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**AGENDA
REGULAR SESSION COMBINED WITH
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, NOVEMBER 20, 2013 at 6:30 P.M.**

Note: Council member(s) may attend Council Sessions either in person or by telephone, video, or internet conferencing.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – November 6, 2013
 - 2) Work Session – October 30, 2013
 - b) **Set Next Meeting, Date and Time:**
 - 1) **Thursday, November 21, 2013 at 4:30 p.m.** – Special Session-Manager Review
 - 2) November 27, 2013 at 6:30 p.m. – **CANCELLED**
 - 3) December 4, 2013 at 6:30 p.m. – Regular
 - 4) December 11, 2013 at 5:30 p.m. – Work Session
 - 5) December 18, 2013 at 6:30 p.m. – Regular Combined with Council Hears P&Z Matters
 - 6) December 25, 2013 at 6:30 p.m. - **CANCELLED**
 - c) **Possible approval of appointment for J.D. Howe and Susan Oliver Worth-Howe, as Assistant Magistrates for Camp Verde Municipal Court for a two (2) year term, effective November 21, 2013, and setting an hourly pay rate of \$38.00 per hour on an as-need basis with a three hour minimum. Staff Resource: Judge Harry E. Cipriano**
 - d) **Possible approval of Intergovernmental Agreement between the Town of Camp Verde and the Camp Verde Unified School District #28, an Arizona School District, for one sworn, certified police officer to serve as the school resource officer at Camp Verde Middle School. Staff Resource: Nancy Gardner**
 - e) **Possible acceptance of Grant funding from the 100 Club in the amount of \$3,600.00 for the purchase of 4 X26E TASERS. The funds were awarded to the Camp Verde Marshal's Office for the purpose of replacing 4 8 non-functional TASERS issued to Deputies.**
5. **Special Announcements and presentations.**
 - **Possible approval of Proclamation Declaring November as "American Diabetes Month".**
6. **Call to the Public for Items not on the Agenda.**
7. **Public Hearing, followed by discussion, consideration, and possible approval of Resolution 2013-901, a**

Resolution for abandonment of roadway easement of approximately 685 feet just west of Arena Del Loma and Montezuma Castle Highway with authorization for the Mayor to sign the Abandonment and Dedication Plats. Staff Resource: Ron Long

8. **Discussion, consideration and possible approval of Resolution 2013-902, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the abatement of dangerous structures located at 3155 Verde Lakes Drive (Parcel 404-13-254), and approving and authorizing the Town Manager to allocate any additional funds required and directing the building official to issue a start work order to demolish and remove the above referenced structures. Staff Resource: Mike Jenkins and Robert Foreman.**
9. **Discussion, consideration, and possible approval of Resolution 2013-900, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Arizona, approving and authorizing the abatement of dangerous structures located at 475 Groseta Drive (Parcel 403-23-086B), and approving and authorizing the Town Manager to allocate any additional funds required and directing the Building Official to issue a start work order to demolish and remove the above-referenced structures. Staff Resource: Mike Jenkins and Robert Foreman**
10. **Discussion, consideration and possible approval of Ordinance 2013-A389, an Ordinance of the Town of Camp Verde, Yavapai County, Arizona amending Town Code, Section 11-1-6 Parks-Alcohol Use. Staff Resource Russ Martin**
11. **Discussion, consideration, and possible approval of Ordinance 2013-A390, an Ordinance amending The Town Code, Section 3-1-1, 3-2-1, 3-2-4 relating to residency requirements of the Town Manager and Town Marshal. Staff Resource: Russ Martin**
12. **Call to the Public for items not on the agenda**
13. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
14. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
15. **Adjournment**

Posted by:

D Jones

Date/Time:

11-14-2013

1:15 p.m

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

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

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**DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, NOVEMBER 6, 2013 at 6:30 P.M.**

**Minutes are a summary of the discussion. They are not verbatim.
Public input is placed after Council discussion to facilitate future research.**

1. **Call to Order**
Mayor German called the meeting to order at 6:35pm.
2. **Roll Call**
Mayor German, Vice Mayor Baker, and Councilors Whatley, George, Gordon, and Jones were present. Councilor German was absent.

Also Present
Town Manager Russ Martin, Marshal Nancy Gardner, Economic Development Director Steve Ayers, Community Development Director Mike Jenkins, Deputy Town Clerk Virginia Jones, and Recording Secretary Saepjol Warren.
3. **Pledge of Allegiance**
Mayor German led the Pledge.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
 - a) **Approval of the Minutes:**
 - 1) Regular Session – October 16, 2013
 - 2) Special/Work Session – October 9, 2013
 - b) **Set Next Meeting, Date and Time:**
 - 1) November 13, 2013 at 5:30 p.m. – Work Session
 - 2) Friday, November 15, 2013 at 9:00 a.m. – Special Session
 - 3) November 20, 2013 at 6:30 p.m. – Combined Regular Session/Council Hears Planning & Zoning Matters
 - 4) November 27, 2013 at 6:30 p.m. – **CANCELLED**
 - c) **Possible acceptance of a Quitclaim deed from Yavapai County for parcel 404-30-342 with River access that is located in the Fort River Caves subdivision.** Staff Resource: Steve Ayres
On a motion by George, seconded by Baker, Council voted unanimously to approve the Consent Agenda, with the amendments that the November 13th Work Session is cancelled and the November 15th Special Session is rescheduled to Saturday, November 16th at 9:00 a.m.
5. **Special Announcements and presentations.**
 - **Possible approval of Proclamation to support the public awareness campaign “Start by Believing” which is a campaign designed to improve service for victims of sexual violence by committing to supporting their needs for justice and healing.**Mayor German approved the Proclamation to support the public awareness campaign “Start by Believing,” designed to improve service for victims of sexual violence.
6. **Call to the Public for Items not on the Agenda.**
There was no public input.
7. **Public Hearing, followed by discussion, consideration, and possible recommendation of approval of Series 3 Micro-Brewery Liquor License application for Steve Kyllingstad located at 368 Main Street in Camp Verde.** Staff Resource: Deputy Town Clerk Virginia Jones.
On a motion by Baker, seconded by George, the Council voted unanimously to approve the Series 3 Micro-

Brewery Liquor License application for Steve Kyllingstad located at 368 Main Street in Camp Verde.

Jones explained that the application was posted for the 20 days as required by law and received no comments. Steve Kyllingstad announced that he planned to open for dinner Fridays through Sundays, with expanded hours after the opening of the Brewery.

8. **Public Hearing, followed by discussion, consideration, and possible recommendation of approval of Series 13 Domestic Farm Winery Liquor License application for Kris Metzler-Five Trees Wine and Vineyard located at 312 Pheasant Run Circle in Camp Verde.** Staff Resource: Deputy Town Clerk Virginia Jones.

On a motion by Gordon, seconded by George, the Council voted unanimously to approve the Series 13 Domestic Farm Winery Liquor License application for Kris Metzler-Five Trees Wine and Vineyard located at 312 Pheasant Run Circle in Camp Verde.

Public input:

Jordan Meadows residents Marvin Gordon, Jane Whitmire, and Ginger Mason opposed authorization of the liquor license application for a residence in their neighborhood, due to concerns about traffic impact, disturbances, negative unintended consequences, and setting a precedent that could later lead to rezoning of the currently Residential Single-Family Limited (R1L) neighborhood. Whitmire requested better communication from the Town in these matters, so that residents are better informed of facts and procedures.

Town residents Karen Heuman, Tom Pitts, Linda Buchanan, Larry Murray, Doug Flowers, and Ignacio Mesa spoke in favor of authorizing the liquor license due to the fact that: 1) Kris Metzler has met all the state requirements for the license; 2) that vineyards beautify neighborhoods and raise home values; 3) that residential "pocket vineyards" already exist quietly in the Verde Valley without tasting rooms; 4) that a vineyard is a quiet agricultural neighbor; 5) that this is an important long-term investment for boosting Camp Verde' representation in the wine community as well as its economy; and that 6) current zoning laws in place will continue to effectively protect the neighborhood.

Applicant Kris Metzler affirmed that he has no desire to: 1) open a tasting room, 2) invite retail traffic to his residence, 3) publicize his physical address for marketing purposes, or 4) produce much more than 100 cases of wine annually. He has been growing grapes and making wine for several years without any disturbance to the residents and will continue the same practices. The liquor license will allow him to earn revenue for his wine, whereas previously he could only gift his products. Delivery of wine would require only a passenger vehicle due to the small quantity. He loves his peaceful neighborhood and wants to keep it that way.

Community Development Director Mike Jenkins explained that state laws protect people who want to grow food products and that Town ordinances allow home occupations as long as state requirements are met. On the other hand, however, state liquor license-holders must uphold the Town's zoning laws, which means that certain provisions allowed by the state may not be permitted by the Town. Home businesses, for instance, are limited to one employee, and cannot increase traffic or impact the neighborhood. Staff and Council also emphasized that any attempts to re-zone Jordan Meadows, which is highly unlikely, would have to go through a lengthy process of approvals involving public input, hearings, boards, and Council vote.

9. **Presentation by Mike Finney, AZ Communications and Economic Development Director Steve Ayers, followed by possible discussion of the Town's new tourism and visitor website:**
www.visitcampverde.com.

Finney and Ayers present the website, highlighting its many features such as: mobile compatibility, brilliant photography, content rich pages, attractions, outdoor recreation, local businesses, Google map links to all locations, FAQs, unique facts about Camp Verde, and links to websites or applicable news articles that open in separate windows. They are collaborating with AZ Office of Tourism, Chambers of Commerce, and Destination Management Offices to drive traffic to the website. Ayers or any staff member can update the website with the ease.

Ayers expressed that the experience of building the website was time-intensive, but positive, educational, and a

team effort with a great staff. There will be newsletters that include the website mastheads allowing users to access the website directly from the email newsletter; and tracking mechanisms for accessing data on web traffic and newsletter responsiveness. Ayers explained that he consistently applies feedback from various sources and that the website will continue to be a work-in-progress with more updates and improvements to follow.

Council suggested adding commercial opportunities and projects in progress like Highway 260 project.

10. **Presentation and possible discussion of the following Quarterly Reports.**

- **Board of Adjustments and Appeals**
- **Planning & Zoning Commission**

The Board of Adjustments and Appeals has conducted no business. Planning & Zoning scheduled three meetings, which were all cancelled; and conducted three work sessions in August and September. One of the subcommittees has been working on the land use element of the General Plan's character areas. They have worked out principles to guide the staff, a first draft, and examples to present to the commission at the next work session.

11. **Call to the Public for items not on the agenda**

There was no public input.

12. **Council Informational Reports.**

Whatley attended "Trick or Treat on Main Street," a safe, successful, and growing event supported by the Marshal's Office.

George attended the Verde River Basin education meeting.

Gordon attended half of the character areas work session for Planning & Zoning, as well as the International Building Residential Code workshop.

Baker recommended bringing back the Halloween block party on Main Street, commenting that many people asked about it this year.

Mayor German attended the Verde Front meeting and looks forward to seeing the implementation of sustainable recreation.

13. **Manager/Staff Report**

Martin requested Council support for the ribbon-cutting ceremony at the school district on Wednesday, November 13, 4 p.m., to celebrate their solar project; and for the groundbreaking of the "Southwest Wine Center" at Yavapai College on Tuesday, November 19, 2 p.m.

Plans for the new library are now available and there will be an initial county review with the Staff. Council may put in requests to Mike Jenkins to attend such meetings for detailed information. Much of the detail will not yet be publicized.

The official record of residency for Marshal Gardner is available to view for anyone who requests.

14. **Adjournment**

On a motion by Baker, seconded by Jones, Council voted unanimously to adjourn the meeting at 8:15 p.m.

Charles German, Mayor

Saepyol Warren, 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 November 6, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2013.

Debbie Barber, Town Clerk

11.82

**DRAFT MINUTES
WORK SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, OCTOBER 30, 2013 at 5:00 p.m.**

Minutes are a summary of the discussion. They are not verbatim.
Public input is placed after Council discussion to facilitate future research.

1. **Call to Order**

Mayor called the meeting to order and immediately recessed the meeting to wait for a quorum. The Mayor called the meeting to order at 5:06 p.m.

2. **Roll Call**

Mayor German, Vice Mayor Baker, and Councilors George, German, Gordon, Jones, and Whatley were present.

Also Present

Russ Martin, Marshal Nancy Garner, Commander Bruce Gimt, Judge Harry Cipriano, Library Director Kathy Hellman, Town Clerk Deborah Barber and Recording Secretary Saepyo Warren.

3. **Pledge of Allegiance**

Councilor Whatley led the pledge.

4. **Correction of meeting date for the Manager's Annual Review from November 1, 2013 to November 8, 2013 at 9:00 a.m.** Staff Resource: Russ Martin

Martin explained that there was an error in setting the meeting for November 1 and asked to reschedule the meeting so that all Council members could be present. He suggested holding the meeting on November 13 or the following Friday morning on November 15. Council agreed to have the review on November 15 at 9:00 a.m.

