

**MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, FEBRUARY 17, 2010
6:30 P.M.**

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

1. Call to Order

The meeting was called to order at 6:30 p.m.

2. Roll Call

Mayor Burnside, Vice Mayor Kovacovich, Councilors Whatley, Garrison, Baker, Roulette and German were present.

Also Present: Town Manager Michael Scannell, Town Marshal Dave Smith, Public Works Director Ron Long, Sr. Acct. Lisa Elliott, Adm. Asst. to the Town Manager Carol Brown, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. Pledge of Allegiance

The Pledge was led by Garrison.

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

a) Approval of the Minutes:

- 1) Special Session February 8, 2010
- 2) Executive Session – February 8, 2010 (Recorded)
- 3) Special Session – February 3, 2010
- 4) Regular Session – February 3, 2010
- 5) Executive Session – February 3, 2010 (Recorded)
- 6) Council Hears Planning & Zoning Matters – January 27, 2010

b) Set Next Meeting, Date and Time:

- 1) February 24, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
- 2) February 24, 2010 at 5:30 p.m. – Council/Staff Retreat
- 3) March 3, 2010 at 6:30 p.m. – Regular Session
- 4) March 17, 2010 at 6:30 p.m. – Regular Session
- 5) March 24, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) Possible approval of Resolution 2010-804, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, pertaining to the submission of projects for consideration in Arizona's 2011 Fiscal Year Highway Safety Plan. This application requests \$15,100 to purchase a "Total Station Collision Measurement System."

Staff Resource: David R. Smith

On a motion by Baker, seconded by Kovacovich, the Consent Agenda was unanimously approved, with Item 4.b)2) corrected to reflect the meeting time as 4:00 p.m., to be held in the Council Chambers, and Item 4.c) pulled for discussion.

Mayor Burnside announced a change in the meeting time and location for the Retreat scheduled for February 24, 2010, to 4:00 p.m. in the Council Chambers; Councilor Roulette requested that Item 4.c) be pulled for separate discussion.

4.c) Possible approval of Resolution 2010-804, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, pertaining to the submission of projects for consideration in Arizona's 2011 Fiscal Year Highway Safety Plan. This application requests \$15,100 to purchase a "Total Station Collision Measurement System."

On a motion by Roulette, seconded by German, the Council unanimously approved Resolution 2010-.804, Item 4.c) of the Consent Agenda, as written.

Roulette asked Marshal Smith about the training required for the subject System to be purchased; Smith explained that training is included in the purchase price, and approval of Council is needed in order to submit the grant requesting the funding.

5. Council Informational Reports.

Whatley commented that the Pecan & Wine Festival hosted by CCCVL this last weekend was an unqualified success. Whatley was extremely pleased with the way it was run, and she heard numerous good comments from those attending.

German echoed Whatley's remarks; German said she also worked as a volunteer, and the event was great.

Baker reported that she attended the WAC meeting today; it appears that the membership fees will remain the same for all of the cities and towns in WAC.

Burnside described the meeting he had with Governor Jan Brewer last Friday, along with other Mayors. At her request, Burnside shared what he thought she could do for the Verde Valley, inviting her to come for a visit as an individual, without the usual entourage, and spend the day enjoying some local activities and the true open space and beauty of what is part of her State. Burnside also commented on his participation in the Vintage Baseball event, and the great Pecan & Wine Festival.

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

(Comments from the following individuals are summarized.)

Steve Goetting thanked CCCVL and everyone else involved in the Pecan & Wine Festival; it was a wonderful event attended by about 2500 people; he and his wife are still working on the final accounting. They hope to do the event bigger and better next year, and are requesting permission and support from the Council to start planning it.

Sheila Stubler, Parks staffer at Fort Verde, described the kids' games that had been included as part of the Pecan & Wine event, and announced the three winners of the pecan pie contest. The Fort took in a little over \$2,000 in fees for the weekend, and she looks forward to a bigger and better event next year and thanked everyone for their support.

