZ
_____	_____	_____	Camp Verde, AZ
_____	_____	_____	Camp Verde, AZ

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<u>Date</u>	<u>Name</u>	<u>Address</u>	
11/3/05	Penny Livingston	267 E. Quarterhorse	Camp Verde, AZ
11/03/05	Ben Livingston	267 E. Quarterhorse	Camp Verde, AZ
11/03/05	Megan Livingston	" "	Camp Verde, AZ
			Camp Verde, AZ

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<u>Date</u>	<u>Name</u>	<u>Address</u>
11/3/05	SUSAN FAVOUR	2910 E QUARTERHORSE LANE Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ
_____	_____	_____ Camp Verde, AZ

SUSAN FAVOUR

Staff Report

Council

Meeting of:

November 16, 2005

Title:

RESOLUTION 2005-667: A Resolution of the Common Council of the Town of Camp Verde, Arizona approving the preliminary plat 2005-10 for the purpose of developing River's View Estates subdivision within Simonton Ranch Master Planned Community on a portion of parcel 403-23-010Z consisting of 16.91 acres and 15 lots with a minimum size of one acre. This parcel is identified as 'Parcel 13' on the Simonton Ranch PAD.

Description Of Item:

This subdivision is another phase of Simonton Ranch. It is to be developed as large rural lots with a minimum size of one acre. It will be more rural in character with a trail system that will have access to the Verde River and forest service land. All the lots will meet the minimum width requirements as set in the design standards for the Simonton Pad for a PAD 3-5.

The property is located off of Finnie Flat Road and will be accessed by Cattle Trail Drive and Cowtown Road that will run through 'Homestead', another phase of Simonton Ranch that had its preliminary plat approved in October. The names of the roadways are still under review and staff will be working with the developer on making sure there are no duplicate names of disconnected streets.

When the rezoning for this development was approved there were exceptions granted on street width and sidewalks for each of the phases. The local street ROW (E) is to be 50' wide with two 10' PUE for utilities. The roadway is to have two 13' lanes with two 4' asphalt walkways on each side of the roadway. The ordinance, with its attachments, is included in the packet for reference. The owners in this development will have the ability to use the amenities provided by Haven Homes, Simonton and Homestead developers including the club house area.

This development will be served by Camp Verde Water Co. and Camp Verde Sanitary District. The representative for the sewer district indicated that work should be started on the expansion of the sewer line within six months. The developer is planning to start development as soon as all approvals are received. If the development proceeds at such a pace that homes are to be constructed before the sewer project is complete, the developer plans on putting in individual septic systems for a period of time until the sewer is operational.

Agency Review:

Fifteen agencies were sent the application for review and the following are the comments received.

Arizona Engineering: The Town Engineer, Arizona Engineering has done the preliminary review of the construction plans and the plat and staff has forwarded the comments to the project engineer. These comments will be addressed in the final plat submittal. These preliminary plans are available in the Community Development office for review during office hours.

Camp Verde Water Systems: Water for this project will be provided by CVWS. They are recommending approval of this development

Yavapai County Flood Control: The site is impacted by a FEMA regulated floodplain and a greater than 80 acre drainage basin that contributes runoff to Faulkner Wash that is regulated by the Flood Control District. This will impact Lots 3 through 7. Flood Control is requesting that on the final plat the minimum finished floor elevations and the Flood Control District standard notes for building in a floodplain be included. Also they are requiring the approximate floodplain be delineated on the final plat. The Phase II drainage study has addressed all required items; therefore the District approves its portion of the review process. Flood Control has no objection to this application.

Camp Verde Trails Committee: At their meeting held on October 11, 2005 the trails committee voted to recommend a non-motorized, multi-use pathway be developed in the county drainage that runs on the east side of the proposed subdivision, and that a connection path from the subdivision to the county drainage be constructed through Tract A; in addition, the streets in the subdivision have a marked walking path for pedestrian traffic. Also a pathway should be developed in the drainage easement that runs along the west side of the property known as the 404 wash, and a pedestrian path along the existing Woods Ditch, to connect the drainage easement on both sides of the property.

Town of Camp Verde Community Development Director: This is the third phase or development in the Simonton Ranch PAD and requests the 35 density (35,000 square feet) for 15 lots. The street serving this proposed subdivision is an extension of the roadway loop approved last month for the Homestead at Simonton Ranch subdivision. These proposed lots will be served by both the water and sewer systems (as available), but are large enough to meet requirements to have both a well and septic on site, though this is not the plan. The town's uniform specifications standards for the streets and sidewalks as well as the County flood control requirements are reviewed by both the Town Engineer and County staff for adherence to those regulations governing each of these technical design criteria. Any concerns brought out by these representatives as well as the irrigation district were reviewed in the pre-development meeting and addressed by the applicant's engineer.

Replies to the 300' Letters: forty seven (47) letters were sent out concerning the preliminary plat application for this project. Staff has received no written responses to the notification letter as of 10-27-05.

**Commission
Recommendation**

The Commission held a public hearing on November 3, 2005 and voted to recommend approval of preliminary plat 2005-10 for River's View Estates as submitted consisting of 16.91 acres and 15 lots.

Attachments:

Yes

Prepared by:

Nancy Buckel



RESOLUTION 2005-667

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA APPROVING THE PRELIMINARY PLAT 2005-10 FOR THE PURPOSE OF DEVELOPING RIVER'S VIEW ESTATES SUBDIVISION WITHIN SIMONTON RANCH MASTER PLANNED COMMUNITY ON A PORTION OF PARCEL 403-23-010Z CONSISTING OF APPROXIMATELY 16.91 ACRES AND 15 LOTS WITH THE MINIMUM LOT SIZE BEING ONE ACRE.

SITE LOCATION: OFF OF FINNIE FLAT ROAD BEHIND OUTPOST MALL ACCESSED BY A NEW ROADWAY.

The Common Council of the Town of Camp Verde hereby resolves as follows:

- I. The Common Council hereby finds as follows:
 - A. A request for approval of Preliminary Plat 2005-10 was filed by ALD Development Inc, owner for a portion of parcel 403-23-010Z.
 - B. The request was reviewed by the Planning and Zoning Commission on November 3, 2005 and by the Common Council on November 16, 2005 in public hearings that were advertised and posted according to state law.
 - C. The purpose of the preliminary plat is to develop River's View Estates @ Simonton Ranch residential subdivision with 15 lots.
 - D. The proposed use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

The Common Council of the Town of Camp Verde hereby approves PP 2005-10 for the purpose of developing River's View Estates @ Simonton Ranch Subdivision with 15 lots on a portion of parcel 403-23-010Z with the following exceptions:

1. The local road ROW will be 50' in width with two 13' travel lanes and two 4' asphalt walkways on each side of the roadway with 10' PUE on either side of the roadway.

NOTE:

Pursuant to approved PAD for Simonton Ranch, the setbacks are to be 25' in front, 25' in the rear and 5' on the sides. The lot coverage is to be 30% for the lots.

**PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 16, 2005.**

Tony Gioia, Mayor

Date: _____

Attest: _____
Deborah Barber, Town Clerk

APPROVED AS TO FORM:

Town Attorney

A.L.D. Development

PROPERTY DEVELOPMENT
340 W. ANGUS DRIVE
CAMP VERDE, AZ 86322

GENERAL LIC. # ROC183443
FAX # 928-554-0450
MOBILE # 602-818-6685

9/2/05

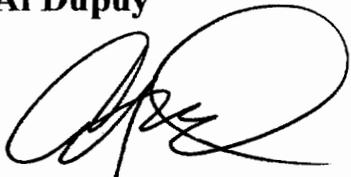
To: Nancy Buckel (Senior Town Planner)
Re; Preliminary Plat for River's Bend Acres

Dear Nancy,

It is my intention to develop a subdivision consisting of fifteen (15) one acre lots with full utilities. After completion the plan is to sell the individual custom lots to home builders. This subdivision will have access to the Verde River and also to forest service land by way of a trail system adjacent to the subdivision. It is also my intention to participate in the proposed clubhouse with Haven Homes and Chartwell Homes.