5. **Discussion and update regarding Intergovernmental Agreement between the State of Arizona and Yavapai Apache Nation, Yavapai County, City of Cottonwood, City of Sedona, Town of Camp Verde, Town of Clarkdale and the Town of Jerome.** Staff Resource: Russ Martin.

Martin explained that Section 6 of the IGA is the focus which outlines where the intersection access points will be located. After we approve this, the other entities will review and add their changes. If their changes do not reflect Council's intentions, we will have another work session. All entities must agree with everything that is in the IGA. It will be brought to the communities in December for adoption. This will give ADOT the go ahead to begin the design. This is a valley-wide agreement that gives the design team the authority to move ahead without interference from Councils. This is the latest IGA that all entities have. He hopes that nothing counters the principles that Council wanted. Section 8 speaks to the YAN, while 9 & 10 apply to all. Martin asked if Council has input. In answer to questions, Martin advised that it had not yet gone to the attorney, but will do so when the other entities agree. Martin said that he would keep Council up to date as the item progresses.

Ayers noted that the process went remarkably well, with the only objection being with intersections 4 & 5. However, this would have not met the agreed upon 1 mile separation. He commended Council for their actions and support of this process.

There was no public input.

6. **Discussion, consideration, and possible direction to staff relative to the Personnel Manual.** Note: This item is carried over from the October 9, 2013 Work Session. Staff Resource: Russ Martin

Council suggested leaving out Section 4-10-3.e or allowing only additional vacation hours for department heads. There was concern about extra hours being commensurate with experience. The language should not force the Town Manager to authorize hours that would not be appropriate to give. Council voiced no objections.

Martin explained Section 4-12-4, State Retirement and the Public Safety Retirement System (PSRS). In the past, public safety received PSRS and the Town was required to provide a 17% alternate retirement plan. Martin would

like Council to consider adding an alternative that would allow the Town to contribute 3% to a 457 Plan for those employees that are not receiving the 17%. There are currently four public safety employees who are retired and get the benefit of not having to pay full retirement or full wages. We have to pay 17% into an alternate plan. He recommends having an alternative that allows the Town to offer an additional 3% contribution with a 3% match to attract quality personnel.

Council clarified that there would be a total of 20% contributed toward retirement. Martin noted that we would be able to hire them for less than we ordinarily would. He would like the Town to be able to compete in the market. Council noted that some employees chose to retire, collect retirement, and not have to match the retirement. Martin replied that this type of offer would attract people with experience and allow the Town to hire skilled employees, while starting them at the lower end of the pay scale.

Council affirmed the benefit of hiring new people, quoting a saying, "When you're green you grow, when you're not, you rot". Martin emphasized that 3% was a reasonable amount to offer, noting that the employee could choose not to contribute at all.

Martin said this was an introduction to the idea, and that he would provide more data as far as true cost at a later date for Council to review. Martin noted that the employee does not receive the 17%, but that it goes to the State.

On section 5-1-1, Martin recommended that Department Heads, in conjunction with the Town Manager, have the authority to set flexible schedules, which would be especially beneficial to departments that work in shifts and provide around-the-clock public services, such as in streets, sewer, and public safety. He explained that currently the requirement is for a 40-hour work week with someone on-call. Council expressed some concern that this may excuse departments from maintaining regular business hours and the need to maintain quality control on this issue.

Council asked about drug alcohol testing procedures in section 7-5-6.A.2, noting that the formatting needed to be corrected to lettered instead of enumerated points. There was some concern over the provision for medical marijuana cards. Martin explained that the language protected the employee from potentially false accusations of impairment, and prevented automatic discipline. He and Cheri Wischmeyer affirmed the privacy protection of employees surrounding medical issues and prescribed medications, to include medical marijuana. Employers can only address issues of job performance. Positive tests are reviewed against legitimate prescriptions, which can then be deemed as negative results, accordingly. This protects the employee's privacy and prevents employers from knowing what prescribed medications their employees are on.

On the Appeals section of the manual, Staff and Council affirmed that a Hearing Officer should be retained as a necessary fail-safe.

7. Discussion, consideration, and possible direction to staff relative to the Town's various complaint procedures. Note: This item is carried over from the October 9, 2013 Work Session. Staff Resource: Russ Martin

Martin explained the three types of complaint procedures: 1) personnel issues, 2) community development complaints for zoning and nuisance, and 3) citizen complaint procedures filed at the Marshal's Office. Each type of complaint has a separate form filed with different departments, and has a different timeline and procedure. All forms ask for a signature and date, although some citizens prefer to file complaints anonymously. Anonymous complaints, however, make it difficult to take proper action due to inadequate information, and make it impossible to follow-up or communicate results. It is often the anonymous filer, however, who expresses discontent with the complaint process. Although citizens may file anonymously, Staff recommends sharing contact information in the complaint process, in order to facilitate an improved rate of customer satisfaction.

There was no public input.

Vice Mayor Baker and Councilor Bruce George are co-sponsoring the following item:

8. Discussion, consideration, and possible direction to staff relative to clarifying residency requirements in

the Town Code. The Code currently addresses residency requirements in Sections 3-1-1, 3-2-1.C, and 3-2-4.A.

The Manager and three Councilors expressed that the Town residency requirements: 1) prevent the Town from attracting quality employees, 2) need to adjust with the times, 3) convey "big government" by getting involved with the personal lives of employees, 4) have no bearing on job performance—which should be the main concern, and 5) do not account for modern technology, which makes immediate accessibility possible, and that 5) Council should heed the recommendations of the Town Manager and Judge.

Council presented data in support deleting the Town residency requirement for the Town Manager and Marshal, based on findings that some states such as MI, MN, and OH have declared the requirement unconstitutional, that Camp Verde itself has changed the requirement at least three times, that the Code is an evolving instrument, and that the goal of Council is to make Camp Verde the best place possible to live and work.

On the other side of the debate, public safety and Town loyalty are the main issues: 1) Other cities within the state, such as Glendale and Safford maintain the same requirement, showing that Camp Verde is not antiquated or out-of-line to require residence for two of the top leaders of the Town. 2) Requiring the Town Manager and Marshal to reside in Town coincides not only with their on-call responsibilities, but also with the same philosophy that requires elected council members to be residents. 3) Camp Verde gets responses for job opening from all over the country, so quality options are not an issue; and lastly, 4) It is the Council's job to protect the community and this residency requirement is one way of ensuring such.

The possible options for amending the Code are as follows:

- 1) Omit the residency requirement for the Town Manager and Marshal, or at the other extreme,
- 2) Require all department heads to meet Town residency requirements. No one was in favor of this latter option.
- 3) Specify a mileage or commuting-time requirement to ensure acceptable emergency response times. This option poses a potential safety issue by encouraging speed over safe driving in order to maintain compliance.
- 4) Specify parameters for granting waivers for residency. This option could potentially invite accusations of showing favoritism to particular applicants. At least half of the Council desired further discussion and exploration of this option.
- 5) Draft employment contracts for the Manager and Marshal that specify residency requirements, in order to bypass any potential legality issues, offers flexibility, and eliminates the need to amend the Town Code. One response from Council was that the Town Code is already the binding contract in effect.
- 6) Keep the Code, AS IS. No one was in favor of this option.

Council agreed to resolve this issue during the next appropriate session by choosing one of these options and specifying the exact terms.

There was disagreement on whether or not there has been an infraction to the Town Code. One opinion is that there is no infraction as long as the Code makes provision for a possible waiver. The other opinion is that there is an infraction as long as a waiver has not been granted. The current wording of the requirement allows for this variance of interpretation.

Public input consisted of Commander Bruce Girt and Judge Harry Cipriano supporting the omission of the requirement, and Cheri Wischmeyer who advocated its retention and clarifying the terms of the waiver. Commander Girt shared an example of how this current unresolved debate about the requirement has turned away at least one highly qualified applicant for the Marshal's office, due to fear of future Council decisions widening the residency requirement. Judge Cipriano, though speaking as a citizen, appealed to his 43 years of government experience, and called for progress, open-minded look to the future.

Cheri Wischmeyer expressed that residency requirements based on public safety and emergency response reasons are legitimate, constitutional, and not an infringement on civil liberties. She recommended including the Town Code as part of New Hire packet, placing the residency requirement in the Marshal's posted work rules, and requiring signatures of acknowledgement during the hiring process. She emphasized that when it comes to

emergency services and major crises, technology cannot take the place of having the Town's chief Safety Officer physically present to manage the event.

Adjournment

On a motion by Jones, seconded by Baker, Council voted unanimously to adjourn the meeting at 7:50 p.m.

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 Work Session of the Town Council of Camp Verde, Arizona, held on October 30, 2013. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2013.

Debbie Barber, Town Clerk

4. c

Exhibit B – Agenda Item Submission Form – Section II (Staff Report)

Town of Camp Verde

Agenda Item Submission Form – Section II (Staff Report)

Department: Magistrate Court

Staff Resource/Contact Person: Presiding Magistrate Harry E. Cipriano

Contact Information: Presiding Magistrate Harry E. Cipriano

Background: Town Code Chapter 5-2-4 states the Town Magistrate may recommend to the Council the names of individuals qualified to serve as assistant magistrates, subject to the assignment and direction of the Town Magistrate, once appointed.

J. D. Howe and Susan Oliver Worth-Howe services are needed to cover Court hearings when the Presiding Magistrate is not available due to illness, vacation, training, conflicts etc. and only used on a limited prescheduled basis.

Statement of the Problem or Opportunity: Discussion, consideration, and possible approval of the following:

Appointment for J.D. Howe and Susan Oliver Worth-Howe as Assistant Magistrates for Camp Verde Municipal Court for a two (2) year term, effective November 21 2013, and setting an hourly pay rate of \$38.00 per hour on an as need basis with a three hour minimum. J. D. Howe and Susan Oliver Worth-Howe both live in Sedona and are retired and said they could be available to assist the Court on short notice.

Alternatives/Options/Solutions: N/A

Comparative Analysis :N/A

Fiscal Impact to the Town: Currently in Court Budget

Other Impacts: N/A

Conclusion:

1. **Recommendation:** Move to appoint J. D. Howe and Susan Oliver worth-Howe as Assistant Magistrates for a two (2) year term, to serve under the direction of the Town Magistrate, at the rate of \$38.00 per hour on an as need basis, with a three hour minimum.

10/2013

RESUME

J. D. Howe
Superior Court Judge, Maricopa County
Superior Court of Arizona (*ret.*)
20 Siesta Way
Sedona AZ 86336

PROFESSIONAL DATA

Advanced and Professional Education

- University of Iowa, Iowa City, IA, 1952-55
- University of Arizona, Tucson, AZ, 1955-61: B.A. 1959, LL.B. 1961
- Harvard Law School, Cambridge, MA, 1968-70; Teaching Fellow, 1968-70; LL.M. 1970

Admission to Bar:

- Arizona Supreme Court, 1961
- Arizona District and Ninth Circuit Federal Courts, 1961
- Northern District of Ohio (Federal) 1970

Areas of Specialization in Both Private and Public Law Practice:

Civil and Criminal Litigation; General Practice

Professional experience:

Practice and Practical

- Law Clerk to Hon. Richard H. Chambers, Chief Judge, U.S. Court of Appeals, Ninth Circuit, San Francisco, CA, 1961-62
- Assistant City Prosecutor, City of Tucson, AZ, 1962-64
- Private Law Practice, Tucson, AZ, 1962-68 (Partnership, Cattany & Howe, 1964-67)
- Administrative Deputy, County Attorney Office, Maricopa County, AZ, 1974-5
- Supervising Trial Deputy, Public Defender Office, Maricopa County, AZ, 1975-80 (Appeals Dept., 1980)
- Private Law Practice, Shultz, Worischeck & Shapiro, P.A., Phoenix, AZ, 1980-82
- Judge *Pro Tempore*, Arizona Superior Court, Maricopa County, AZ, 1978-82

- Judge, Superior Court of Arizona, Maricopa County, AZ, January, 1982, to June 30, 2000 (*ret.*)
- Judge (special designation), Arizona Court of Appeals, Div. 2, 1984
- Magistrate *pro tem*, Sedona, AZ, Municipal Court, 2002-present

