

**(Corrected) MINUTES
SPECIAL SESSION
MAYOR and COMMON COUNCIL
of the
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street #106
Wednesday, May 21, 2008
5:00 p.m.**

1. Call to Order

Mayor Gioia called the meeting to order at 5:02 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Hauser, and Councilors Elmer, Garrison, German, Kovacovich, and Smith were present.

Also Present:

Yavapai-Apache Nation Tribal Chairman Thomas Beauty and his Public Relations Manager Trapper Moore, Town Manager Michael Scannell, and Town Clerk Deborah Barber were also present. Attorney Steve Wene was present telephonically.

Mayor Gioia moved item #4 up and read the agenda item aloud.

3. Discussion, consideration, and possible direction to staff and/or discussion or consultation with the Town Attorney for legal advice regarding support of the water rights proposal offered by Yavapai Apache Nation.

Council took no action on this item.

4. Discussion, consideration, and possible approval for the Mayor to draft a letter of support of the water rights proposal offered by Yavapai Apache Nation.

Motion:

On a motion by Hauser, seconded by Garrison, the Council voted unanimously to instruct the Manager to draft a letter supporting the Yavapai-Apache Nation's desire to put together a federal water negotiating team.

Gioia explained the Nation requested support for the formation of a water negotiating team to discuss water rights in the Middle Verde area. He advised that this team will be made up of all the stakeholders and that the Town would insist on being a part of the negotiations. German said that a negotiating team ensures that the Town has a place at the table when it comes to protecting our water.

Discussion:

Smith said that he spoke with a number of people involved with the ditch companies and their concerns were that they did not understand what was involved. He reported that they said there should be further discussion and newspaper articles. Smith expressed concerns that we were putting the cart before the horse by not having this information out in the public before voting on it.

Gioia responded that was why he invited the Chairman to this meeting so he could have the opportunity to speak before the TV camera.

Garrison said she had not spoken with anyone that had anything to do with the irrigation ditches, but that she had spoken to a few people about the water issues. She reported that everyone she talked to agreed to the need to protect the river. She said that she would like to have Chairman Beauty speak to Channel 18 because we do need to fight for our water and our river.

Chairman Beauty said that this request is about a water negotiation team at this time, explaining that water adjudication is something different. He explained that the Nation does not have a clear picture of the amount of water that is there. He said that they are asking for a letter of support to form a water negotiation team and that the resulting negotiations would be what finalizes the water settlement.

Gioia interrupted stating that part of the settlement measures would be to protect the instream flow rights.

Beauty said that it would depend upon the amount of water rights that the Nation was given. He advised that on the positive side, it would protect the flow of the water, that the Nation would utilize the amount of water that they needed, and that they would not hoard water.

Smith noted that the ditch companies are stakeholders and their claims supersede incorporation of the Town, as well as the formation of the reservation. He said that the Clear Creek ditch goes back to 1864 and there are others that were formed in the 1800s. Referring to the meeting on Monday night, he said that they looked at a glass that was $\frac{3}{4}$ full and he wondered what would happen if the water dropped below $\frac{3}{4}$ full. He said that it was his job as an elected official to protect the public. He asked if the purpose of a federal negotiating team is actually to adjudicate the water rights.

Beauty asked what would happen if nothing was done and the water dries up. He said a settlement would protect the river and provide water for those ditches. He said that he understood concerns about the adjudication of water rights, but the Nation was just asking for a negotiating team so that something could be done to preserve the river.

Gioia explained that Senator Kyl's office explained that the duties of the negotiating team would be to address river needs, historic rights vs. federal rights, and who gets what. He advised that the Nation wants Council support to form a negotiating team.

Chairman Beauty advised that the Nation plans to meet with the newspapers on Friday morning, He explained that they are in the initial stages and asking for support from the Councils of the entire Verde Valley. He thanked Council for allowing him to speak.

Public Input

John Reddell of the Verde Ditch said that they have been measuring water for over 1 ½ years. He noted that the river goes up and down and that when it is down, the ditch does not have much water. He advised that SRP had joined with the in the adjudication and he hoped this was resolved before this team made their recommendations.

There was no other public input.

On a motion by Hauser, seconded by German, the Council voted unanimously to hear Item #3 in executive session.

The Special Session was recessed at 5:28 p.m. and reconvened at 6:09 p.m.

5. Adjournment

On a motion by Hauser, seconded by German, the meeting was adjourned at 6:13 p.m.



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 21st day of May 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 19 day of June 2008

Deborah Barber
Deborah Barber, Town Clerk