Sincerely,

Al Dupuy



CASE NO. 2005-38

PROJECT NO. PP05-10

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
P.O. BOX 710 • 473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401

09-02-05P01:46 RCVD

SUBDIVISION PLAT APPLICATION

REQUEST:		APPLICATION DATE <u>9-2-05</u>
PRELIMINARY PLAT <u>X</u>		ASSESSOR'S PARCEL NO. <u>Portion of 403-23-010Z</u>
FINAL PLAT _____		PRESENT ZONING <u>PAD 3-5 RIL</u>
CONCEPTUAL PLAN _____		TAKEN BY <u>YB</u>
AMENDED PLAT _____		FEES <u>550</u>
RESUBDIVISION _____		HEARING DATE _____
REVERSION TO ACREAGE _____		
SUBDIVISION NAME _____		
TRACT _____		

OWNER/DEVELOPER A.L.D. DEVELOPMENT, INC. PHONE 928-554-0449 FAX 928-554-0450
 ADDRESS 340 W. ANGUS DR. CITY CAMP VERDE STATE AZ ZIP 86322
 CONTACT PERSON AL DUPUY

 ENGINEER HOSKIN-RYAN CONSULTANTS PHONE 602-252-8384 FAX 602-252-8385
 ADDRESS 3003 N. CENTRAL #1500 CITY PHOENIX STATE AZ ZIP 85012
 CONTACT PERSON RYAN RAAB

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY	<u>16.91</u>	<u>15</u>	<u>35,000 sq ft</u>	<u>145'</u>	
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL					
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) 1 DWELLING PER ACRE LINEAR FT OF STREETS 1,340

APPLICATION OF EXCEPTION

Note: Subdivision Regulations III.L.10. (Any waiver or variance from approved construction standards or these regulations such as zoning, roads, flood control, etc. shall be in the form of an application of exception specifying each requested waiver or variance and associated justification.)

ASSESSOR'S PARCEL NO. 404-19-152B PRESENT ZONING PAD 3-5
SUBDIVISION RIVER'S BEND ACRES EXISTING USE OF PROPERTY VACANT LAND
ADDRESS OF PROPERTY NORTH OF FINNIE FLATS ROAD FN SIMONTON RANCH

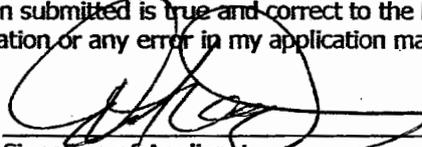
REQUESTED WAIVER OR VARIANCE:

FROM SEC. 108 TABLE 4 - UPON FINAL APPROVAL OF THE
FINAL PLAN FOR RIVER'S BEND ACRES SUBDIVISION WE WILL
REQUEST DOWNZONING THE PROPERTY TO R1L-35. AS A PART
OF THIS ZONING REQUEST WE WILL NEED A VARIANCE
THAT WILL ALLOW THE MINIMUM LOT WIDTH/DEPTH
OF 145 FEET TO BE CHANGED TO 100 FEET

JUSTIFICATION

THIS PROPERTY IS LIMITED BY THE IRREGULAR
SHAPE OF THE PARCEL AND THE CIRCULATION OF
THE ROADWAY. THE INTENT IS TO DEVELOP A
RURAL SETTING THROUGHOUT THE SUBDIVISION
AND IN ADDITION, ALL THE LOTS WILL BE A
MINIMUM OF 35,000 SQUARE FEET EACH.

I hereby file the above request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for delay in it's normal scheduling.


Signature of Applicant

10-18-05
Date

Town of Camp Verde
Post Office Box 710
Camp Verde, AZ 86322
(520) 567-6631

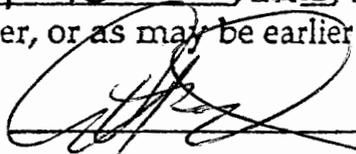
**Special Power of Attorney
Authorization for Permit Application**

Parcel Number: A PORTION OF 403-23-010Z Date: 9-2-05
Owner: A. L. D. DEVELOPMENT, INC.
Address: 340 W. ANGUS DR. CAMP VERDE, AZ 86322
Phone: (928) 554-0449

WHEREAS, the above property owner is seeking to develop or improve real property within the municipal limits of the Town of Camp Verde, Yavapai County, Arizona, which will require the filing, processing, and payment of certain zoning, construction and inspection permits and reports, both from the Town and related agencies, and

WHEREAS, the owner elects to designate an agent with authority to file and process all necessary permits and information related to property zoning and improvement, including the authority to pay fees and consent to inspections,

NOW THEREFORE, the undersigned owner hereby designates AL DUPUY, as agent to file the permit applications and related documents with the Town of Camp Verde, with such authority to continue to 9-2, 2006, or the application process is complete, whichever is later, or as may be earlier revoked in writing.

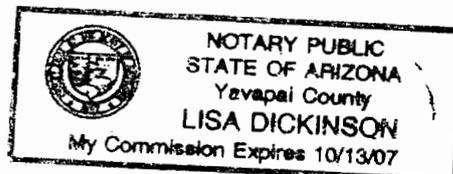

_____, Owner(s)

State of Arizona
County of Yavapai, ss.

The foregoing special power of attorney for construction and zoning permit application was acknowledged before me this 2 day of September, 2005, by Albert Dupuy, who is/are personally known by me or have produced identification.


_____, Notary Public

My Commission Expires: 10-13-07



**TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT**

PERMISSION TO ENTER PROPERTY

HEARING APPLICATION: PP05-10 PARCEL NO.: 403-23-010Z A PORTION OF
DATE: 9-2-05 LEGAL DESCRIPTION: MEETS AND BOUNDS
NAME: AL DUPUY FOR A.L.D. DEVELOPMENT, INC.
ADDRESS: 340 W. ANGUS DR. CAMP VERDE, AZ 86322

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties as stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of the Town of Camp Verde Planning and Zoning Ordinance. Such investigation may be made to determine whether or not any portion of such property, building or other structure is being placed, erected maintained, constructed or used in violation of the Town of Camp Verde Planning and Zoning Ordinance. Such entry shall be within 60 days of the date of my signature (below) or within 60 days of the scheduled date of a public hearing for review, transfer, or renewal of the application. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

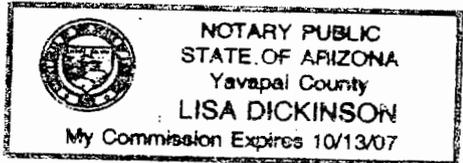
[Signature] _____ 9-2-05
Applicant's Signature Date

Agent for: A.L.D. INC.

County of YAVAPAI
State of ARIZONA
Town of CAMP VERDE

On this 2 day of September, 2005 before me, the undersigned Notary Public, personally appeared Albert Dupuy Who executed the foregoing instrument for the purpose therein contained.

In witness whereof, I hereby set my hand and official seal.