Academic

- Guest Lecturer and Instructor of Law, University of Arizona College of Law, Tucson, AZ, 1964-67. *Courses taught:* Public Utility Regulation (64), Legal Writing (65, 66, 67)
- Research Associate (to Prof. Ray Jay Davis), Weather Modification Law Project, University of Arizona College of Law, Tucson, AZ, 1967-68
- Teaching Fellow, Harvard Law School, Cambridge, MA, 1968-70. *Courses taught:* Legal Method (With Prof. Walter Reiser), Torts (with Prof. Milton Katz), Evidence (with Prof. Richard Field), Trial Practice (with Prof. Robert Keeton)
- Professor of Law, Case Western Reserve Law School, Cleveland, OH, 1970-75: (Associate {Professor 1970-73, Full Professor 1973-75; on leave status 1973-4, 1974-5}). *Courses taught:* Torts, Evidence, Trial Practice
- Faculty member, Practicing Law Institute, *Demonstrative Evidence Seminar*, Louisville, KY, 1972
- Visiting Professor of Law, University of Iowa College of Law, Iowa City, IA, 1973-74, summer session 1974, Bar Review Course 1974. *Courses taught:* Torts, Evidence
- Instructor of Law, Arizona State University College of Law, Summer 1976, Spring 1977, Summer 1978. *Courses Taught:* Trial Practice
- Faculty Member, National Institute for Trial Advocacy, 1974 to present:
- National General Sessions, University of Colorado College of Law, Boulder, CO, 1974, 78, 82, 85, 91, 93 (team leader), 95, 98
- National Advanced Sessions, University of Colorado College of Law, Boulder, CO, 1983, 84, 86, 87, 88, 89 (team leader)
- National Advanced Session, University of Florida, Gainesville, FL, 1983
- Southwest Regional Sessions, University of Arizona College of Law, Tucson, AZ 1976-83
- Pacific Regional Sessions, California Western College of Law, San Diego, CA, 1984, 85, 86, 87, University of San Diego Law School, San Diego, 1988, 91, 92
- Southern California Deposition Sessions, Loyola Law School, Los Angeles, CA, 1992-2002
- Southern California Regional Sessions (incl. team leader), Loyola Law School, Los Angeles, CA, 1993-1998
- National Faculty-training Sessions, University of California College of Law, Berkeley, CA, 1983, 85
- National Advanced Session, University of California College of Law, Berkeley, CA, 1989

- National Faculty-training Program, Harvard Law School, Cambridge, MA, 1989
- Faculty Member, Trial Advocacy, Emory University School of Law, Atlanta, GA, 1983, 87, 88, 89
- Faculty Member, Lawyers Workshop Trial Skills Course, Loyola University School of Law, Chicago, IL, 1984, 85
- Faculty Member and Co-Chairman, Maricopa County Bar Association/NITA Trial Skills Workshops, 1986, 87
- Faculty Member, New York Trial Skills Program, Continuing Legal Education Satellite Net-work, Inc., 1989
- Faculty Member, Arizona Governor's DUI Conferences, 1991-96
- Faculty Member, Arizona College of Trial Advocacy, State Bar of Arizona, Tucson, AZ, 1989-2000
- Faculty Member, Supreme Court of Arizona Judicial College (Courses taught: Evidence for Lower-court Justices of Peace and Magistrates; Evidence for Trial Courts of Record

Lectures

Topics:

- Admission of Documents in Evidence
- Advanced Evidence Problems for Magistrates
- Arizona Criminal Code
- Arizona Rules of Evidence
- Arizona Judicial System
- Closing Argument
- Common Courtroom Evidence Problems
- Contrast and Comparison: Opening Statement and Closing Argument
- Cross-Examination
- How to Run a Courtroom
- The Job of Judging
- Judging Techniques: Handling Difficult Lawyers
- Judicial Facilitation of Settlement
- Jury Voir Dire
- Making and Meeting Objections
- Motion Practice
- Opening Statements
- Summary Judgment Motion Practice
- Surgery With a Hammer: The Criminal Justice System at Work
- Techniques of Persuasion
- Trans-Litigation Techniques (Oct. 2002, St. Bar of AZ)
- Various Judicial Courtroom procedures, techniques and skills
- War Stories as a Teaching Technique (Arizona State Bar Videotape)

Sessions:

Training programs of Maricopa County Attorney, Maricopa County Public Defender, Private Law Firms, Maricopa County Bar Association, Pinal County Bar Association, Yavapai County Public Defender, State Bar of Arizona, Arizona State Judicial Conferences, Maricopa County Judges, Arizona and Maricopa County Justices of the Peace, Arizona Magistrates, Arizona and Phoenix City Judges, Arizona Supreme Court Judicial Training Office, Arizona Judicial College, AzTLA, Arizona Defense Lawyers Association, American Bar Association (Washington, D.C.), various civic and non-legal professional meetings, 1974-2009.

Professional Memberships, Activities:

State Bar of Arizona: Member 1961-present. Committee on Judicial Selection, Tenure and Compensation, 1962-67; Board of Governors, 1977-79; Committee on Bar Headquarters Building Poll, 1977; Committee to Review Group and Prepaid Legal Services (Chairman) 1977-78; Various Board of Governors sub-committees, 1977-79)

Instructor, Arizona Supreme Court Course on *Professionalism*, 2000

Maricopa County Medical Society: Subcommittee on Rape Investigation and Proof, 1974-75

Member, *DUI Subcommittee, Arizona State Senate Committee on Transportation*

Member, *Arizona Legislature DUI Advisory Council.*

Member, *National Safety Council Subcommittee on Alcohol and Other Drugs.*

Publications:

•*Harvard Assignments in Trial Practice*, 2d, 3d & 4th Eds., Little Brown & Co., 1970, 75, 86 (with Prof. Walker J. Blakey)

•"Some Thoughts On Mandatory Sentencing", *Arizona State Bar Journal*, July, 1985

•*The Law of Weather Modification*, Report to the U.S. Dept. of Interior (as Research Associate to) Prof. Ray Jay Davis, University of Arizona College of Law, 1977-78

Civic

Phoenix Sundown Rotary Club, Charter Member, 1975-81, President 1976-77

Rotary Club of Phoenix 100, Member 1981 to June 30, 2013 (ret.), Board of Directors 1987-88, 89-90, 90-91, 95-96, Vice-President (president-elect) 93-94, President 94-95

Talks to various civic, business and professional organizations:

- "Surgery With a Hammer: The Criminal Justice System at Work"
- "Arizona Judicial System"
- "Judicial Facilitation of Settlement"
- "The Job of Judging"
- "The Law of Self-Defense"
- "The Need to Renew the Declaration of Independence"
- "Judicial Selection"
- "Dealing with Difficult Lawyers"

Personal

Born, Iowa City, Iowa, July 2, 1934

Graduated, University (of Iowa) High School, 1952

Married Doris Hunse, Nov. 12, 1955; three children, Janet Louise (b. 9/28/56; has three children, my grandchildren) and one granddaughter (my great-granddaughter), Jeffrey Douglas (b. 4/2/63) Joseph Bradford (4/22/64-3/11/85); divorced June, 1986.

Married Susan Oliver Worth Dec. 24, 1998. Susan lived in Phoenix/Scottsdale 30 years, I lived in Phoenix 27 years (at 2020 E. Lamar Road); together we moved to 20 Siesta Way, Sedona, AZ, June 1, 2001, and celebrated with champagne and Aleve.

Susan Oliver Worth-Howe

20 Siesta Way, Sedona, AZ 86336 Phone 928-274-6064 email: sobowe22@gmail.com

Bar Memberships

AZ State Bar, October 1975 (Active Status #004200)
Federal District (AZ); U. S. Supreme Court

Education

ASU Law School, J D Degree
ASU post graduate courses
University of California Santa Barbara, BA

Experience Law

Law Clerk, Justice Gordon, AZ Supreme Court
Assistant City Prosecutor, City of Phoenix, 3 years
Private Practice in Scottsdale/Phoenix, 22 years
Judge Pro Tem, City of Sedona
Paralegal work for Forrester & Worth, LLC

Work Experience Non Law

School Teacher grades 1 – 8;
Los Angeles City Schools
Laguna Salada School District, CA
San Francisco State College
Guam
Phoenix, AZ, school districts
Paralegal School (private)
Phoenix Community College, law
Los Angeles Times

Professional Affiliations

National Education Association
American Bar Association
Maricopa County Bar Association
Women In Law
Phi Alpha Delta Fraternity
Moot Court, President

Other Affiliations

Rotary International
Kappa Alpha Theta

H. D



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Marshal Nancy Gardner

Agenda Title (be exact): *The Camp Verde Marshal's Office is requesting approval of the Intergovernmental Agreement between the Town of Camp Verde and the Camp Verde Unified School District No. 28, an Arizona school district for one sworn, certified police officers to serve as school resource officer at Camp Verde Middle School.*

List Attached Documents: Interagency Agreement

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

- Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: *The Camp Verde Marshal's Office will pay the SRO salary for 2 months when school is not in session along with holidays*

Budget Code: _____ **Amount Remaining:** _____

Comments:

Background Information: The Town of Camp Verde Marshal's Office requests to enter into an intergovernmental Agreement with the Camp Verde Unified School District No. 28 to provide a school resource officer at the Camp Verde Middle School for the calendar year of November 1, 2013 through June of 2014. The School District will pay for the 10 months that the SRO is at the school through Grant Funding awarded by the Safe School Grant program.

Recommended Action (Motion): Approve the recommended IGA.

Instructions to the Clerk: Provide a copy of the Signed IGA's to the Marshal's Office and the Camp Verde Unified School District No. 28,

**INTERGOVERNMENTAL AGREEMENT
BETWEEN
CAMP VERDE UNIFIED SCHOOL DISTRICT NO. 28
AND
THE TOWN OF CAMP VERDE
FOR
SCHOOL RESOURCE OFFICER SERVICES**

THIS INTERGOVERNMENTAL AGREEMENT (this "Agreement") is entered into as of _____, 2013 between the Town of Camp Verde, an Arizona municipal corporation (the "Town"), and the Camp Verde Unified School District No. 28, an Arizona school district (the "District").

RECITALS

A. The District has funding available through its Safe Schools Grant (the "Grant") to fund school resource officer services ("SRO Services") Camp Verde Middle School.

B. The Town and the District desire to enter into an agreement whereby the Town will provide sworn, certified police officers to serve as school resource officer ("SROs") to provide SRO Services at Camp Verde Middle School.

C. The District is authorized to enter into this Agreement pursuant to ARIZ. REV. STAT. § 15-342 and ARIZ. REV. STAT. § 11-952.

D. The Town is authorized to enter into this Agreement pursuant to ARIZ. REV. STAT. § 11-952.

AGREEMENT

NOW, THEREFORE, in consideration of the foregoing recitals, which are incorporated herein by reference, the following mutual covenants and conditions, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the parties hereby agree as follows:

SECTION I - OBLIGATIONS OF THE TOWN

1.1 Services to be Provided.

a. The Town shall provide SRO Services to the District at Camp Verde Middle School on an hourly basis from 6:45am to 3:30pm with a 45 minute lunch break, but not to exceed 40 hours per week.

b. The Town shall ensure that designated SRO's attend annual training provided by the Arizona Department of Education.

c. The Camp Verde Marshal performing SRO Services shall fulfill his or her duties as a sworn law enforcement detective for the State of Arizona. The SRO must be present and

accessible on the school campus that he or she is assigned to by the Grant. Absent an emergency, the SRO shall not be called away from his or her designated school. If the SRO is called away on police business, including, but not limited to Town-mandated training, Town-mandated meetings, Town-related emergencies, etc., the District shall not be invoiced for that time, and the costs shall be borne by the Town. If the SRO is attending an SRO-related training or other activity mandated by the Grant, the District shall be invoiced as described in Section 2.1.

d. The Town shall ensure that the SRO completes 180 hours of Law Related Education ("LRE"), which shall consist of 80 hours of classroom instruction to ongoing cohort groups of students, and at least 100 hours of universal instruction.

e. The SRO will assist the Middle School Principal with preparation of an annual performance evaluation based upon requirements of the Arizona Department of Education (the "ADE") and the District. The SRO shall also provide a monthly recap of LRE (as more fully described in Exhibit A hereto), law enforcement activity and time on campus to the Dean of Students.

f. When school is not in session, including all breaks, school-observed holidays, and school vacations, the Town shall have full discretion to assign the SRO responsibilities; provided, however, that the Town shall be responsible for 100% of the SRO's costs when so assigned.

g. In addition to the provisions of Section 3.18, the Town shall, within ten (10) business days upon request by the District, provide verification to District of SRO's successful criminal records check, e.g., a copy of current fingerprint clearance card, copy of successful criminal records report, etc.

h. The roles and responsibilities of the Town and the District with respect to the SRO Services shall be as set forth in the School Safety Program Guidance Manual, provided as part of the Grant, attached hereto as Exhibit A and incorporated herein by reference, and as set forth by the Camp Verde Marshal SRO Program, attached hereto as Exhibit B and incorporated herein by reference. In the event of a conflict between Exhibit A and Exhibit B, the provisions of Exhibit A shall control.

1.2 Accounting and Documentation. The SRO's salary and employer-paid benefits rate shall be used to calculate the amount due from the District for SRO Services. Supporting documentation of these actual amounts must be on file with the District's Grants Office prior to payment of any invoice to the Town.