Gary Johnson, Human Resources Director for Redeeming Life, wanted to add to the information shared by representatives from that entity two weeks ago, and suggested that the issue be returned to the agenda for the meeting next week. Mr. Johnson spoke on the importance of a teen center and stressed that his organization believes and participates strongly in screening of those who will work with teens, and reiterated his request to have their proposed teen center be on the agenda next week for further consideration.

There was no further public input.

7. **Yavapai-Apache Nation Chairman Thomas Beauty will update the Council on the Nation's activities and present a check to the Town in the amount of \$80,526.00 as a contribution from Cliff Castle Gaming Facility, pursuant to Section 12 (d)(1) of the Tribal-State Gaming Compact, followed by possible authorization to appropriate the funds as requested by the Nation for the following: Camp Verde Unified School District Tutor (CVUSD) in the amount of \$33,000 and \$47,526 for the Community Pool and Library Construction. Authorization, if approved, will include the approval to transfer the funds to CVUSD.**

Appropriations for the pool and library will be determined during the budget process. Staff Resource: Debbie Barber
On a motion by Burnside, seconded by Baker, the Council unanimously voted to deposit the \$33,000 into a special account labeled, "Camp Verde Unified School District YAN Tutor"; the School District to submit invoices pertaining to the Tutor system, with checks released for payments, in order to account for and report on the expenditures and to demonstrate complete transparency and gratitude to the Tribe; with the same accounting procedure to be followed for the appropriations for the Pool and Library construction.

Norman Smith, Vice Chairman from the Yavapai-Apache Nation, explained that the Chairman was unable to attend the meeting, and he was honored to present the Nation and to be able to present the subject check to the Town of Camp Verde. Mr. Smith said that the funds represent a way to support both the Town residents and the Native American community, since both communities take part in the three areas listed. Pursuant to Prop. 202 passed in 2002, the Nation is happy to present the check so that both education and community services will be served. Mr. Smith introduced the other members of the Tribal Council who had accompanied him. Mayor Burnside accepted the check, acknowledging that it was an honor to do so, and that the funds represented community help for everyone. Mr. Smith added that all the people who live here want the best for each other and their community, and everyone needs to understand that and move forward. Following the presentation of the check, the representatives from the Nation left the meeting.

Mayor Burnside commented on the \$33,000 for the CVUSD Tutor, as well as the appropriation for the Pool and the Library to be determined during the budget session, all of which are funds with which the Nation has entrusted the Town and given guidance on using. Burnside recommended that the Town Manager be requested to deposit the \$33,000 into a special account labeled the YAN Tutor, and as the high school needs the money an invoice be presented for payment each time from that account. At the end of the year, an accounting can be presented to the Tribe showing how the funds were spent, and the same type of accounting and reporting can be followed for the appropriations for the Pool and Library construction.

The Council discussed the Mayor's recommendation; Scannell confirmed that such an accounting would not only be possible but such a degree of accountability makes perfect sense and is a good idea. .

Items 8 & 9 are carried over from the 2-3-10 Regular Session

8. **Discussion, consideration, and possible approval of the following:** Staff Resource: Carol Brown

- a. Authorization to change the general liability limit requirements for casual vendors from \$1 million per occurrence and \$2 million aggregate and naming the Town of Camp Verde as additional insured, to \$1 million per occurrence and \$1 million aggregate and naming the Town of Camp Verde as additional insured.
- b. Authorization to waive the requirement for the vendor to supply the Town with a certificate of insurance when the Town co-sponsors an event (i.e. ballet, dance, art, tole painting, yoga, etc.) The aforementioned vendors would be similar to a contract employee. Before commencing their program, vendors will sign a Waiver holding the Town harmless.
- c. Authorization to permit and encourage sponsors of events held on Town property to obtain one Master/Blanket (Blanket) insurance policy for the special event pending proof from the insurance company that the sponsor and each participating vendor are covered in the Blanket Policy, and the insurance policy includes certain baseline monetary thresholds depending upon the circumstance applicable to the sponsor's event.

There was no action taken.