[Signature]
Notary Public
10-13-07
Date Commission Expires

DIRECTIONS TO PROPERTY

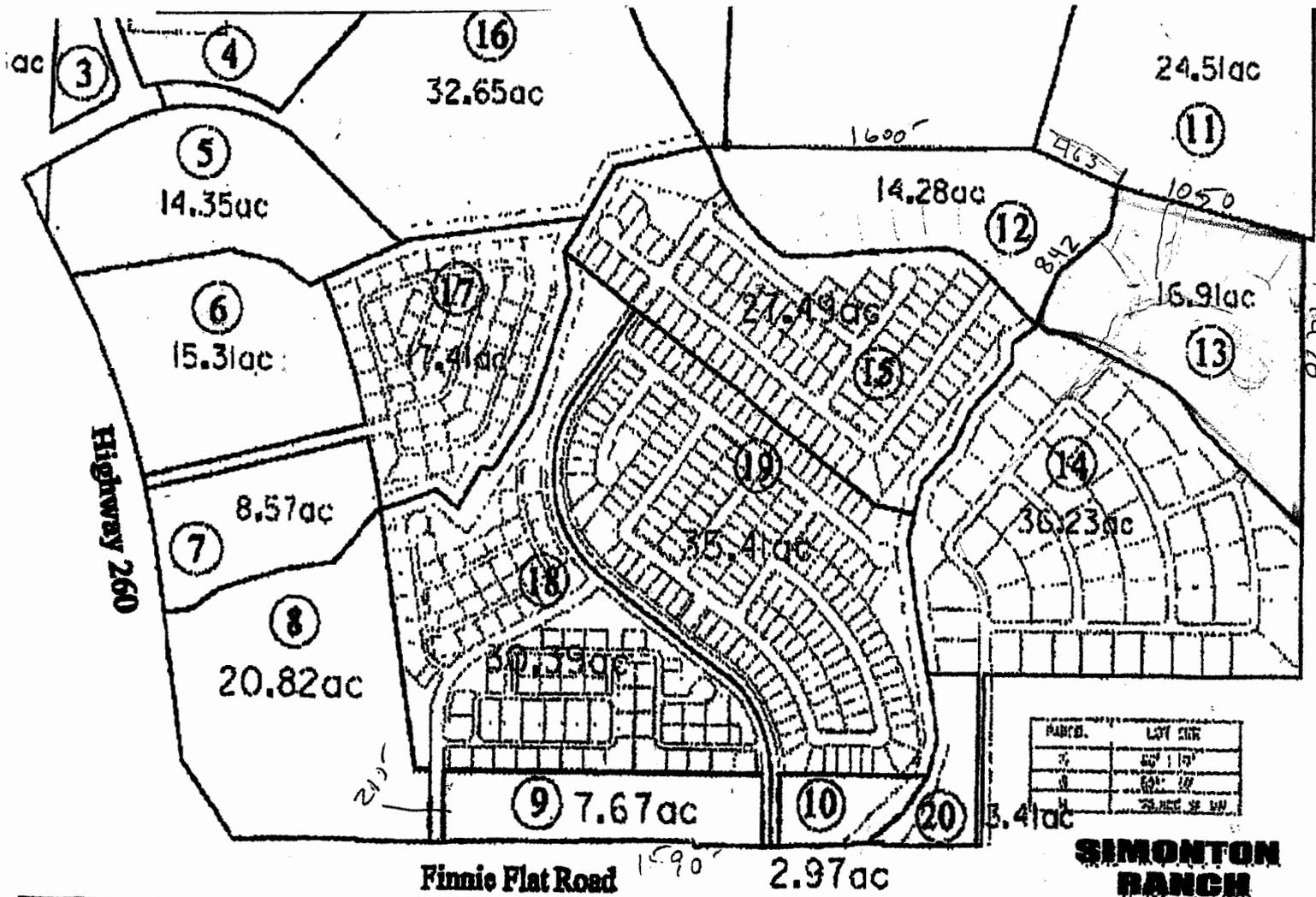
ASSESSOR'S PARCEL NUMBER: A PORTION OF 403-23-010Z

APPLICANT'S NAME: A.L.D. DEVELOPMENT, INC. (AL DUPUY)

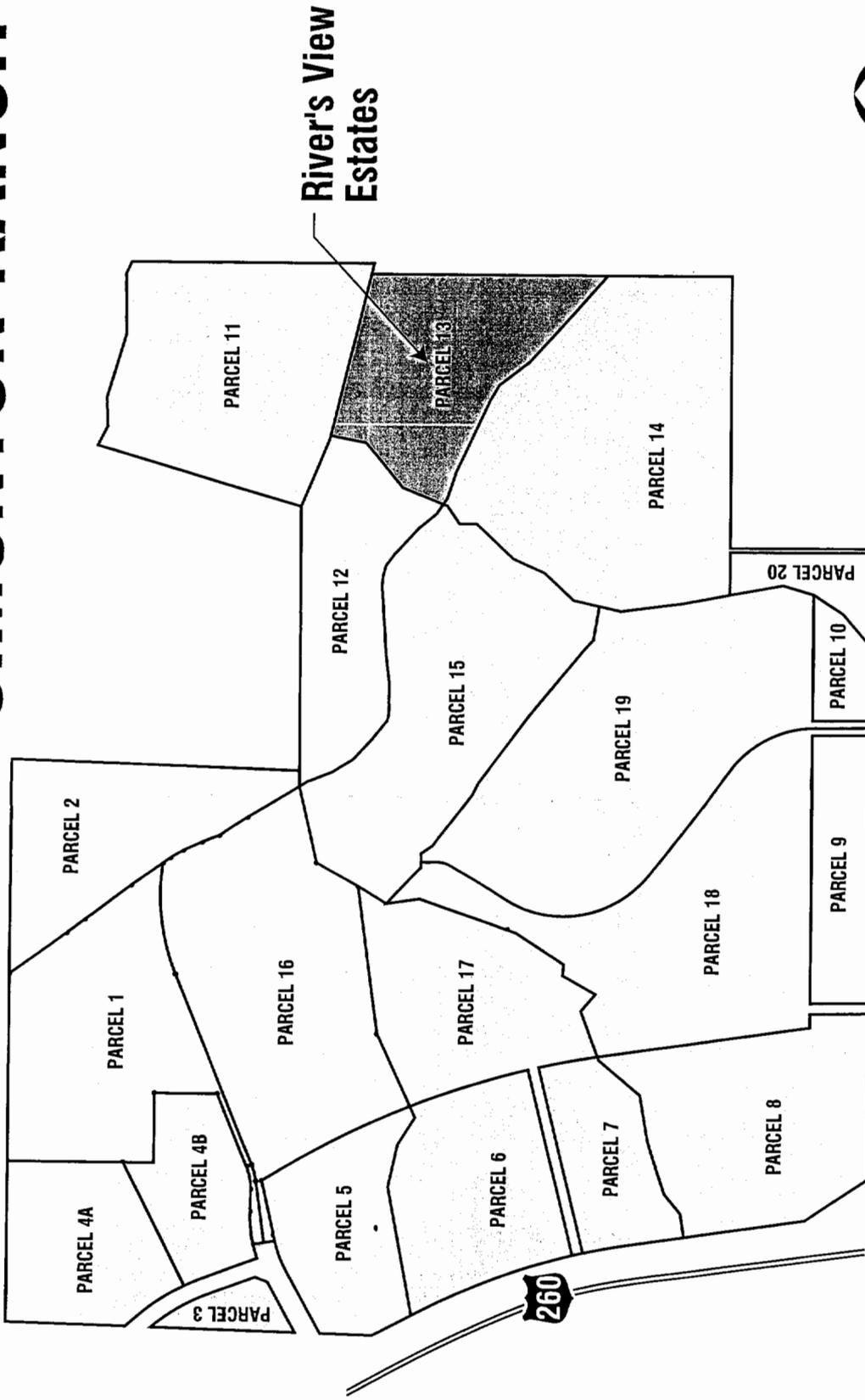
PROPERTY ADDRESS: N/A

DIRECTIONS TO PROPERTY: PROPERTY IS VACANT LAND
LOCATED IN CAMP VERDE, AZ. IT IS A PART
OF SIMONTON RANCH LOCATED EAST OF
HIGHWAY 260 AND NORTH OF FINNIE
FLAT ROAD.