SECTION II - OBLIGATIONS OF THE DISTRICT

2.1 Reimbursement to Town - Monthly. The District shall reimburse the Town monthly for the services it provides pursuant to Section I above.

a. The District shall pay 100% of the costs associated with SRO Services received on an hourly, per diem (hourly pay rate plus actual cost of employer-paid benefits) basis

for the remaining period of the school year; the Town shall pay 100% of the SRO's costs during the two-month summer break and any other school breaks or school observed holidays or vacations during which the Town assigns the SRO to Town related duties. The SRO's time spent at Camp Verde Middle School, including all overtime, must be substantiated by time cards and approved by the Camp Verde Middle School Principal. The District shall pay 100% of any SRO overtime worked on school related investigations. The SRO must seek approval from the appropriate Camp Verde Town Marshal (the "Department") supervisor before working on school related overtime. Overtime pay for extra-curricular activities will not be paid by Grant funds. Overtime hours performed for extra-curricular activities will be paid from the appropriate budget District funding source. The District will not pay for any SRO Services for week-long school breaks in December, January and March, nor for any personal vacations taken by an SRO nor for any sick leave incurred by an SRO. For an exact accounting of the charges incurred by the District pursuant to this section, please see the attached Exhibit C.

b. The District shall pay invoices from the Town within 30 days of receipt, assuming proper documentation is on file to support the charges.

2.2 Office Space. The District shall provide office space that provides privacy for the SRO to conduct confidential business. The office provided shall include the necessary equipment for the SRO to effectively perform his or her duties, including, without limitation, a telephone, desk, chair and filing cabinet.

2.3 SRO Related Expenses. The Grant shall provide \$50 towards the travel/mileage expenses incurred by the SRO providing SRO Services as the result of his or her participation in any mandatory training provided by the ADE. The District shall provide \$100 for supplies and expenses for the SRO as may be incurred throughout the school year.

2.4 Non-Interference by District. No District or Camp Verde Middle School administrator shall interfere with an SRO's sworn law enforcement duties. To the fullest extent permitted by law, the Town shall indemnify, and hold harmless the District, the District's agents, representatives, officers, officials and employees for, from and against all claims, damages, losses and expenses, including but not limited to attorney fees, court costs, expert witness fees, and the cost of appellate proceedings, relating to, arising out of, or alleged to have resulted from an SRO acting outside, or in excess, of District rules and policies regarding interviewing and searching students and/or the use of appropriate physical force on students.

2.5 Removal of SRO. The District may cause an SRO to remove himself from a school if the District determines that the SRO poses a danger to the children at that school or to District employees, provided that the District shall immediately contact the Town Marshal by telephone call or fax to describe the situation and to describe the District's concern for the safety of the children. Upon receipt of notice of the removal of an SRO from a school, and in accordance with the Department's internal policies, the Department shall immediately commence an investigation into the alleged wrongdoing. The District shall not be required to pay for the SRO during any time the SRO is reassigned to the Department pending resolution of a safety issue.

SECTION III - GENERAL TERMS AND CONDITIONS

3.1 Term; Recording. The term of this Agreement shall be for one year from October 16, 2013 until May 23, 2014 unless sooner terminated by the parties hereto pursuant to subsection 3.5 below.

3.2 Personnel. The Town represents that the SRO performing the SRO Services required in Section I of this Agreement shall be a sworn Camp Verde Deputy.

3.3 Independent Contractor. The Town acknowledges and agrees that the services provided under this Agreement are being provided as an independent contractor, not as an employee or agent of the District, Town, its employees, and subcontractors are not entitled to worker's compensation benefits from the District. The District does not have the authority to supervise or control the actual work of Town, its employees or subcontractors. The Town, and not the District, shall determine the time of its performance of the services provided under this Agreement so long as Town meets the requirements of its agreed scope of work as set forth in Section I above. District and Town do not intend to nor will they combine business operations under this Agreement.

3.4 Records. Both parties shall maintain the records required in this Agreement for a period of two years after the termination of this Agreement.

3.5 Termination. Either party may terminate this Agreement upon 30 days' written notice to the other party at the addresses indicated below. The Town may terminate this Agreement by giving 10 days' written notice to the District for failure to make reimbursements upon the dates as required in this Agreement and the District's failure to make such payments within five days of such notice. In any event, this Agreement shall be deemed terminated no later than the effective date of any resolution adopted by the Town to withdraw from this Agreement. At the time of termination, the Town shall invoice the District for all SRO Services provided to that date which invoices shall be paid within 30 days thereafter. The District has the right to terminate this Agreement immediately should the Grant funds become unavailable for any reason. Upon termination of this Agreement, the Town shall return to the District all property belonging to the District and the District shall return to the Town all property belonging to the Town.

3.6 Notices and Requests. Any notice or other communication required or permitted to be given under this Agreement shall be in writing and shall be deemed to have been duly given if (i) delivered to the party at the address set forth below, (ii) deposited in the U.S. Mail, registered or certified, return receipt requested, to the address set forth below, (iii) given to a recognized and reputable overnight delivery service, to the address set forth below or (iv) delivered by facsimile transmission to the number set forth below:

If to the Town: Town of Camp Verde
 473 S. Main Street, Suite 102
 Camp Verde, AZ 86322
 Attn: Russ Martin, Town Manager
 Facsimile: (928) 567-9061
 Phone: (928)-554-0001

If to the District: Camp Verde Unified School District
410 Camp Lincoln Road
Camp Verde, AZ 86322
Attn: Dr. Amber Marchant Lee
Facsimile: (928) 567-8234

or at such other address, and to the attention of such other person or officer, as any party may designate in writing by notice duly given pursuant to this Section. Notices shall be deemed received (i) when delivered to the party, (ii) three business days after being placed in the U.S. Mail, properly addressed, with sufficient postage, (iii) the following business day after being given to a recognized overnight delivery service, with the person giving the notice paying all required charges and instructing the delivery service to deliver on the following business day, or (iv) when received by facsimile transmission or e-mail during the normal business hours of the recipient, with proof of delivery. If a copy of a notice is also given to a party's counsel or other recipient, the provisions above governing the date on which a notice is deemed to have been received by a party shall mean and refer to the date on which the party, and not its counsel or other recipient to which a copy of the notice may be sent, is deemed to have received the notice.

3.7 Severability and Savings. If any part of this Agreement is held to be invalid or unenforceable, such holding will not affect the validity or enforceability of any other part of this Agreement so long as the remainder of the Agreement is reasonably capable of completion without inequity to the parties.

3.8 Program Continuation Subject to Appropriation. The provisions of this Agreement for payment of funds by the District shall be effective when funds are appropriated for purposes of this Agreement and are actually available for payment. The District shall be the sole judge and authority in determining the availability of funds under this Agreement and the District shall keep the Town fully informed as to the availability of funds for its program. The obligation of the District to make any payment pursuant to this Agreement is a current expense of the District, payable exclusively from such annual appropriations, and is not a general obligation or indebtedness of the District. If the Board of the District fails to appropriate money sufficient to pay the reimbursements as set forth in this Agreement during any immediately succeeding fiscal year, this Agreement shall terminate at the end of then-current fiscal year and the Town and the District shall be relieved of any subsequent obligation under this Agreement.

3.9 Entire Agreement. This Agreement comprises the entire agreement of the parties and supersedes any and all other agreements or understandings, oral and written, whether previous to the execution hereof or contemporaneous herewith. Any amendments or modifications to this Agreement shall be made only in writing and signed by the parties to this Agreement.

3.10 Applicable Law. This Agreement shall be governed by and construed in accordance with the laws of the State of Arizona.

3.11 Cancellation. The parties hereto acknowledge that this Agreement is subject to cancellation pursuant to ARIZ. REV. STAT. § 38-511.

3.12 Worker's Compensation. An employee of either party shall be deemed to be an "employee" of both public agencies while performing pursuant to this Agreement solely for purposes of ARIZ. REV. STAT. § 23-1022 and the Arizona Workers' Compensation laws. The primary employer The Town of Camp Verde shall be solely liable for any workers' compensation benefits, which may accrue. Each party shall post a notice pursuant to the provisions of ARIZ. REV. STAT. § 23-1022 in substantially the following form:

"All employees are hereby further notified that they may be required to work under the jurisdiction or control or within the jurisdictional boundaries of another public agency pursuant to an intergovernmental agreement or contract, and under such circumstances they are deemed by the laws of Arizona to be employees of both public agencies for the purposes of worker's compensation."

3.13 FERPA Compliance. Both parties will ensure that the dissemination and disposition of educational records complies at all times with the Family Educational Rights and Privacy Act of 1974 and any subsequent amendments thereto.

3.14 Non-Discrimination. Both parties agree to comply with all applicable provisions of state and federal laws and regulations, including the Americans with Disabilities Act and Executive Order 99-4, which is incorporated herein by reference, mandating non-discrimination and requiring that all persons, regardless of race, religion, sex, age, national origin or political affiliation shall have equal access to employment opportunity.

3.15 Disposition of Property upon Termination of the Agreement. The parties do not anticipate having to dispose of any property upon partial or complete termination of this Agreement. However, to the extent that such disposition is necessary, property shall be returned to its original owner.

3.17 E-Verify. To the extent applicable under ARIZ. REV. STAT. § 41-4401, the parties warrant compliance, on behalf of themselves and any and all subcontractors, with all federal immigration laws and regulation that relate to their employees and compliance with the E-Verify requirements under ARIZ. REV. STAT. § 23-214(A). The party's breach of the above-mentioned warranty shall be deemed a material breach of this Agreement and the non-breaching party may terminate this Agreement. The parties retain the legal right to inspect the papers of the other party to ensure that the party is complying with the above-mentioned warranty under this Agreement.

3.18 Fingerprinting Requirements. The parties shall comply with the fingerprinting requirements of ARIZ. REV. STAT. § 15- 512 unless otherwise exempted.

3.19 Coordination of Student Misconduct: The parties shall work together to identify and streamline any separate processes for investigating and responding to acts of student misconduct that may also implicate criminal misconduct.

!SIGNATURES ON FOLLOWING PAGE!

IN WITNESS WHEREOF, the Town and the District have executed this Agreement as of the date of the last signature set forth below.

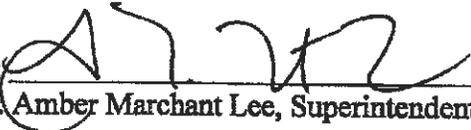
“Town”

“District”

Town of Camp Verde, an Arizona
Municipal Corporation

CAMP VERDE UNIFIED SCHOOL
DISTRICT NO. 28, an Arizona school
District

By: _____
Mr. Charlie German, Mayor

By:  _____
Dr. Amber Marchant Lee, Superintendent

Date: _____

Date: 11/12/13

ATTEST:

Town of Camp Verde Clerk

I have reviewed the above referenced Intergovernmental Agreement between the TOWN OF CAMP VERDE, acting by and through its TOWN COUNCIL, and the CAMP VERDE UNIFIED SCHOOL DISTRICT NO. 28, an Agreement between public agencies which, has been reviewed pursuant to ARIZ. REV. STAT. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the CAMP VERDE UNIFIED SCHOOL DISTRICT NO. 28 under the laws of the State of Arizona.

No opinion is expressed as to the authority of the TOWN to enter into this Agreement.

DATED this 6th day of November, 2013.



Attorney for the District

I have reviewed the above referenced Intergovernmental Agreement between the Town of Camp Verde acting by and through its TOWN COUNCIL, and the CAMP VERDE UNIFIED SCHOOL DISTRICT NO. 214, an Agreement between public agencies which, has been reviewed pursuant to ARIZ. REV. STAT. § 11-951 through § 11-954 and declare this Agreement to be in proper form and within the powers and authority granted to the TOWN OF CAMP VERDE under the laws of the State of Arizona.

No opinion is expressed as to the authority of the DISTRICT to enter into this Agreement.

DATED this _____ day of _____, 2013.

Attorney for the Town

EXHIBIT A
TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
CAMP VERDE UNIFIED DISTRICT NO. 28
AND
THE TOWN OF CAMP VERDE
FOR
SCHOOL RESOURCE OFFICER SERVICES

[School Safety Program Guidance Manual]

See following pages.

**EXHIBIT B
TO
INTERGOVERNMENTAL AGREEMENT
BETWEEN
CAMP VERDE UNIFIED SCHOOL DISTRICT NO. 28
AND
THE TOWN OF CAMP VERDE
FOR
SCHOOL RESOURCE OFFICER SERVICES**

[Camp Verde Marshal's SRO Program]

See following pages.