Carol Brown explained that there have been some questions directed to staff regarding the insurance requirements for the Parks & Recreation activities and the costs to the vendors. As an example, in connection with classes in some of the arts, it has become difficult to find instructors because the cost of the required insurance is somewhat prohibitive. Ms. Brown detailed her research and Risk Management assessment regarding the proposed three options; basically, reducing the general liability limit requirements for casual vendors, allowing an instructor to sign a Waiver in lieu of requiring a certificate of insurance, or authorizing a Master Blanket insurance policy for special events. Ms. Brown said that staff has been receiving some requests for a change in the requirements, and she wanted to give the Council the opportunity to share their thoughts, and to seek input and guidance. The following discussion included an opinion from Steve Goetting that he would favor a Blanket Policy based on his experience managing the recent Pecan & Wine Festival. Ms. Brown confirmed that there is more risk to the Town through a Master Blanket Policy, and it is not a common practice. Following the lengthy discussion centering on the obligation of Council to minimize risk to the Town, although it was agreed that the Town is also concerned with trying to ease any burden on the event participants, the Council decided to remain with the status quo and take no action on any of the options presented. Ms. Brown was commended for her thorough research into the insurance issue emphasizing protection for the Town.

Mayor Burnside requested item #9:

9. **Discussion, consideration, review, and possible approval of and/or direction to staff to make changes as discussed and bring back the Special Event Permitting Process and Handbook for Council consideration and possible approval at the earliest possible date.** Staff Resource: Debbie Barber
There was no action taken.

Town Clerk Barber said she was presenting the proposed Handbook to Council once again for further review and suggestions. Barber explained that although the processes outlined in the Handbook are currently in place, there has been no central reference available to promoters or organizers of events. The document is designed to fill that need for step-by-step guidance, to avoid the confusion experienced in the past by coordinating information between all the different departments.

The members agreed that the Handbook is a work in progress and constructive input will be welcomed from sponsors as the events are held. There was discussion and suggestions for improvements; for example, on Page 9, the heading expanded to read, as underlined, "Insurance Requirements for Events Held on Town Property and/or in Town Facilities." Also, the heading for Alcoholic Beverages be revised to read, "Alcoholic Beverages for Events Held on Town Property and Events Held on Private Property." Other changes were suggested, including clarification of the right of the Town Clerk to waive fees. The issue of fees was also briefly discussed; it was decided to address that issue at the upcoming Council Retreat. It was also agreed that further suggestions will be given to Barber for revisions to the document, which she then will plan to bring back to Council at the first meeting in March.

Barber said she will incorporate suggested changes and bring back the Handbook for Council consideration and possible approval at the March 3, 2010 meeting; the issue of user fees will be addressed at the Council Retreat scheduled for next week.

A recess was taken at 8:14 p.m.; the meeting was called back to order at 8:24 p.m.

10. **Discussion and consideration of the After Action Review Report, which records the emergency response assessment of the winter storm and forecasted flooding of January 2010.** Staff Resource: David R. Smith
There was no action taken.

Marshal David Smith commented that the subject document was submitted for Council critique, review and discussion. The members discussed with Smith some suggestions regarding security measures and communication concerns. The discussion included the confirmation that Smith is the Incident Commander, first in line, but in his absence a handbook is available with complete instructions for someone to take over handling any incident, and that information will be updated.

11. **Discussion, consideration, and 1) possible acceptance of the update on the financial status of the Town of Camp Verde for the first half of the 2009-2010 fiscal year; and 2) possible approval of the recommended budget appropriation adjustments to bring expenditures in line with projected revenues for the remainder of the 2009-2010 fiscal year. Staff Resource: Michael Scannell.**

On a motion by Garrison, seconded by Kovacovich, the Council unanimously accepted the update on the financial status of the Town of Camp Verde for the first half of the 2009-2010 fiscal year; and approved the recommended budget appropriation adjustments as detailed to bring expenditures in line with projected revenues for the remainder of the 2009-2010 fiscal year.