PLEASE SEE ATTACHED MAP



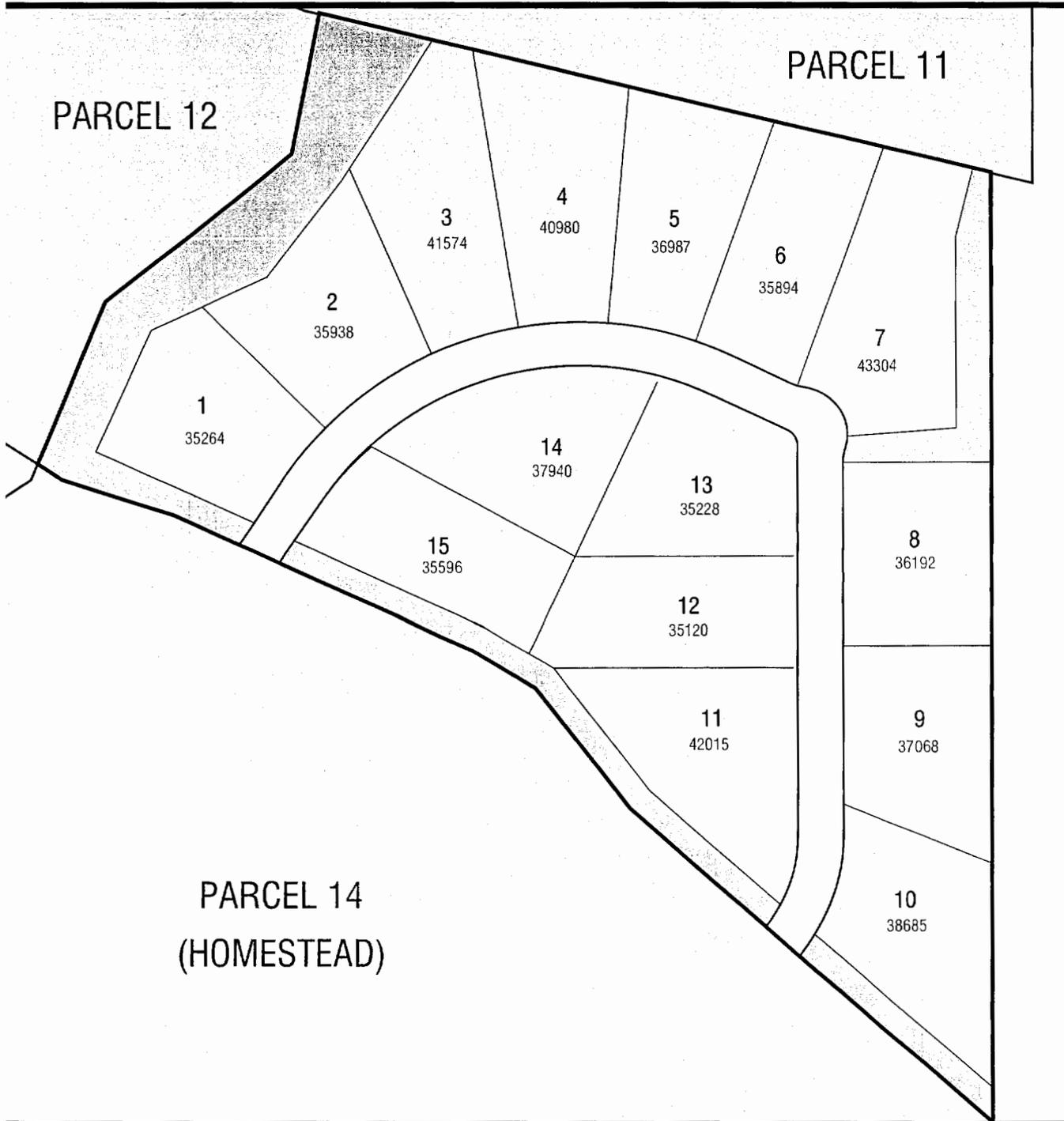
SIMONTON RANCH



NOT TO SCALE

RIVER'S VIEW ESTATES

AT SIMONTON RANCH



Hoskin-Ryan Consultants, Inc.
creative engineering solutions

Land Planning | Hydrology | Land Development | Civil Infrastructure | Surveying | Construction Services | Graphic Services

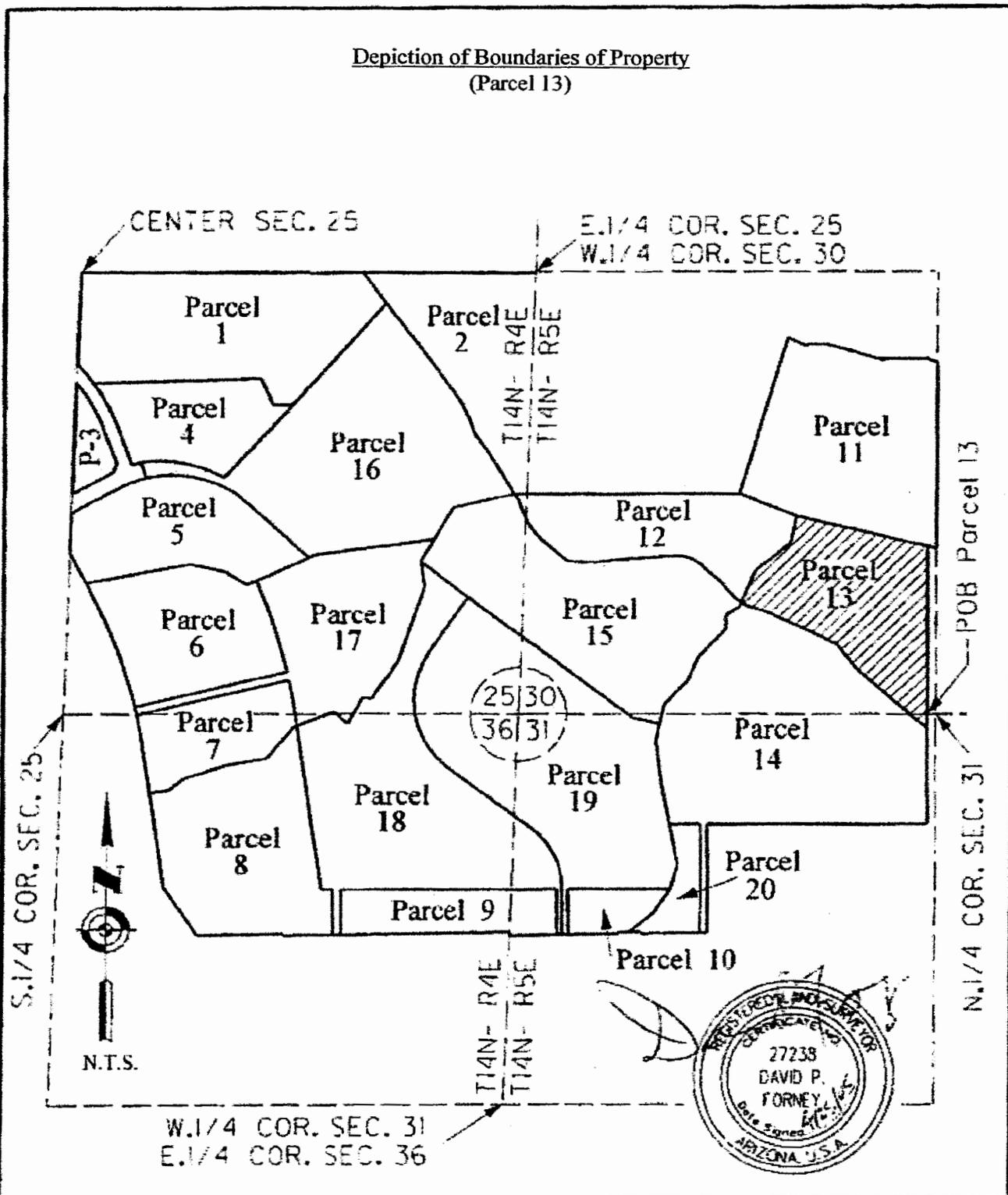


50 SCALE



EXHIBIT D

**Depiction of Boundaries of Property
(Parcel 13)**



 **Hoskin-Ryan Consultants Inc.**
creative engineering solutions
3005 N. Central Avenue, Suite 1100 Phoenix, Arizona 85012-2992
Office: (602) 252-8564 Fax: (602) 252-8566 www.hoskin.com

**HOMESTEAD PARCEL 13
EXHIBIT TO ACCOMPANY
LEGAL DESCRIPTION**



EXHIBIT C
Legal Description of Property

4/25/2005

Legal Description
Homestead Camp Verde
Parcel 13

That Part of the Southwest Quarter of Section 30, Northwest Quarter of Section 31, Township 14 North, Range 5 East, of the Gila and Salt River Meridian, Yavapai County, Arizona, more particularly described as follows:

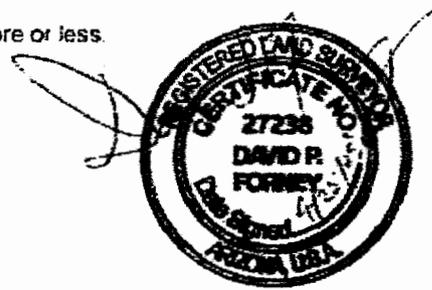
Commencing at the North Quarter Corner of said Section 31 from which the Northwest Corner of said Section 31 bears South 89 degrees 59 minutes 25 seconds West, a distance of 2428.11 feet;

Thence South 89 degrees 59 minutes 27 seconds West, a distance of 50.00 feet to the POINT OF BEGINNING.