TOWN OF CAMP VERDE MARSHAL'S SRO PROGRAM

I. Introduction.

The mission of the Camp Verde Marshal's SRO Program is to contribute to an orderly, purposeful atmosphere, which promotes the feeling of safety conducive to teaching and learning on school campuses in the Town of Camp Verde. This is accomplished by assigning the same Marshal to the same campus for an extended period of time. The SRO will first and foremost perform the duties of a police officer to include, criminal investigations, interviews, interrogations, case follow-up and arrests when necessary. The SRO will establish trusting lines of communication with students, parents and teachers. The SRO will serve as positive role models to instill good moral standards, good judgment, respect for others, and sincere concern for the school community. The SRO will promote citizen awareness of the law to enable students to become better-informed and effective citizens, while empowering students with the knowledge of law enforcement efforts and obligations regarding enforcement as well as consequences for violations of the law. The SRO will serve as a confidential resource for administrators, teachers, and students concerning problems they face on the campus as well as providing information on community resources available to them.

II. Mission, Vision and Values.

Camp Verde Marshal SROs will follow the established Mission and Values of the Camp Verde Marshal's Office in the course of their duties at Camp Verde Schools. These Mission and Values set the tone and direction for Camp Verde Marshal employees to follow:

MISSION STATEMENT

"A Marshal's Office whose employees feel valued, working together in partnership with other law enforcement entities to be a model of excellence in policing; and embraces the community by delivering the highest level of professionalism."

VISION

Our vision is to become a role model for other law enforcement agencies.

VALUES

The values represent the basis for Marshal's Office employees to follow. They define certain actions and expectations of employees.

ACCOUNTABILITY

All members of the Marshal's Office are accountable for their actions in accordance with the mission.

HONESTY

Employee integrity and honesty is an expectation of the Marshal's Office and is vital to gaining the respect of the citizens we serve.

EMPLOYEE INVOLVEMENT

Employees are encouraged and expected to be involved in the organizational decision making and research. Employees should feel comfortable providing their input and if they are unhappy with a process they should work to come up with a solution rather than complaining.

CUSTOMER SERVICE

We strive to exceed the expectations of our internal and external customers. This is accomplished, in part, through timely follow-up, courteous service, and having mutual respect and compassion for all those with whom we interact.

PROFESSIONALISM

We will strive to make the organization more professional, we recognize the importance of providing services in a professional manner. The manner in which we interact with others is professional, the work product is professional, and our appearance is professional.

TEAMWORK

There is no difference in terms of organizational importance regarding "sworn" or "civilian" positions. All members of the Marshal's Office will work to accomplish the same goals. We will support each other and work to reduce crime, educate the public and provide a synergy that creates an atmosphere of cohesiveness.

COMMUNICATION

Fostering an environment where there is an exchange of information between employees of the Marshal's Office and the citizens we serve. Communicating ways to improve processes rather than creating an atmosphere of dissension and negativity.

III. Goals.

A. To reduce incidents of school violence:

1. Enforce town code and state laws.
2. ZERO tolerance for drug offenses, weapons offenses, violent acts leading to serious injury and threats towards to students, staff or parents.
3. High visibility during peak times such as; morning, lunch and after school.

B. Reduction of criminal offenses committed by students.

1. Give 90 LRE (Law Related Education) presentations per semester.

2. Provide LRE counseling to students and parents to educate them regarding the law and consequences of violating the law.
- C. **Establish positive rapport with students and parents.**
1. Be honest and professional in all interactions with parents and students.
 2. Provide LRE counseling to students and parents to inform them of the law, their rights, expectations as citizens and consequences for violating the law.
 3. Attend extra-curricular student activities when feasible.
- D. **Establish positive rapport with teachers, staff and administrators.**
1. Be honest and professional in all interactions with teachers, staff and administrators.
 2. Provide guidance and support on law related problems occurring on the campus.
 3. Be responsive to questions and requests from school administrators when feasible and within the parameters of the law.

IV. **Organizational Structure.**

A. **Supervision:** The day-to-day operation and administrative control of the SRO Program will be the responsibility of the Camp Verde Marshal's Office. Responsibility for the conduct and performance of the SRO shall remain with the Camp Verde Marshal's Office. The Town of Camp Verde will provide supervisory personnel to oversee the program.

B. **SRO Accountability:** The Camp Verde Middle School principal or designees will provide a written evaluation of the SRO performance relating to the goals established in this Agreement once a semester. School staff shall contact the SRO Supervisor to report performance or conduct related complaints involving SRO's as soon as they become aware of it. It will be the responsibility of the Camp Verde Marshal's Office to investigate any misconduct allegations against an SRO.

V. **Procedures.**

The Town of Camp Verde SRO Program shall utilize procedures in accordance with State Law, The Arizona School Safety Program Manual, and in accordance with Camp Verde Marshal's Office policies and procedures.

- SROs are first and foremost police officers and shall be responsible for carrying out all duties and responsibilities of a deputy in the Town of Camp Verde and shall at all times remain under the command and control of the Camp Verde Marshal's Office.
- SROs shall not enforce any school or district rules.

- SROs are not disciplinarians and shall not assume this role under any circumstances.
- SROs report directly to a Camp Verde Marshal's Office Supervisor for all activities.
- SROs will not involve themselves with Camp Verde Middle School administrative matters that are not criminal offenses.
- SROs are not formal counselors, and will not act as such, however, they are to be used as a law related resource to assist students, staff and all persons involved with Camp Verde Middle School.
- SROs will present varied topics to students to better inform them of their rights and expectations as citizens as well as consequences for violating laws. The SROs' are not certified teachers and therefore should present in classrooms with a teacher present at all times.

VI. SRO Selection.

A. Recommended Qualifications:

- Desire to work with students, educators, and parents
- Willingness to teach law-related education
- Supportive of prevention strategies
- Satisfactory employment history with supporting documentation
- Demonstrated effectiveness in working with youth
- Oral and written communication skills
- Ability to effectively interact and communicate with diverse sets of individuals
- Supportive of the philosophy of the SRO Program
- Willingness to attend law-related education training to implement and maintain LRE programs to meet the needs of the students
- AZPOST certified general instructor

B. SRO Duties Include:

- Establish liaison with school administrators, staff, students, and parents.
- Inform students of their rights and responsibilities as lawful citizens through presentation of law-related education in the classroom.
- Network with community agencies that may or do provide services to the school.
- Act as a resource in the investigation of school related criminal activities
- Participate in the Parent-Teacher association as requested.
- Participate in campus activities, student organizations, and athletic events when feasible and appropriate.
- Provided a visible deterrence to crime while presenting a positive impression of a law enforcement officer.
- Investigate criminal offenses occurring on campus.
- Conduct follow-up of assigned criminal cases.

- Conduct interviews, interrogations and make arrests when necessary.
- Provide information when requested to students, parents, and staff in law-related situations.
- Maintain tracking system of statistical information required by supervisor and school administration.

VII. SRO Role.

The School Resource Officer has three basic roles:

A. Law Enforcement Officer:

1. The SRO is, first of all, a sworn law-enforcement officer. When necessary the SRO has the authority to intervene as a law-enforcement officer. This includes the investigation of criminal offenses, conducting interviews and interrogations. Following up on assigned cases and making necessary arrests.
2. Administrators should take the lead on school policy violations. The SRO should be involved when a student's conduct violates a law.
3. As partners in school safety, SRO and administrators shall work together to develop procedures for ongoing communication to ensure timely and uniform reporting of criminal activities.
4. An SRO assigned to a school with a juvenile probation officer (PO) is expected to work as a team. The SRO should know the role of the PO.
5. Serve on the School Safety Committee and collaborate on the development of the safe school plan.
6. Build a relationship with students, parents and staff that promote a positive image of law enforcement.

B. Law-Related Educator:

1. The SRO is expected to provide a minimum of 90 hours of classroom instruction in Law-Related Education (LRE) per semester (based upon a two-semester year). LRE does NOT consist of one-on-one or group counseling. The 90 hours of law-related education instruction, per semester, should be completed during the school day's regularly scheduled instruction periods. However, the building administrator has the discretion to approve the use of time spent before or after school on structured law-related instructional activities.
2. The SRO should collaborate with classroom teachers to engage teachers to integrate law-related education into their curriculum. The teacher must be present in the classroom during LRE instruction.

3. The SRO must keep an activity log that tracks LRE classroom instruction hours and law enforcement or probation activity. Situations that take an officer off their assigned campus must be logged. This data must be shared with the school administrator and agency supervisor. The following data will be tracked and provided to Camp Verde Middle School Principal or designee:
 - a. Total hours of LRE classroom instruction
 - b. LRE topic and law enforcement
 - c. Teacher name and subject of each class where an LRE lesson is taught
 - d. Total hours of Law Enforcement/ Probation activity
 - e. Time spent per LRE lesson • Total time spent off campus

C. Positive Role Model:

1. The SRO should set limits being clear about what is acceptable and what is not; letting students know the consequences of unacceptable behavior and the rewards of acceptable behavior.
2. The SRO should set an example by modeling how to handle stress, resolve conflicts, celebrate successes, and how to be a friend.
3. The SRO should be honest by providing accurate information.
4. The SRO should be consistent with students, staff, and parents; in applying rules and regulations.
5. The SRO should encourage responsibility by helping students think through options and consequences of decisions, set personal goals, and develop plans to make desired changes.
6. The SRO should show respect by treating students with respect and expressing high expectations for them.
7. The SRO should always strive to be a positive role model because students learn from every observation of or interaction with the SRO.

VIII. SRO Supervisor Role:

The SRO Supervisor's responsibilities include but may not be limited to:

1. Communicate to staff, and carry out the philosophy and goal of the Town of Camp Verde SRO Program.
2. Attend SRO Program management training for supervisors.
3. Conduct on-going visits to schools under their supervision.
4. Ensures the SRO keep an activity log that tracks LRE classroom instruction hours, the topic of each LRE class and law enforcement or probation activity and situations that take an officer off their assigned campus.

5. Motivate officers and provide positive reinforcement recognizing excellent performance.
6. Review all investigations by assigned SROs for accuracy, thoroughness and proper procedures.
7. Supervise and monitor performance of SROs, including confronting performance deficiencies and providing documentation and plan for improvement.
8. Thoroughly investigate and document allegations of SRO misconduct.
9. Regularly brief Lieutenant on any unusual incidents at Camp Verde Schools.
10. Ensure SROs conduct timely, professional and thorough investigations of criminal activity on school campuses.
11. Conduct one supervisory follow-up of a criminal investigation per SRO per semester. Includes a written evaluation and assessment of the SROs performance.
12. Meet collectively with SROs once a month for training, policy review, and collaboration.
13. Provide School principal or designee with a monthly recap of SRO activities to include number of LRE hours, time off campus and law enforcement activity.
14. Meet with or talk on the telephone with principal of schools that have SROs, once a month to discuss SRO performance and law enforcement related issues.

IX. School District Role:

The district administrator, site principal and teachers' support of the SRO Program is vital to the program's success.

A. District Level:

1. Supports and communicates the SRO Program philosophy to all site staff.
2. Understands the SRO Program requirements.
3. Develops and keeps open communication with local law enforcement.

B. Building Level Administration:

1. Supports and communicates the SRO program philosophy to all staff, students and parents on their campus.
2. Promotes the integration of law-related education into the classrooms.
3. Understands and agrees to the program guidelines.
4. Ensures a teacher is present in the classroom at all times during LRE instruction.
5. Introduces the officer to staff and students.

6. Develops a collaborative relationship with the SRO while allowing the officer to function independently. The officer serves as a resource to the students and staff.
7. Meets with the SRO before the first day of duty to review the Service Agreement, Operational Procedures and specifics of the program on campus.
8. Monitors the program's implementation process and meets with the SRO on a regular schedule.
9. Directs staff development of teachers and SRO involved in the delivery of LRE.
10. Provides a semi-annual evaluation of the SRO relating to their role as an SRO.

C. Teacher:

1. Supports and communicates information about the SRO Program in their classrooms to students and parents.
2. Understands and agrees to the program guidelines.
3. Teams with the SRO in planning and delivery of law-related education units in their classroom. A teacher must be present in the classroom at all times during LRE instruction.

X. The Performance Evaluation

A semi-annual performance evaluation shall be conducted by a school administrator and shared with the officer's supervisor. The evaluation is meant to assist the officer and his/her supervisor in meeting the intent of the SRO Program and carrying out their duties. It is not meant to supplant the official evaluation process used by the officer's department or agency. Only officers that have performed in a satisfactory manner should be considered for further service in the SRO Program. The following are recommended factors to consider:

1. Does the officer have a clear sense of his/her role?
2. Does the officer understand the operational policies and procedures of the school necessary to perform effectively in the position?
3. Has the officer attended or scheduled to take a law-related education class in the current year?
4. How does the officer relate to staff, students, and parents?
5. Does the officer work well independently?
6. Does the officer perform his/her duties effectively?
7. How effective is the officer with classroom presentations?