Sr. Acct. Lisa Elliott presented the subject financial update report that follows up the preliminary report given to Council in December 2009. The six months of data now available make it possible to develop a more accurate picture of the Town's financial status. Elliott explained that although there has been increased income from some taxes, there have been declines in others, with the result that a small decrease in revenue continues. During the brief discussion, it was agreed that the Town needs to continue to be conscientious about spending.

12. **Discussion, consideration, and possible selection of one of the following financial options below (see attachments "A" and "B" and authorization for and direction to the Manager to enter into negotiations with the Arizona State Parks Board relative to the execution of an Intergovernmental Agreement (IGA) which will address the Town of Camp Verde tendering to the State of Arizona funding so as to maintain the operational viability of Fort Verde State Historic Park (Park), the term of the agreement is contemplated to run from March 30, 2010 to March 29, 2011. Funding for the operation Fort Verde State Parks is unbudgeted and will come from the Contingency Fund. Staff Resource: Michael Scannell.**

- **Option 1: Attachment A - maintain the operational status of Fort Verde Historic State Park with the staffing levels that were in place while Arizona State Parks operated the park. The State's budget for this option is \$244,500.**
- **Option 2: Attachment B - This option replaces some of the paid work force with a comprehensive volunteer program which is predicated on the belief that there exists a need to make available no less than 2,200 volunteer hours on an annual basis as a supplement to the paid staff that are believed to be required to deliver the level of service to which the public has become accustomed. The cost to the Town for Option 2 is anticipated to be approximately \$77,000.**

On a motion by German, seconded by Roulette, the Council unanimously authorized the Town Manager to pursue Option 2, Attachment B, and direct the Town Manager to enter into negotiations with the Arizona State Parks Board relative to the execution of an Intergovernmental Agreement that will address the Town of Camp Verde tendering to the State of Arizona funding so as to maintain the operational viability of Fort Verde State Park; the term of the Agreement is contemplated to run from March 30, 2010 to March 29, 2011; funding for the operation of Fort Verde State Park is unbudgeted and will come from the Contingency Fund.

Town Manager Scannell reviewed the actions of the State Parks Board relative to closing down a number of the Parks in the State, among which was Fort Verde State Park, scheduled for closure on February 22nd, 2010. Following a petition to the Board for an extension of that date, and subsequent productive meetings regarding entering into an Intergovernmental Agreement, Scannell said two options to keep the Park open have been suggested for consideration, as outlined in his staff report. He outlined the cost indicated in Option 1, or Attachment A. Referring to Option 2, Attachment B, Scannell explained that Nancy Floyd has worked diligently to assemble a group of volunteers with various skills who would replace paid positions, donating a total of approximately 2200 hours. Combining a reduction in personnel expenses with a \$30,000 contribution from Yavapai County, the net cost to the Town to operate Fort Verde State Park would be approximately \$77,000; that could vary slightly. Scannell stressed the importance of Fort Verde to the Town, adding that closing the Park is not an option.

PUBLIC INPUT

(Comments from the following individuals are summarized.)

Nancy Floyd, Camp Verde Historical Society, distributed copies of two different complex monthly schedules she had prepared indicating the volunteer and paid staff assignments. Ms. Floyd described the variety of skills among the volunteers, and reviewed the schedules and related planned activities in detail. She explained that there will be an initial training session on March 5th for the volunteers to be made aware of the extent and importance of their commitment, after which they will be asked to sign up. Ms. Floyd said that the response from the community has been wonderful.

Sheila Stubler said she wanted the Council to recognize some of the volunteers who were in the room who have helped in the past, and commented on how Mayor Burnside has helped to encourage attendance at Park activities.

There was no further public input.