Thence South 00 degrees 14 minutes 06 seconds East, a distance of 87.73 feet;
Thence North 48 degrees 26 minutes 32 seconds West, a distance of 546.20 feet;
Thence North 37 degrees 30 minutes 47 seconds West, a distance of 174.46 feet;
Thence North 58 degrees 52 minutes 51 seconds West, a distance of 83.47 feet;
Thence North 65 degrees 08 minutes 42 seconds West, a distance of 370.02 feet;
Thence North 72 degrees 01 minutes 09 seconds West, a distance of 129.49 feet;
Thence North 56 degrees 46 minutes 08 seconds West, a distance of 33.21 feet;
Thence North 22 degrees 19 minutes 02 seconds East, a distance of 202.14 feet;
Thence North 51 degrees 12 minutes 28 seconds East, a distance of 182.00 feet;
Thence North 49 degrees 47 minutes 27 seconds East, a distance of 86.14 feet;
Thence North 10 degrees 57 minutes 35 seconds East, a distance of 164.07 feet;
Thence South 76 degrees 26 minutes 09 seconds East, a distance of 777.31 feet;

Thence South 00 degrees 05 minutes 13 seconds East, a distance of 1005.23 feet to the POINT OF BEGINNING

The above described parcel contains 16.907 acres, more or less.





ORDINANCE 2005 A313

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, CHANGING THE ZONING FROM R1L TO COMMERCIAL FOR 39 ACRES AND AMENDING THE PAD DATED JANUARY 2003 FOR HOMESTEAD AS SHOWN IN EXHIBIT 'A' FOR FIVE (5) PARCELS 404-23-008V, 403-23-008Z, 403-23-010K, 403-23-010Z, AND 404-19-152L CONSISTING OF APPROXIMATELY 377.1 ACRES TO ALLOW THE FOLLOWING CHANGES AS SHOWN ON EXHIBIT 'B':

1. RELOCATION OF THE EDUCATIONAL SITE WITH THE UNDERSTANDING THAT THE SCHOOL DISTRICT WILL HAVE THE MAXIMUM TIME ALLOWED BY LAW TO EXERCISE THEIR OPTION ON THE SITE.
2. REDESIGN OF THE STREET SYSTEM INCLUDING SOME EXCEPTIONS TO THE STREET STANDARDS AS SHOWN IN EXHIBIT 'C'.
3. EXCEPTIONS TO THE DESIGN STANDARDS AS SHOWN IN EXHIBIT 'D'.
4. CHANGE OF NAME OF DEVELOPMENT TO SIMONTON RANCH.

THIS PROJECT IS LOCATED ALONG STATE ROUTE 260 AND FINNIE FLAT ROAD BETWEEN I-17 AND CLIFFS PARKWAY.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987 and,

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning boundaries or zoning text regulations of the Planning and Zoning Ordinance by the Town Council and,

NOW, THEREFORE, BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE:

Section 1:

I The Town Council hereby finds as follows:

- A. A request for AMENDMENT TO A PAD 2005-01 and ZONING MAP CHANGE 2005-16 for 39 acres was filed by Scott Simonton – Camp Verde Homestead, LLC and Verde River Properties, LLC for the purpose

- K. The developer will transfer any unused well or surface water rights to the Town during the platting process.
-

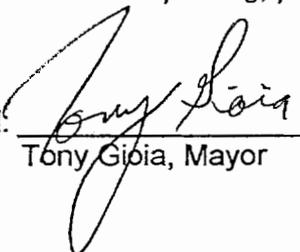
Section 2. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. This ordinance is effective upon completion of publication and any posting as required by law.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance 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.

PASSED AND ADOPTED by a majority vote of the Town Council in an open meeting by the Town Council, Town of Camp Verde, Arizona, on the 27th day of July 2005, to be effective when publication and posting, pursuant to ARS 9-813, is completed.

Approved: _____


Tony Gioia, Mayor

Date: _____

8-4-05

Attest: _____


Deborah Barber, Town Clerk

Approved as to form:


Town Attorney



JIMMONTON RANCH (formerly The Homestead at Camp Verde)
 and Use Plan Amended 7-27-05

Exhibit B

Use	Acres
Commercial	87.4
Multi-family	7.0
Residential	187.3
Educational Site	10.0
Open Space	85.4
TOTAL	377.1

Maximum Units
 Maximum Multi-family Units 300
 Maximum Residential Units 800

Maximum Density
 Multi-family density may range up to 18 units per acre.

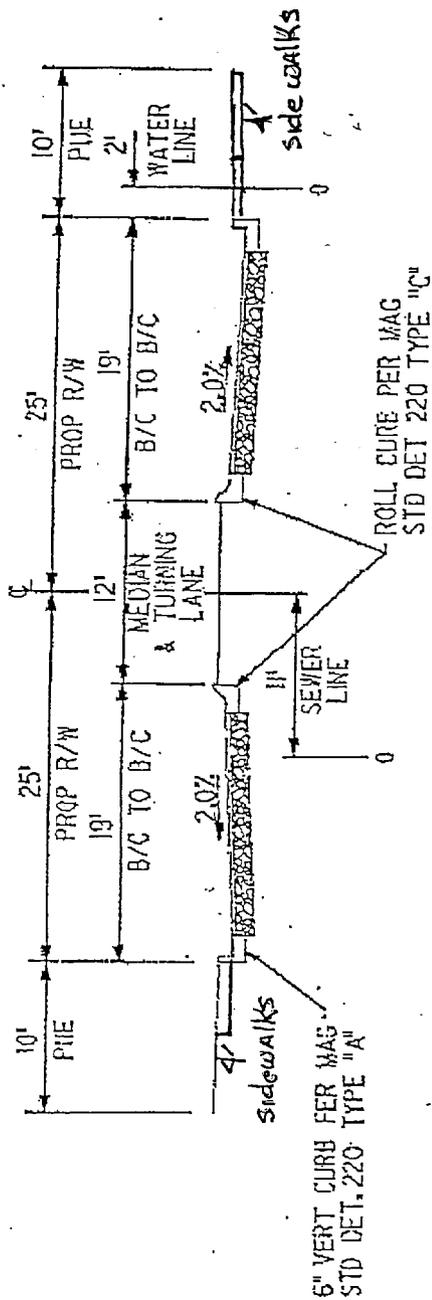
Residential densities may range from PAD-1 to PAD-12.

Notes

- ① Due to the conceptual nature of this Land Use Diagram, all calculations and area takeoffs are approximate and may change prior to final Town approval.
- ② Final design sizes, classifications, and locations may change prior to the filing of the preliminary plat and acceptance by the Town.
- ③ The actual amount of open space may decrease upon closer investigation of site conditions and constraints.

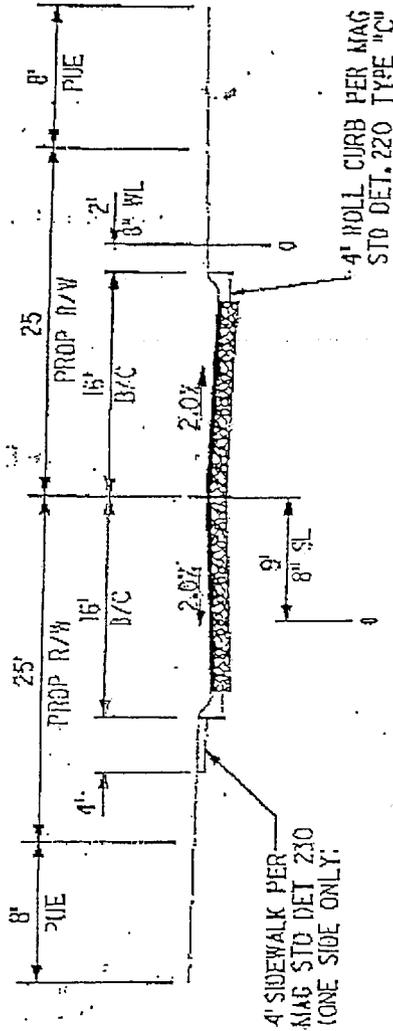
 **Camp Verde Homestead, LLC**
 Verde River Properties, LLC
 7116 E. Laguna Azul Avenue
 Mesa, Arizona 85209
 480-218-7575