If a problem occurs, it should first be addressed at the site level between the officer and administration. If a resolution is not reached, the grievance should then move through the process as established by the officer's department and school's policy.

XI. Law Related Education (LRE)¹

A. LRE Defined. Law-Related Education is the teaching of rules, laws, and the legal system that actively involves students to prepare them for responsible citizenship. It also provides instructions in legal rights, responsibilities, and the role of the citizen and requires students to practice the application of LRE in potential real-life situations. *(Adopted by the Arizona Center for Law-Related Education from the Virginia Institute for Law and Citizenship Studies.)*

B. Possible Benefits. Law-Related Education is a component of the SRO Program because it:

1. Promotes critical, analytical and problem-solving skills.
2. Actively involves students, teachers and the community.
3. Increases students' knowledge base of the law, making them better informed citizens and consumers.
4. Demonstrates constructive ways to resolve conflict and can reduce violence and discipline problems in schools.
5. Discourages delinquent behavior and encourages positive behavior.
6. Promotes positive self-image in students.
7. Encourages students to respect rules, laws, and persons in authority when exposed to a "balanced" view of "democratic" society.

C. Process. The approach consists of high-interest content and interactive instructional strategies designed to provide students at all levels the following opportunities:

1. to explore and reflect on theirs and others' perspectives,
2. to express and defend their views, to listen to the views of others,
3. to develop arguments for both sides of an issue, to mediate, and
4. to formulate decisions and resolutions based on multiple and often conflicting concerns.

In primary grades, students might consider a rule they don't like, explore why it was made, examine, the consequence for breaking it, and discover who acts as judge when the rule is broken. They might evaluate existing or hypothetical rules to determine whether or not they are clear, consistent, fair, and enforceable. They could listen to and analyze rules issues in stories and they could create and enforce their own set of classroom rules. Intermediate students might role-play as a law enforcement officer encountering a criminal dilemma. They might work in cooperative groups to offer solutions to problems that arise when a law is too general or vague. Older students might use the case study method of analysis to examine legal conflicts throughout history. Information from this exercise could then be applied to current dilemmas. Simulations of

¹ Modified from "Law-Related Education and Violence Prevention: Making the Connection" By: Robin Haskell McBee

trials, known as mock trials or moot court, legislative hearings, constitutional conventions, police procedures, role playing, conflict resolution, mediation, formal and informal debate, cooperative group problem-solving, outside speakers, from the legal community typify LRE classes at all levels.

Because rules and laws affect all aspects of life, all subject areas, and all ages, the content of LRE can be as varied as the students and teacher need it to be. The methods, however, are characteristically open-ended and participatory in nature. Although some LRE instructional materials have been written for specific topics or age groups, there is no single way to teach LRE and no set LRE curriculum. LRE is most commonly used in social studies to promote civic understanding; however, it regularly incorporates the use of reading, writing, and speaking skills. It has the potential for application in literature, math, science, technology, foreign language, physical education, sports, and other subject areas. It need not be limited to a particular grade, subject, or time frame. The LRE approach to instruction is flexible enough to be applied as a system-wide, on-going prevention strategy, and an added benefit of such a strategy is the increased likelihood that students will better understand the rules, laws, and legal processes that govern their lives.

One of the cornerstones of LRE is the use of outside resources: school safety officers, attorneys, and other legal professionals. These resource people visit classrooms regularly, provide insight into how and why the system operates the way it does, and develops on-going positive, non-adversarial relationships with students in the class. Though typically not individualized as in mentoring, these relationships often hold meaning for the students and provide an opportunity for them to develop bonds or attachment with representatives of "the system".

Another feature of LRE is its relevance. It deals with issues that are meaningful to students and their views are valued. LRE provides students the opportunity to get involved and participate. The crux of LRE is problem solving, both as part of a group process and on an individual basis. Social conflict lies at the heart of legal issues. Therefore, all LRE is some form of conflict resolution or problem solving.

The regular inclusion of LRE in the course of instruction will provide steady opportunities to develop and practice the information processing steps that must be developed in aggressive students if they are to acquire non-aggressive social problem solving skills. Further, the conflicts that characteristically surround rules and laws offer good practice in content that is hypothetical in nature yet directly related to students' lives. While not a panacea for violence prevention, LRE offers a promising strategy for schools to implement as part of their overall prevention plan. If that plan includes closer work with parents and the community, LRE might also be incorporated into before-school programs, community center programs for children and adolescents, and parent programs. In this way the approach lends itself to a close interface with home and community.

WEBSITES

Arizona Department of Education

www.ade.az.gov

Provides links to prevention sites, updates on funding opportunities and a calendar of conferences, trainings, and workshops.

Arizona Foundation for Legal Services and Education

<http://azbf.org/AZFLSE/lre/lre.cfm>

The site will provide up-to-date information about LRE research, links to other LRE related sites, professional development opportunities, publications, and articles.

Law For Kids

www.lawforkids.org Posts youth laws and information in a manner that kids can read quickly and understand easily. Also kids can get homework answers, access other links, listen to other kids' stories, and play computer games.

Arizona Prevention Resource Center (APRC)

<http://www.azprevention.org/>

APRC is Arizona's central source for prevention information and materials. It has an expanded section of school safety materials. Materials may be checked out at no cost.

Join Together ONLINE

<http://jointogether.org>

National resource center to reduce substance abuse and gun violence. Offers up-to-date information on legislation, funding opportunities, Action Kits, and resources guides.

Keep Schools Safe

www.keepschoolssafe.org

A collection of resources to help make schools safer.

National Association of School Resource Officers (NASRO)

www.nasro.org

Nonprofit training organization for district personnel and school resource officers. Sponsors an annual training conference as well as regional trainings. Lesson plans are available to download at no charge.

Arizona School Resource Officers Association (ASROA)

www.asroa.org

Nonprofit organization formed to promote law-related education. Sponsors an annual conference and various training opportunities.

National Clearinghouse for Alcohol and Drug Information

www.health.org

A comprehensive federal clearinghouse on alcohol and drug information.

National Dropout Prevention Center

www.dropoutprevention.org

Provides information on dropout prevention programs, educational strategies, technical assistance, training, and resources.

National Resource Center for Safe Schools

www.nwrel.org

Center works with schools and communities to create safe learning environments and prevent school violence.

National School Safety Center

www.nsscl.org

Clearinghouse for school safety information.

National Youth Gang Center

www.iir.com/nygc

Provides information about gangs and effective responses to them.

Partners Against Violence – PAVNET Online

www.pavent.org

Clearinghouse of information about violence and youth-at-risk.

Office of Juvenile Justice and Delinquency Prevention

www.ncjrs.org

Provides numerous links to juvenile justice-related resources, model programs and funding opportunities.

Constitutional Rights Foundation (CRF)

www.crf-usa.org

Offers programs and develops materials on law-related education. Web site contains ready-to-use lessons.

National Law-Related Education Resource Center (NLRC)

www.abanet.org

Facts on current model programs, curricula, print, and multimedia materials for all groups and age levels about the law.

Street Law, Inc

www.streetlaw.org

Offers program training and program development in law-related education.

4. 2



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Camp Verde Marshal's Office

Staff Resource/Contact Person: Marshal Nancy Gardner

Agenda Title (be exact): Notification of Grant funding from the 100 Club in the amount of \$3,600.00 for the purchase of 4 X26E TASERS. The funds were awarded to the Camp Verde Marshal's Office for the purpose of replacing 4 of the 8 non-functional TASERS issued to Deputies.

List Attached Documents: 100 Club Notification Letter

Reviews Completed by:

Department Head: Marshal Nancy Gardner

Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:
Comments:

Background Information: *The 100 Club of Arizona is a charitable non-profit Arizona Corporation that provides funds directly to law enforcement agencies, acting as a resource to enhance their safety and well-being.*

The Camp Verde Marshal's Office currently has (8) non-functional TASERS which need replacing due to the age and condition of the equipment. Staff would like to accept the stipend and replace (4) of the (8) non-functioning TASERS. The Camp Verde Marshal's Office will only incur a \$28.80 cost to cover shipping and tax.

Recommended Action (Motion): (Suggested Motion): *Allow the Camp Verde Marshal's Office staff to accept the safety Stipend and purchase of 4-X26E TASERS. .*

Instructions to the Clerk: Forward the approved agenda proposal to the Marshal's Office



*Standing Behind the Men
and Women Who Stand
Behind the Badge*

HOME OFFICE LOCATION:

PHOENIX
5033 N 19th AVENUE
Suite 123
PHOENIX, AZ 85015
PHONE: 602-485-0100
FAX: 602-242-1715

BRANCH OFFICE - TUCSON
520-248-7626

www.100club.org

Executive Director:
Sharon Knutson-Felix

President: George Weisz
Vice President: Kathy Mayberry
Secretary: Steve Horrell
Treasurer: Kara Kalkbrenner

2013-2014 Board of Directors

Sharon Allen
Bud Davidson
Mike Galloway
Mark Hester
John Jennings
Erick Johnson
Howard Lang
Bill Langer
Chris Moore
Jim Ryan
Joe Scheid
Scott Wede
Ronald Westad

100 CLUB OF ARIZONA
is a charitable non-profit
Arizona Corporation
(Az. Corp. #00082004-4).
Federal 801 (C)(3)
T.I.N. 23-7172077

November 4, 2013

Commander Bruce Girnt
Camp Verde Marshal's Office
646 S. 1st St.
Camp Verde, AZ 86322

Re: 100 Club Safety Enhancement Stipend

Dear Commander Girnt:

The 100 Club is pleased to announce that the Camp Verde Marshal's Office is a recipient of the 100 Club of Arizona's Safety Enhancement Stipend Awards for the 3rd Qtr. 2013.

The award is not to exceed \$3,600.00 for the purchase of 4 – X26E Tasers. Please follow the procedures and specifications below to secure your safety equipment.

1. The equipment must be ordered within 60 days of notification of the stipend approval, **(02/04/2014)**.
2. The 100 Club will reimburse your agency within 14 days of receiving a paid invoice.
3. If a reimbursement is requested, all invoices are to be dated and signed by the head of the requesting agency or their designee and must be submitted for reimbursement within 120 days of this notice. Delays directly responsible by the agency may result in forfeiture of the stipend.
4. Upon the agency receiving the items ordered, the invoice and letter of confirmation signed by the authorized person for that agency should be sent to the 100 Club.

(You must note in the letter that the items were received in satisfactory condition.)
5. The 100 Club will verify the invoice with the original request. Reimbursements or payments will only be made for the original amount requested and approved and will not exceed the amount of the invoice.
6. A stipend report will be due by December 31, 2014 or prior to applying for a new stipend within the same funding year. The report can be downloaded from our website at www.100club.org and submitted via email to pattib@100club.org. Failure to submit the report will disqualify the agency for future SES funding.

If you have any questions, please call or email Patti Ballentine, Operations Manager at 602-485-0100 or pattib@100club.org.

Sincerely,

Sharon Knutson-Felix
Executive Director

The 100 Club of Arizona is a non-profit organization that provides immediate financial assistance to families of public safety officers and firefighters who are seriously injured or killed in the line of duty and to provide resources to enhance their safety and well-being.

5

Town of Camp Verde Camp Verde, Arizona

PROCLAMATION

Declaring November as:

AMERICAN DIABETES MONTH

- Whereas,** in the United States, nearly 26 million people – including approximately 500,000 children and adults in Arizona – have diabetes, a serious disease with potentially life-threatening complications such as heart disease, stroke, blindness, kidney disease and amputation; and
- Whereas,** an additional 79 million people in the United States are at risk for developing type 2 diabetes; and
- Whereas,** recent estimates project that as many as one in three American adults will have diabetes in 2050 if current trends continue; and
- Whereas,** an increase in community awareness is necessary to put a stop to the diabetes epidemic; let it therefore be

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde, Camp Verde, Arizona, do hereby proclaim November, 2013 as:

American Diabetes Month

In the Town of Camp Verde, and do hereby urge all residents to recognize American Diabetes Month and be part of the American Diabetes Association's Stop Diabetes movement to confront, fight and most importantly, change the future of the deadly disease.

Issued this 20th day of November 2013.

Charles German, Mayor

ATTEST:

Deborah Barber, Town Clerk



Agenda Item Submission Form – Section I

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation Special Session

Requesting Department: Public Works

Staff Resource/Contact Person: Ron Long

Agenda Title (be exact): Dedication of Right of Way for a portion of the Montezuma Castle Highway, abandonment of a portion of the Arena Del Loma Road easement, and the relocation and dedication of Right of Way for a portion of Arena Del Loma.

List Attached Documents: Resolution 2013-901 and Legal descriptions with exhibits.

Estimated Presentation Time: 2 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

Department Head: Ron Long

Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: None

Budget Code: _____ **Amount Remaining:** _____

Comments: The Cost for the dedications and abandonment will be paid by the property owner.