Scannell said that the Town could also play a role in helping the volunteers by providing staff resources on some of the maintenance and technical issues. Should the Council elect to proceed with the IGA, as set forth in Option 2, Scannell said he will notify State

Parks of the go-ahead, and will immediately work on finalizing the IGA for Council review, possibly on March 3rd, and then on March 17th for final approval, and then be ready to proceed on March 29th with the terms of the IGA.. There was some discussion on possibly negotiating distribution of the income from the Park and reducing the paid staffing indicated on the schedules. Nancy Floyd protested that reducing the level of paid staff would place an unanticipated burden on the volunteers. Scannell expressed the sentiment of the community in regard to keeping Sheila Stubler on at the Park. Ms. Stubler's supervisor from State Parks spoke briefly on the staffing cuts the Board is facing from the top on down and confirmed there would be no one available to fill in for Stubler in the event of her absence; he also suggested that it was a good possibility that she would remain. Scannell confirmed that the IGA will be renewable every year. The Council members publicly acknowledged and commended Scannell for his efforts to develop the proposed Agreement and save the Park from being closed down.

13. **Discussion, consideration, and possible approval of Resolution 2010-805, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Town of Camp Verde Fraud Policy. Staff Resource: Lisa Elliott**

On a motion by Whatley, seconded by Garrison, the Council unanimously approved Resolution 2010-805, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting the Town of Camp Verde Fraud Policy and declaring it a public record.

Elliott said that staff is trying to formalize procedures for all of the employees and of their other contacts outside of the Town; the subject Policy pertains to fraud and misuse of Town assets, and sets forth specific guidelines and responsibilities regarding appropriate actions that must be followed for investigation of fraud and similar irregularities. The proposed document sets forth in detail the purpose, definitions, examples of prohibited acts, and states a zero tolerance policy regarding fraud. The Council briefly discussed different examples of abuses and the proposed ethics training and expectations for all employees. In response to a question of monitoring compliance or reporting improper actions fairly and equally, Elliott referred to the effectiveness of the Whistle Blower Hotline procedure; the demonstrated success of that procedure was briefly discussed.

14. **Discussion, consideration, and possible direction to staff relative to adding a "Special Announcements and Presentations" section to the agenda immediately following the Consent Agenda. Staff Resource: Debbie Barber**

On a motion by Baker, seconded by German, the Council unanimously authorized the addition of a "Special Announcements and Presentations" section to the agenda immediately following the Consent Agenda.

Barber requested that this particular item be added to the Agenda; there have been many occasions to recognize members of the community, or staff members for their accomplishments, where those individuals have had to wait for the Call to the Public. It would also apply to Proclamations that are included in the Consent Agenda and not read aloud for the public unless specifically requested. If a particular item were to be included under this heading on the Agenda, a staff report will be submitted; if not, the item would state, "No special announcements or presentations." No Ordinance amendment would be necessary in order to add this category to the Council's Agenda.

Councilor Baker requested item #15:

15. **Discussion relative to terminating the IT services with a local business and retaining an out-of-town business to provide those services for the Town. Discussion may include, but not be limited to Council's policy to support local businesses, cost, savings, benefits, procurement procedures used, etc.**

There was no action taken.

Baker said she was confused by two different memos to InSightable Services that she had read regarding that entity's services. Scannell explained that the most recent one pertained to terminating the existing maintenance agreement; the former memo outlined services that the Town would anticipate InSightable Services continuing. Mr. Scannell added that Mr. Ellington of InSightable Services has served the Town well. Scannell also reviewed the assessment recently completed on the Town's information technology status, with the result that the Town will now have a more sophisticated system in place with the new provider, which Scannell briefly described. Provisions in the State Procurement Policy allow the Town to make the change, and a significant reduction in the former overall expense is anticipated.

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

There was no public input.

17. **Advanced Approvals of Town Expenditures.** There are no advanced approvals.

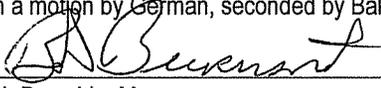
There were no advanced approvals.

18. **Manager/Staff Report**

There was no Manager/staff report.

19. **Adjournment**

On a motion by German, seconded by Baker, the meeting was adjourned at 9:55 p.m.



Bob Burnside, 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 Session of the Town Council of Camp Verde, Arizona, held on the 3rd day of February 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 8 day of March, 2010.



Debbie Barber, Town Clerk