2005A 3/3



SECTION "A"
LOCAL RESIDENTIAL STREET WITH MEDIAN

(FOR SINGLE ACCESS TO PARCEL 17 & ADDITIONAL ACCESS TO PARCELS 6 & 7.
 SEE PLAN VIEW DETAIL FOR TURNING LANES)



SECTION "B"
LOCAL RESIDENTIAL STREET

(FOR INTERIOR STREETS WITH SIDEWALK ONE SIDE ONLY
 & 10' PUE ALONG SECONDARY ENTRANCE ROAD)

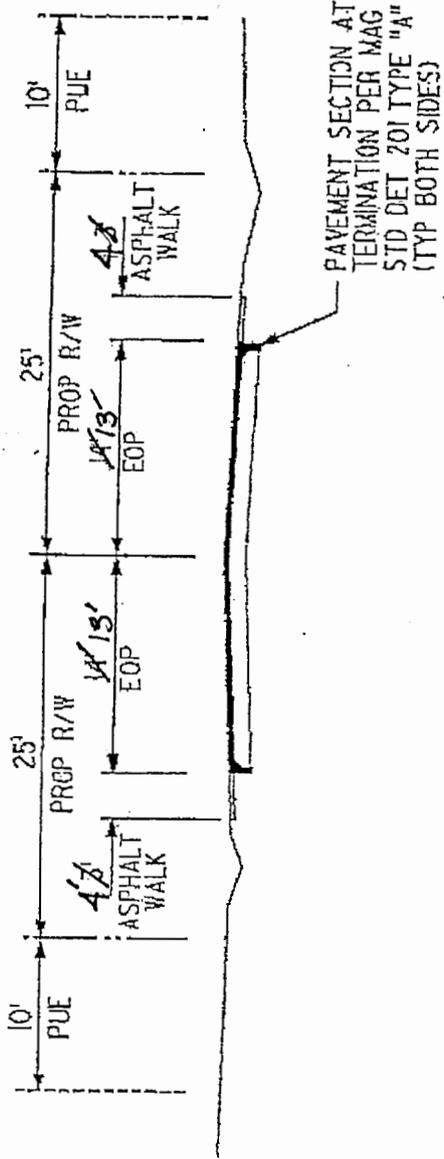
~~EXHIBIT~~

C-2

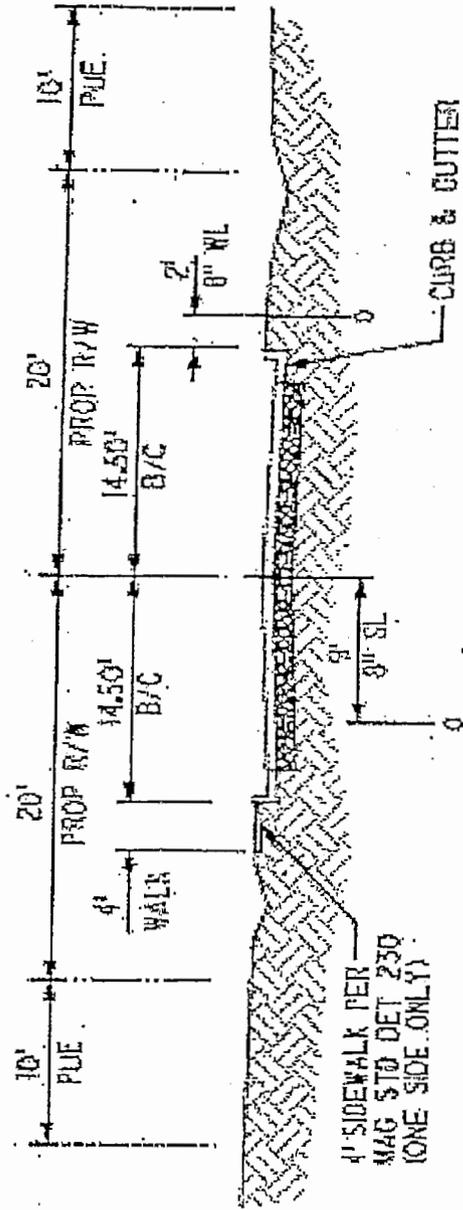
01 05A313

EXHIBIT C-4

Dated 7-7-05



SECTION "E"
LOCAL STREET
 (FOR PARCELS 12, 13, & 14)



SECTION "F"
LOCAL STREET

STAFF REPORT

Council meeting of: **November 16, 2005**

Title: **Discussion, consideration, and possible direction to staff to hire Indstone Appraisal Service, LLC in the amount not to exceed \$1,150.00 for appraisals of parcel numbers 404-19-166, 404-19-018A and 018C for the Black Bridge River Front Park approved under the 2005 SLIF Grant Application.**

Budgeted item: Yes

Description of Item: Appraiser's Joseph Bock and Dan Swan have declined to provide services at this time due to prior obligations.

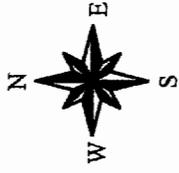
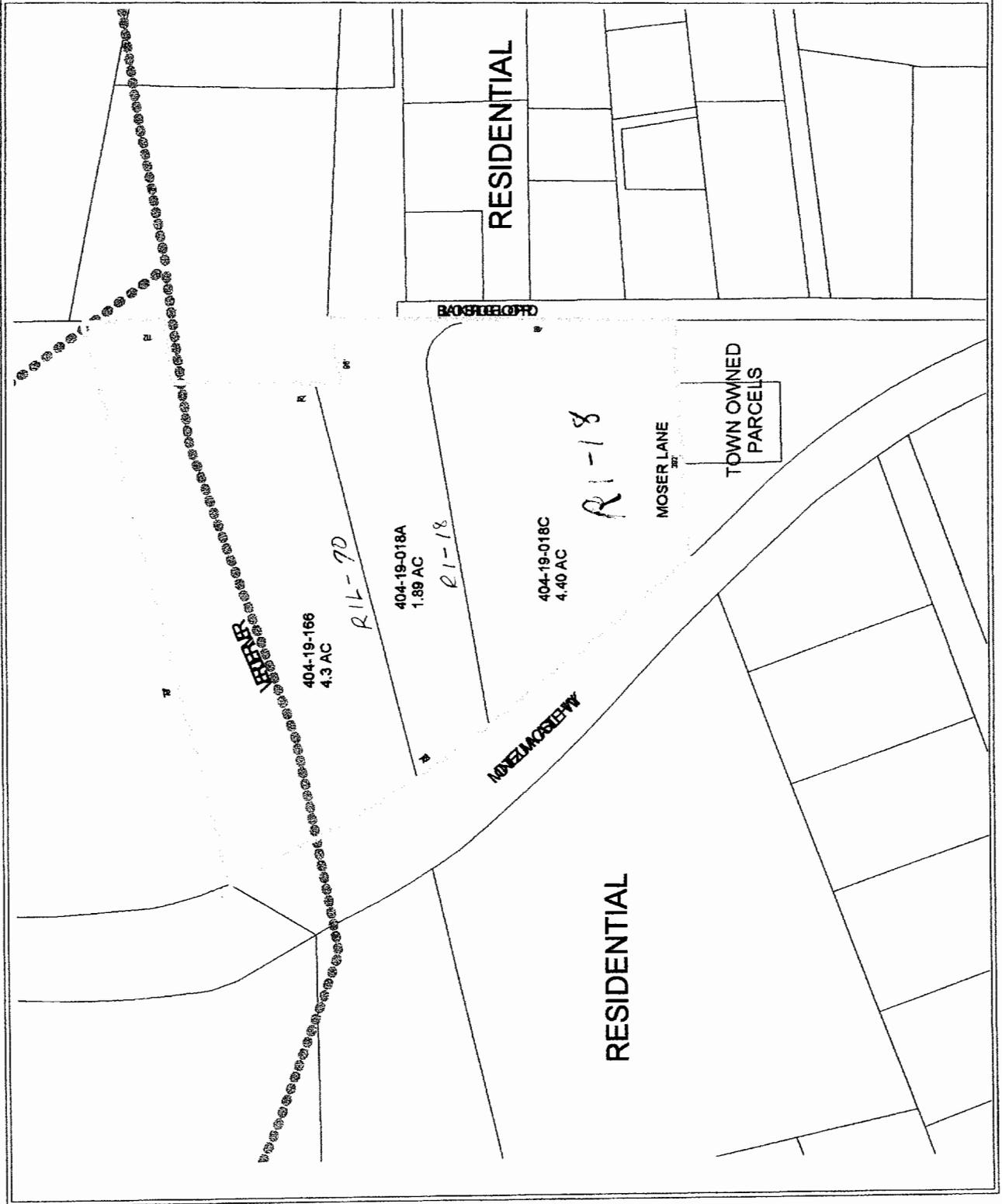
Staff Recommendation: Recommend approval