Background Information: The owner of Parcel 404-18-181D, which includes portions of Arena Del Loma Road and Montezuma Castle Highway; petitioned the Town requesting the abandonment and relocation of a portion of the Arena Del Loma Road easement and the portion of Montezuma Castle Highway that is located on their parcel.

The recorded access easement for the portion of Arena Del Loma Road that is a part of parcel 404-18-181D is misaligned with the existing physical location of the road and needs to be abandoned and relocated to properly align with the road. The relocated Right of Way (ROW) on Arena Del Loma Road and the portion of Montezuma Castle Highway that is a part of the parcel will be dedicated to the Town as ROW.

Recommended Action (Motion): Move to approve the Abandonment Resolution 2013-901 for a portion of the Arena Del Loma Road access easement, the dedications of portions of Arena Del Loma Road and Montezuma Castle Highway to the Town for Right of Way, and authorize Mayor German to sign the Resolution and the Abandonment and Dedication Plats for recordation by the Yavapai County Recorder.

Instructions to the Clerk: Upon Council Approval please have Mayor German and Town Clerk sign the Resolution and the Abandonment and Dedication Plat Mylars for Arena Del Loma Road and Montezuma Castle Highway, and record the Resolution and Plat with the Yavapai County Recorder.



RESOLUTION 2013-901

A RESOLUTION FOR ABANDONMENT OF ROADWAY EASEMENT OF APPROXIMATELY 685 FEET OF ARENA DEL LOMA.

WHEREAS, the below described roadway easement is no longer necessary for public use as a roadway easement, being a roadway easement along Arena Del Loma along parcel 404-18-181D.

WHEREAS, pursuant to Resolution 89-97, a majority of the adjoining property owners filed a petition for abandonment with the Town, the matter has had notice of a public hearing duly published, necessary utility companies have been notified, and an abandonment plat prepared suitable for recording, and

WHEREAS, the Town acquired title to the public roadways within Town municipal limits by Resolution 710, Yavapai County Board of Supervisors, dated December 22, 1986, and recorded January 6, 1987, in Book 1893, Pages 124-125, and Official Records of Yavapai County, Arizona. and pursuant to ARS §9-477.C the title to all streets, alleys, parks and other parcels of ground reserved in a subdivision plat vests in the public upon filing of a final plat,

NOW THEREFORE THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, RESOLVES AS FOLLOWS:

1. **Roadway Easement Abandonment.** The portion of the roadway easement along Arena Del Loma described in the plat incorporated herein as Exhibit A is no longer necessary for public use as a roadway easement, and therefore the Town shall abandon the approximately 685 feet just west of the Arena Del Loma and Montezuma Castle Highway.
2. **Title Vesting.** Pursuant to ARS 28-7208, title to the abandoned roadway easement shall vest, subject to the same encumbrances, liens, limitations, restrictions and estates as exist on the land to which it accrues, in the abutting owners of record as of the date of the recording of this resolution. The abandoned portion shall therefore vest in the owners of record of 404-18-181D.
3. **Reservation of Easements.** Pursuant to ARS 28-7210, rights-of-way or easements of existing sewer, gas, water, or similar appurtenances, and for electric, telephone and similar lines and appurtenances, shall continue as they existed prior to the abandonment.
4. **Consideration.** The Town is mandated under ARS §28-7208, to vest title to abandoned roadways only upon consideration being paid from the owner of the abutting property to which the roadway accrues, giving due consideration to its degree of fragmentation and marketability, and any public benefit received by the Town in return for the abandoned roadway easement. The Town has determined that the market value of the spur road is minimal, does not confer any additional value to the abutting properties, and is offset by the releasing of the Town from any maintenance or improvements of the roadway if it were ever established to connect with properties outside the subdivision.
5. **Effective Date.** A governing body's resolution to dispose or abandon a public roadway easement shall take effect, under ARS 28-7213, when it is recorded in the office of the county recorder of the county in which the roadway lies.

PASSED AND ADOPTED BY THE Mayor and Common council of the Town of Camp Verde, Yavapai county Arizona on the 20 day of November 2013.

Charlie German, Mayor

Attest:

Approved as to form:

Deborah Barber, Town Clerk

William J. Sims III, Town Attorney

Exhibit A

HAMMES SURVEYING LLC
2100 VIA SILVERADO
CAMP VERDE, AZ. 86322
(928)-567-2833 (928) 282-5686

Abandonment of a portion of Arena Del Loma (South Middle Verde Road) as recorded in Book 17, Page 33 of the Yavapai County records.

A 66.00 foot wide parcel of land lying 33.00 feet on either side of a center line, being located within the NE1/4 of Section 19, Township 14 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of the Relocation of the South Middle Verde Road as recorded in Book 17, Page 33 of the Yavapai County Recorder's Office, said center line of being more particularly described as follows:

BEGINNING for reference at a GLO brass cap dated 1938, marking the North quarter corner of said Section 19, from which a GLO brass cap dated 1972, marking the WE 1/64 corner of said Section 19, bears North 89°38'48" East (BLM and basis of bearings for this description) as shown on that Dependent Resurvey performed by the United States Department of the Interior B.L.M. filed June 27, 1972, at a distance of 663.11 ft. (M);

thence from said North quarter corner of Section 19, South 00°13'34" East, 1322.46 feet (M), S 0 05' East, 1324.40 ft. (R) to the existing center line of said Arena Del Loma;

thence South 89 49' 32" E (M), South 89 53' 00" East (R), a distance of 1503.52 ft. (R&M) to existing Station PC 50+10.82 being the TRUE POINT OF BEGINNING for said abandonment of original center line and the beginning of a curve to the left having a radius of 233.62 ft. (R), a delta of 18 16' 00", lt. (R) and a tangent distance of 37.56 ft. (M);

thence along said curve to the left a distance of 74.48 ft. (R) to Station PT 50+85.30;

thence North 71 51'00" East (R), a distance of 149.72 ft. (R) to Station PC 52+35.02, being the beginning of a curve to the right having a radius of 516.21 ft. (R), a delta of 50 39' 00" rt. and a tangent distance of 244.27 ft. (R);

thence along said curve to the right, a distance of 456.33 ft. (R) to Station PT 56+91.35;

thence South 51 05' East (R) a distance of 34.38 ft. (R) to the approximate intersection of the Montezuma-Camp Verde Highway being Station PI 57+25.73 and the terminus of this center line.



10/10/2013
Expires 06/30/2016

HAMMES SURVEYING LLC
2100 VIA SILVERADO
CAMP VERDE, AZ. 86322
(928)-567-2833 (928) 282-5686

New Alignment for a portion of Arena Del Loma (South Middle Verde Road) as recorded in Book 17, Page 33 of the Yavapai County records.

A 66.00 foot wide parcel of land lying 33.00 feet on either side of a center line, being located within the NE1/4 of Section 19, Township 14 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a portion of the Relocation of the South Middle Verde Road as recorded in Book 17, Page 33 of the Yavapai County Recorder's Office, said center line of being more particularly described as follows:

BEGINNING for reference at a GLO brass cap dated 1938, marking the North quarter corner of said Section 19, from which a GLO brass cap dated 1972, marking the WE 1/64 corner of said Section 19, bears North 89°38'48" East (BLM and basis of bearings for this description) as shown on that Dependent Resurvey performed by the United States Department of the Interior B.L.M. filed June 27, 1972, at a distance of 663.11 ft. (M);

thence from said North quarter corner of Section 19, South 00°13'34" East, 1322.46 feet (M), S 0 05' East, 1324.40 ft. (R) to the existing center line of said Arena Del Loma;

thence South 89 49' 32" E (M), South 89 53' 00" East (R), a distance of 1503.52 ft. (R&M) to existing Station 50+10.82 being the TRUE POINT OF BEGINNING for said new center line;

thence North 88 51' 06" East (M), a distance of 85.56 ft. (M) to New Station 50+96.38, being the beginning of a curve to the left having a radius of 1063.87 ft., a long chord bearing of North 84 49' 48" East and a chord distance of 149.63 ft. (M);

thence along said curve to the left, a distance of 149.75 ft. (M) to a New Station 52+46.13;

thence North 80 47' 50" East (M), a distance of 99.52 ft. (M) to New Station 53+45.65, being the beginning of a curve to the right having a radius of 990.57 ft. (M), a long chord bearing of North 85 23' 55" East and a chord distance of 158.53 ft. (M);

thence along said curve to the right a distance of 158.70 ft. (M) to New Station 55+04.35

thence East (M), a distance of 76.66 ft. (M) to New Station 55+81.01;

thence continuing East, a distance of 120.11 ft. (M) to the intersection of the existing center line of the Montezuma-Camp Verde Highway as recorded in Book 822, Page 730 of the Yavapai County records and the terminus of this center line.



10/10/2013

Expires 06/30/2016

HAMMES SURVEYING LLC
2100 VIA SILVERADO
CAMP VERDE, AZ. 86322
(928)-567-2833 (928) 282-5686

Dedication of a portion of the Montezuma-Camp Verde Highway as recorded in Book 822, Page 730 of the Yavapai County records.

A parcel of land being located within the NE1/4 of Section 19, Township 14 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being a dedication of a portion of the Montezuma-Camp Verde Highway as recorded in Book 822, Page 730 of the Yavapai County Recorder's Office, being more particularly described as follows:

BEGINNING for reference at a GLO brass cap dated 1938, marking the East quarter corner of said Section 19, from which a GLO brass cap dated 1938, marking the NE corner of said Section 19, bears North 00°02' 03" East (basis of bearings for this description), 2655.35 ft. (M), North 00 02' 23" East, 2655.42 ft. (R);

thence from said East quarter corner of Section 19, North 87°15'00" West, 423.49 feet (R1&M), to the existing center line of said Montezuma-Camp Verde Highway, being Station 242+74.71;

thence North 0 00' 02" East (M), North 00 10' East (R), a distance of 228.51 ft. (M) along the center line of said Montezuma-Camp Verde Highway to Station 240+46.20, being the TRUE POINT OF BEGINNING of this dedication;

thence North 89 50' 30" East, a distance of 12.33 ft. (R) to a point on the East line of the W1/2 of the E1/2 of the W1/2 of the E1/2 of the SE1/4 of the NE1/4 of said Section 19;

thence North 00 07' 45" West (M), a distance of 1076.92 ft. (M) along said East line of the W1/2 of the E1/2 of the W1/2 of the E1/2 of the SE1/4 of the NE1/4, from which the N1/16 lies North 89 44' 18" East, 413.95 ft. (C1);

thence South 89 44' 18" West, a distance of 82.79 ft. to the Northwest corner of said W1/2 of the E1/2 of the W1/2 of the E1/2 of the SE1/4 of the NE1/4;

thence North 00 00' 48" West, a distance of 663.31 along the East line of the W1/2 of the W1/2 of the SE1/4 of the NE1/4 of the NE1/4 of said Section 19 to its NE corner;

thence South 89 40' 57" West, a distance of 131.68 ft. along the North line of said W1/2 of the W1/2 of the SE1/4 of the NE1/4 of the NE1/4 of said Section 19 to a point on the Westerly right-of-way line of said Montezuma-Camp Verde Highway;

thence South 11 37' 58" East, a distance of 111.30 ft. along said Westerly right-of-way line of the Montezuma-Camp Verde Highway to beginning of a curve to the right having a radius of 5663.55 ft., a long chord bearing of South 05 48' 58" East and a chord distance of 1147.95 ft.;

thence along said curve to the right a distance of 1149.92 ft. along said Westerly right-of-way line of said Montezuma-Camp Verde Highway to a point;

thence continuing along Westerly right-of-way line of said Montezuma-Camp Verde Highway, South 00 00' 02" West, South 00 10' West (R1), a distance of 488.32 ft. to a point;

thence North 89 50' 30" East, a distance of 66.00 ft. (R1) to the place of beginning.

(R)= Legal description furnished by Westcor Land Title Insurance Company, File # 25437EW, dated 7/23/2013 at 7:30 am.