Comments: None

Attachments: None

Prepared by: Bill Lee

BLACKBRIDGE RIVERSIDE PARK ACQUISITION MAP



PROPOSED
PARK BOUNDARY
VERDE RIVER
PARCELS AS OF 11-04

Zoning



WINDSTONE APPRAISAL SERVICE

APPRAISAL ORDER FORM

Client: _____

Address: _____

City: _____ State: _____ Zip: _____

Phone: _____

Fax: _____

Date: _____

Requested Competition Date: _____

Ordered By: _____

APPRAISAL TYPE

____ Single Family ____ Condo ____ 2-4 Family ____ Drive By ____ Other: _____

Fee to be paid by: ____ Invoice Client Acct. # _____
____ COD

SUBJECT PROPERTY

Borrower: _____

Address: _____

Legal Descr/ Parcel #: _____

City: _____

Zip: _____

Contact for Access: _____

Work Phone: _____

Home Phone: _____

Estimated Value/Sales Price: _____

Loan Amount: _____

Special instructions: _____

**Completed order forms may be faxed to 1-877-214-7973
Or emailed to orders@windstoneappraisal.com**

STAFF REPORT

Council Meeting of: **November 16, 2005**

Title: **Discussion, consideration and possible approval of the attached Public Works Project Manager and/or Engineer's job description and direction to staff to advertise for one or the other position.**

Description of Item: In consideration of the our anticipated growth and development and the possibility of the Town acquiring some utilities we will need to have a Public Works Director or Engineer on staff.

Comments: I believe it will be necessary to have this position filled by January 2006. Included in the packet are local municipal government job descriptions, one each, for a Public Works Director and an Engineer.

Staff Recommendation: We have funds already set up for this position to start in January.

Attachments: x Yes No

Is This a Budgeted Item: N/A x YES NO

Prepared by: Bill Lee

Town of Camp Verde
Job Description

Position: **TOWN ENGINEER**

EXEMPT:	<u>NO</u>	HIRING SALARY RANGE:	<u> </u>
DEPARTMENT:	<u>PUBLIC WORKS</u>	LOCATION:	<u>PUBLIC WORKS</u>
REPORTS TO:	<u>TOWN MANAGER</u>		
PREPARED BY:	<u> </u>	DATE:	<u> </u>
APPROVED BY HR DIR:	<u> </u>	DATE:	<u> </u>

SUMMARY OF JOB DESCRIPTION: Under general supervision of the Town Manager, performs a wide variety of technical and professional engineering work, directs all activities of the Public Works Department including the inspection, preparation and review of plans and contracts for various construction and development projects. Provides professional and technical assistance to the Town Council and other Town departments and committees. Responsible for performing and supervising field surveys, design and specification preparation.

ESSENTIAL DUTIES AND REPSONSIBILITIES: Duties include, but not limited to the following:

- Administers public works projects and directs public works planning.
- Prepares a departmental budget and controls expenditures.
- Gives technical engineering advice to the Town Council, Department Heads and Town Manager.
- Confers with and advises inspectors of construction projects and interprets construction plans and specifications.
- Assists the Community Development Department with the review and Inspection of development plans for drainage, streets, water and other public improvements to assure compliance with applicable ordinances and sound engineering practices.
- Confers with representatives of Federal, State and County agencies on varied public works problems and engineering activities. Prepares memoranda and correspondence relevant to activities of the department.

MANAGERIAL RESPONSIBILITIES (IF APPLICABLE): May exercise direct supervision over supervisory, professional and clerical staff.

REQUIRED SKILLS, KNOWLEDGES and ABILITIES:

Knowledge of:

- The principles, methods and practices of civil engineering.
- Codes, regulations, ordinances and laws affecting Town public works activities.
- Modern principles and practices of administration as applied to the design, construction and maintenance of streets, parks and other public works facilities.

JOB DESCRIPTION
Job Title: Town Engineer

Ability to:

- Develop long-term plans and programs and to make decisions/recommendations on matters of major policy involving public works.
- To establish and maintain satisfactory relationships with Town officials, employees and the general public.

Additional Requirements: Valid Arizona Drivers License and ability to drive.

EDUCATION and/or EXPERIENCE: Extensive administrative and professional engineering experience with varied municipal public works programs. Graduation from a four-year college or university with a degree in civil engineering and be registered in the State of Arizona as a professional engineer. Minimum 3 years experience, prefer one year with government agency.

TOOLS AND EQUIPMENT USED: Requires frequent use of a personal computer, calculator, telephone, copy machine, fax machine and other equipment.

PHYSICAL DEMANDS: Essential and other important responsibilities and duties may require maintaining physical condition necessary for sitting or standing for prolonged periods of time; operating assigned vehicle or equipment; general manual dexterity and ability to lift 40 lbs.

WORK ENVIRONMENT: Field and office

MANAGERIAL RESPONSIBILITIES (IF APPLICABLE): May exercise direct supervision over supervisory, professional and clerical staff.

REQUIRED SKILLS, KNOWLEDGES AND ABILITIES:

Knowledge of:

- The principles, methods and practices of project management and capital improvement construction, budgeting and planning.
- Codes, regulations, ordinances and laws affecting Town public works activities.
- The modern principles and practices of administration as applied to the design, construction and maintenance of streets, parks and other public works facilities.

Ability to:

- Develop long-term plans and programs and to make decisions/recommendations on matters of major policy involving public works.
- Establish and maintain effective working relationships with Town officials, employees and the general public.
- Express ideas on technical subjects clearly and concisely by both oral and written communication.

Additional Requirements: Valid Arizona Drivers License and ability to drive.

EDUCATION AND/OR EXPERIENCE: Extensive administrative and professional experience with varied municipal public works programs. Graduation from a four-year college or university with a degree in civil engineering, construction management, public administration or a closely related field. 3 years experience in project management with at least one year with government agency.

TOOLS AND EQUIPMENT USED: Requires frequent use of a personal computer, calculator, telephone, copy machine, fax machine and other equipment.

PHYSICAL DEMANDS: Essential and other important responsibilities and duties may require maintaining physical condition necessary for sitting or standing for prolonged periods of time; operating assigned vehicle or equipment; general manual dexterity and ability to lift 40 lbs.

WORK ENVIRONMENT: Field and office.



Range: M -6
Exempt
Date: May 9, 2002

CITY ENGINEER

*Class specifications are intended to present a descriptive list of the range of duties performed by employees in the class. Specifications are **not** intended to reflect all duties performed within the job.*

DEFINITION

To plan, direct, manage, supervise and coordinate the programs and activities of the Public Works Department including engineering, construction, repair, and maintenance; to coordinate assigned activities with other City departments and outside agencies; and to provide highly responsible and complex administrative support to the Assistant City Manager.

SUPERVISION RECEIVED AND EXERCISED

Receives general administrative direction from the Assistant City Manager.

Exercises direct supervision over supervisory, professional, technical and clerical staff.

ESSENTIAL AND MARGINAL FUNCTION STATEMENTS--*Essential and other important responsibilities and duties may include, but are not limited to, the following:*

Essential Functions:

1. Assume full management responsibility for services and activities of the Public Works Department including engineering, surveying, streets, drainage, traffic, development review, wastewater engineering, and right of way permitting services and activities; recommend and administer policies and procedures.
2. Manage the development and implementation of goals, objectives, policies and procedures related to the Engineering Department; recommend, within departmental policy, appropriate service and staffing levels; recommend and administer policies and procedures.
3. Monitor and evaluate the efficiency and effectiveness of service delivery methods and procedures; assess and monitor work load, administrative and support systems, and internal

reporting

Essential Functions (continued):

relationships; identify opportunities for improvement; direct the implementation of changes.

4. Represent the Engineering Department to other City departments, elected officials and outside agencies; explain, justify and defend Engineering Department programs, policies, and activities; negotiate and resolve sensitive, significant and controversial issues.
5. Select, train, motivate and evaluate Engineering Department personnel; provide or coordinate staff training; work with employees to correct deficiencies; implement discipline and termination procedures.
6. Plan, direct and coordinate the Engineering Departments work plan; meet with management staff to identify and resolve problems; assign projects and programmatic areas of responsibility; review and evaluate work methods and procedures.
7. Manage and participate in the development and administration of the Engineering Department budget; direct the forecast of additional funds needed for staffing, equipment, materials, and supplies; direct the monitoring of and approve expenditures; direct the preparation of and implement budgetary adjustments as necessary.
8. Coordinate Engineering Department activities with those of other departments and outside agencies and organizations; provide staff assistance to the Assistant City Manager, City Manager and City Council; prepare and present staff reports and other necessary correspondence.
9. Administer and direct Capital Improvement Program studies; oversee engineering contracts for design, inspection contract administration, construction and testing.
10. Determine scope of potential engineering projects; prepare requests for proposals and contracts for contracting service; review proposals and agreements for consultant services; oversee and supervise the development of project plans; review and approve specifications, plans and estimates.
11. Review parcel maps and subdivision maps; approve maps for recording.
12. Oversee the City Maintenance Program including street and general maintenance contracts; plan and schedule maintenance activities for assignment to appropriate City staff and contractors; evaluate effectiveness of contract maintenance activities.
13. May oversee the development of the wastewater collection, treatment and disposal system.
14. Supervise and investigate traffic control deficiencies involving signage, striping, signalization and other traffic control devices; supervise/design traffic improvement projects.
15. Respond to and resolve difficult and sensitive citizen inquiries and complaints.
16. Ensure necessary training and other technical support for building an environment that encourages teams and continuous improvement.

**CITY OF SEDONA
City Engineer**

Essential Functions (continued):

17. Participate and implement the City strategies plan as it relates to Public Works.
18. Be sensitive to the needs of the community and be innovative in addressing the needs and concerns of the citizens of Sedona.

Marginal Functions:

1. Attend and participate in professional group meetings; stay abreast of new trends and innovations in the field of engineering.
2. Perform related duties and responsibilities as required.

QUALIFICATIONS

Knowledge of:

Operational characteristics, services and activities of a comprehensive engineering and maintenance program.

Organizational and management practices as applied to the analysis and evaluation of public works engineering and maintenance programs.

Modern and complex principles and practices of public works engineering and maintenance program development and administration.

Advances principles and practices of municipal budget preparation and administration.

Principles of supervision, training and performance evaluation.

Pertinent Federal, State, and local laws, codes and regulations.

Civil engineering and project administration theory, principles and practices and their application to a wide variety of services including planning, design, inspection, testing and construction.

Methods, materials, equipment, procedures, and practices utilized in the construction, repair, and operation of public works facilities, systems, projects and functions.

Recent developments, current literature and sources of information regarding engineering as applied to municipal public works.

Modern office procedures, methods and computer equipment.

Pertinent Federal, State and local laws, codes and regulations.

Ability to:

Provide customer service oriented thinking to Public Works staff.

Work in organized team efforts and assist in problem solving work related issues for continuous improvement in work efforts.

Encourage and facilitate environment for building team efforts and problem solving of work related issues by employees.

CITY OF SEDONA

City Engineer

Ensure necessary training and other technical support for building an environment that encourages teams and continuous improvement.

Plan, organize, direct and coordinate the work of supervisory, professional, and technical personnel; delegate authority and responsibility.

Select, supervise, train and evaluate staff.

Provide administrative and professional leadership and direction for the Engineering Department.

Identify and respond to community and City Council issues, concerns and needs.

Develop, implement and administer goals, objectives, and procedures for providing effective and efficient public works engineering and maintenance services.

Prepare and administer large and complex budgets.

Allocate limited resources in a cost effective manner.

Analyze problems, identify alternative solutions, project consequences of proposed actions and implement recommendations in support of goals.

Research, analyze, and evaluate new service delivery methods, procedures and techniques.

Prepare clear and concise administrative and technical reports.

Interpret and apply Federal, State and local policies, procedures, laws and regulations.

Make engineering computations and check, design, prepare and review engineering plans and specifications.

Supervise the preparation and maintenance of records and prepare comprehensive technical reports.

Communicate clearly and concisely, both orally and in writing.

Establish and maintain effective working relationships with those contacted in the course of work including city and other government officials, community groups, the general public, and media representatives.

Maintain mental capacity, which allows the capability of making sound decisions and demonstrating intellectual capabilities.

Maintain effective audio/visual discrimination and perception to the degree necessary for the successful performance of assigned duties.

Maintain physical condition appropriate to the performance of assigned duties and responsibilities.

Experience and Training Guidelines

Any combination of experience and training that would likely provide the required knowledge and abilities is qualifying. A typical way to obtain the knowledge and abilities would be:

Experience:

Five years of increasingly responsible professional public works engineering experience, including three years of administrative and supervisory responsibility. Additional experience in administering a public works maintenance program is highly desirable.

Training:

Equivalent to a Bachelors degree from an accredited college or university with major course work in civil engineering or a related field.

**CITY OF SEDONA
City Engineer**

License or Certificate

Possession of, or ability to obtain, an appropriate valid State of Arizona driver's license.

Possession of, or ability to obtain, a Certificate of Registration as a professional civil engineer in the State of Arizona.

WORKING CONDITIONS

Environmental Conditions:

Office and field environment; travel from site to site.

Physical Conditions:

Essential and other important responsibilities and duties may require maintaining physical condition necessary for sitting or standing for prolonged periods of time; operating assigned vehicle or equipment; general manual dexterity.



To: Carol Brown

567-6631 x 106

(F) 567-8291

Fun Dave COC/HR

11-8-05

Job Description
Job Code: 171

PUBLIC WORKS DIRECTOR

DEFINITION: Under executive direction, manages the City's Public Works Department including the three functional areas of wastewater, streets, and engineering; provides technological advancement of expertise for subordinates in the department; provides leadership, guidance, and direction; and performs related duties as assigned.

ESSENTIAL FUNCTIONS: (Essential functions, as defined under the Americans with Disabilities Act, may include the following tasks, knowledge, skills and other characteristics. This list is ILLUSTRATIVE ONLY, and is not a comprehensive listing of all functions and tasks performed by incumbents of this classification.

TASKS:

Serves as project manager for the department's capital improvement projects; ensures the wastewater facility is in compliance with state permits; provides staff with necessary tools to perform their functions (including expertise through training and staff development efforts); performs strategic planning to insure the City has the capacity to support community growth; designs projects from inception to completion stages; gives technical assistance and training.

Functions as the City's project manager for the design and construction of large complex public works projects which may involve consultants; interacts with constituents and assists in the resolution of issues brought by the residents; discusses issues with citizens to follow up and assure their concerns are properly and fully addressed; assists in the engineering requirements of private development.

Mentors subordinate staff providing training, guidance, and direction as well as performance evaluations; meets with department management to delegate assignments, check work periodically and answer questions/concerns; interviews and selects prospective new employees; attends meetings on behalf of the City and to represent the City and its leadership with outside agencies; prepares, defends and administers the department budget.

Provides fiscal tracking mechanisms to assure the department is working within its budget; directs the establishment and maintenance of records, files, and other legally required documents (e.g. plans, reviews, permits, etc.); ensures all actions are taken within the parameters of the administrative code, City Code, and Arizona Revised Statutes; develops and disseminates department mission, goals and objectives for all employees to follow.

KNOWLEDGE, SKILLS, AND OTHER CHARACTERISTICS:

Knowledge of applicable Federal, State and local laws, ordinances, statutes, rules, regulations, policies, and procedures.

Knowledge of the principles and practices of public works.

Knowledge of technical resource documents for public works activities.

Knowledge of uniform building codes in the City of Cottonwood.

Skill in developing and maintaining effective interpersonal relations.

Skill in the operation of various types of equipment used in the planning and drafting trade.

Skill in analyzing data and drawing valid conclusions.

Skill in conducting research and providing meaningful results.

Skill in the effective use of human and material resources.