(R1)= Bk. 822, pg. 730

(M)= Measured



10/10/2013
Expires 06/30/2016

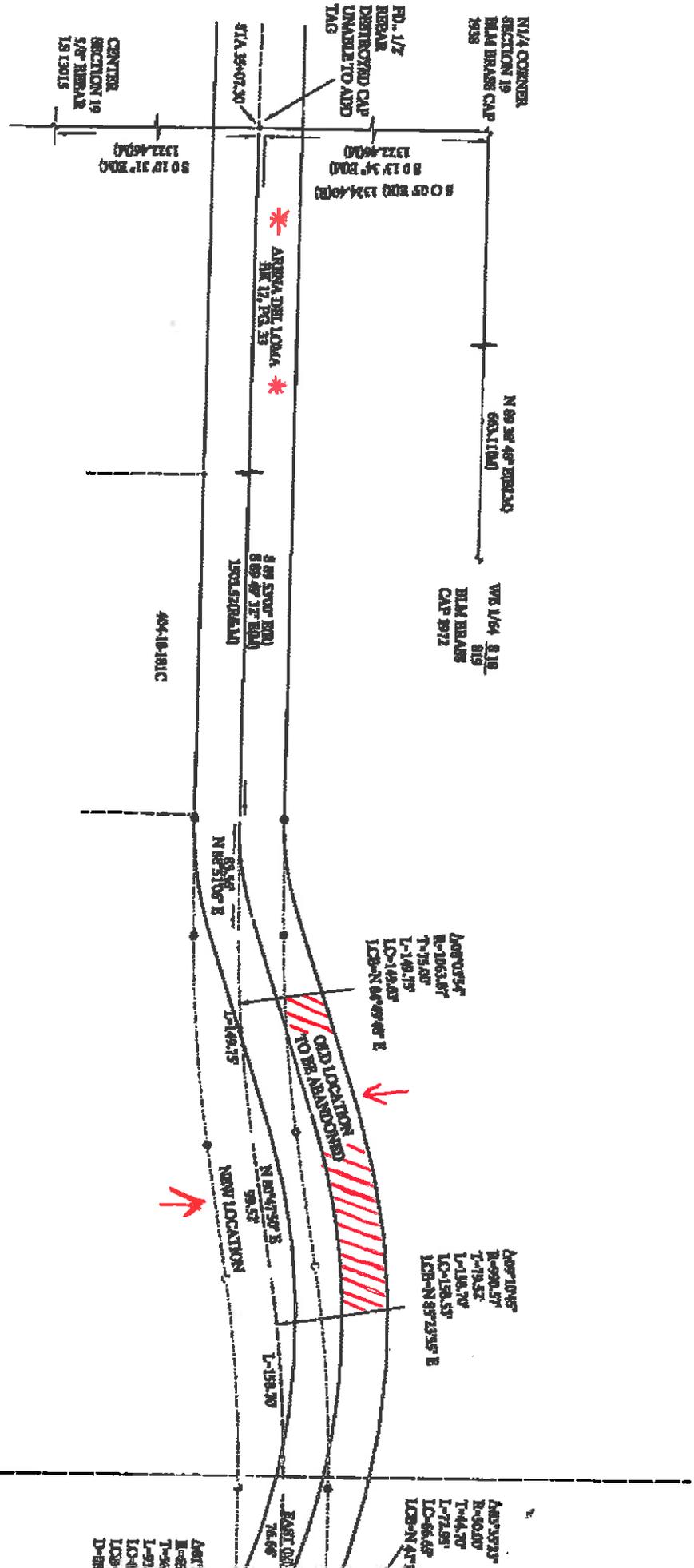
APPROVED BY:

TOWN OF CAMP VERDE DEPARTMENT OF COMMUNITY DEVELOPMENT DATE

MAYOR OF THE TOWN OF CAMP VERDE DATE

ENGINEER OF THE TOWN OF CAMP VERDE DATE

CLERK OF THE TOWN OF CAMP VERDE DATE



THIS PLAN IS SUBJECT TO ALL REGULATIONS AND ORDINANCES OF THE TOWN OF CAMP VERDE AND THE STATE OF ARIZONA. THE TOWN ENGINEER HAS REVIEWED THIS PLAN AND HAS FOUND IT TO BE IN ACCORDANCE WITH THE TOWN OF CAMP VERDE ORDINANCES AND THE STATE OF ARIZONA. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE TOWN ENGINEER'S REVIEW IS LIMITED TO THE TECHNICAL ASPECTS OF THE PLAN AND DOES NOT CONSTITUTE A GUARANTEE OF THE ACCURACY OF THE INFORMATION PROVIDED HEREON.

404-18-181C
 404-18-181D
 404-18-181E
 404-18-181F
 404-18-181G
 404-18-181H
 404-18-181I
 404-18-181J
 404-18-181K
 404-18-181L
 404-18-181M
 404-18-181N
 404-18-181O
 404-18-181P
 404-18-181Q
 404-18-181R
 404-18-181S
 404-18-181T
 404-18-181U
 404-18-181V
 404-18-181W
 404-18-181X
 404-18-181Y
 404-18-181Z

PETITION

Property Address : 1600 Montezuma Castle Rd., Camp Verde, AZ 86322

Yavapai County Tax parcel number: 404-18-181D

RE: Request for Abandonment of right of way on Arena Del Loma Camp Verde, AZ 86322

Owners: Rajna Capadu, LLC, Randy J Evans, Attorney in Fact, as agent

420 N Humphrys, Flagstaff, AZ 86001

Summary of Action~ The owners in doing an ALTA Survey recently found that Arena Del Loma as you enter from Montezuma Castle Rd was encroaching on our private lands. That the easement/right of way that was created and recorded for Arena Del Loma did not match the actual physical street that is being used. In an effort to cure the encroachment Tim Hamas the surveyor created a legal description and map of the area to be able to change the location to the actual street now being used to elevate the encroachment issue. Refer to Exhibit "A" Legal Description of the correction and Exhibit "B" survey map showing Arena Del Loma area of encroachment and correction requested.

The owners respectfully request that the Town of Camp Verde allow this correction to clear up the encroachment and abandon the existing right of way area they were never using.

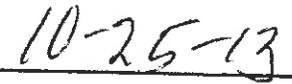
The owners being more than 51% ownership each side of Arena Del Loma and the area in question hereby attest their approval of this change.

By reference Exhibit "A" and "B" shall become part of this Petition

APPROVED AND ACCEPTED:



Rajna Capadu, LLC, Randy J Evans, Attorney in Fact, as agent



Date

Client:

Town of Camp Verde

Account # 11163 Ad # 345358

Phone: (928) 567-6631

Fax:

Address: 395 S MAIN ST

CAMP VERDE, AZ 86322-7272

Sales Rep.:

4018 Kendra Boustedt

Phone: (928) 634-2241

Fax: (928) 634-2312

Email: kboustedt@verdevalleynews.com

Entry date: 10/28/2013 10:48 AM

Class: 0050 PUBLIC NOTICES

Requested By:

Printed By: KB

Start Date: 10/30/2013

End Date: 11/06/2013

Nb. of Inserts: 2

Publications: VERDE VALLEY INDEPENDENT

Total Price: \$52.78

Paid Amount: \$0.00

Balance: \$52.78

Page 1 of 1

NOTICE OF PUBLIC HEARING
TOWN OF CAMP VERDE

November 20, 2013

THE FOLLOWING ITEM IS TENTATIVELY SCHEDULED FOR THE FOLLOWING HEARING: THE TOWN COUNCIL will hear the following Application Hearings, 6:30 PM in Council Chambers, Room 106 located at 473 S. Main Street. November 20, 2013 Public Hearing, Discussion and Possible Council approval or disapproval of a Roadway Easement Abandonment of approximately 685 feet of Arena Del Loma, located just west of the intersection of Arena Del Loma and Montezuma Castle Highway and submitted by RAJ NA CAPADU LLC owners of parcel 404-18-181D, adjacent to the proposed Roadway Easement Abandonment. PUBLISH DATE: October 30, 2013 and November 6, 2013 DATE POSTED:

October 30, 2013 BY: _____ DATE:

Note: Pursuant to A.R.S. §38-431.03A.2 and A.3, the Town 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. These facilities are handicapped accessible. Those with special accessibility or accommodation needs, such as Large-type face print, may request these at the office of the Town Clerk.

RESOLUTION 89-97

A RESOLUTION BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, CAMP VERDE ROADWAY ABANDONMENT PROCEDURES.

- 1) PETITION from property owner(s) requesting abandonment of specific right-of-way.

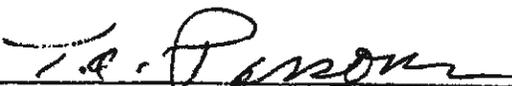
Petition must contain the signatures of the owners of at least 51% of the property frontage adjacent to the parcel to be abandoned. Petition to include:

- A) Assessor's Parcel Number and mailing address of each petitioner.
 - B) A summary of the action requested, along with a legal description of the parcel to be abandoned, and a sketch of the property involved in the petition. Sketch need not be prepared by registered personnel.
 - C) A \$100 non-refundable Application Fee made out to the Town of Camp Verde to initiate review of the petition request. This fee will be applied towards the costs to the Town for reviewing the petition request. If the proposed abandonment appears feasible to Town Staff the petitioners will be so advised of the Final Fee required to cover the costs of Advertisement for Hearing and preparation of the Abandonment Ordinance.
 - D) A map with identification of roadway to be discontinued and all affected properties listing the current owners of record (including address) as recorded by the County Assessor.
2. A NOTICE OF HEARING will be published on two consecutive weeks and a notice of such hearing mailed to the petitioners, to the property owners and to utility companies (APS, US West, Water, Sewer and Cable TV) affected who have not signed the petition. Date of publication of notices shall be a minimum of two weeks prior to the date of the hearing and notices to the several parties shall mailed not less than ten days before the hearing.

3. AT THE HEARING the Town Council may approve or disapprove the proposed roadway abandonment. If disapproved, no further action will be taken unless a new petition is submitted. If approved, the petitioners must submit a current title search, a legal description of the roadway to be abandoned, and an abandonment plat reflecting the division of the abandoned roadway pursuant to law, to be prepared on mylar by a Registered Land Surveyor or Professional Engineer (Civil) to the size and scale required by the Yavapai County Recorder. The abandonment Resolution will not be placed on the Town Council Agenda until the Abandonment Plat is submitted and approved by Town Staff. The costs of all items listed in this paragraph are at the expense of the applicant, separate from the \$ 100 application fee.

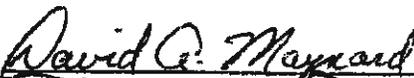
4. THE TOWN CLERK SHALL RECORD ABANDONMENT Resolution and abandonment Plat with the Yavapai County Recorder and distribute copies to appropriate agencies and departments.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona this 11th day of October 4, 1989



T.A. Parsons, Mayor

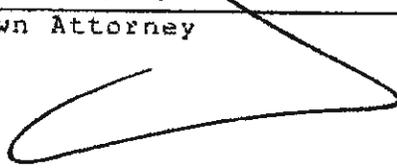
ATTEST:



David A. Maynard, Town Clerk



Ronald C. Ramsey, Town Attorney



9



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Community Development/Building Division

Staff Resource/Contact Person: Michael Jenkins (Community Development Director), Robert Foreman (Building Official).

Agenda Title (be exact): A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, APPROVING AND AUTHORIZING THE ABATEMENT OF DANGEROUS STRUCTURES LOCATED AT 3155 VERDE LAKES DRIVE (PARCEL 404-13-254), APPROVING AND AUTHORIZING THE TOWN MANAGER TO ALLOCATE ANY ADDITIONAL FUNDS REQUIRED AND DIRECTING THE BUILDING OFFICIAL TO ISSUE A START WORK ORDER TO DEMOLISH AND REMOVE THE ABOVE REFERENCED STRUCTURES.

List Attached Documents: Quote for Abatement of Dangerous Buildings, Resolution 2013-902, Posting of Signs (Do Not Enter Unsafe To Occupy), Photos of 3155 Verde Lakes Drive, Notice to Owner, Proper Service (USPS Certified Mail with Return Receipt)

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 20 minutes

Reviews Completed by:

Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: This fiscal year there is \$7,000 in the budget for the abatement of dangerous buildings under the Community Development Department, Code Enforcement. The abatement quote exceeds the \$7,000 budget by \$2,725. If resolution 2013-900 is approved prior to this resolution, the beginning balance of this budget line will be – (\$3,500), which means this entire abatement will need to be paid for as determined by the Town Manager.

Background Information:

- Under the Town Administrative Building Code Section 7-2-108 the Building Official may declare a building as a dangerous structure and a public nuisance to be abated by repair, rehabilitation or demolition.
- Under the Town Administrative Building Code Section 7-2-108.4 Right to Demolish. If the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish said building the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code and may order the Building Official to proceed with the work specified in such notice.
- The property currently slated to be abated as dangerous is:

3155 Verde Lakes Drive, Parcel 404-13-254

Contractors quote for abatement is \$9,725.00

Per the Town Administrative Building Code Section 7-2-108.2 (Notice to Owner), states that "The Building Official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this section, the Building Official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from the date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official."

Per the Town Administrative Building Code Section 7-2-108.2.1 (Proper Service), states that "Proper service of such notice shall be by one of the following methods; personal service upon the owner of record, if found within the Town Limits; if not found within the Town Limits, such service may be made upon said owner by first class mail, postage paid, addressed to the owner, occupant, agent, manager or responsible person at the last known address; delivered in any manner permitted by the Arizona Rules of Civil Procedure for Service of Process or posted in a conspicuous place on or about the entrance of the structure affected by such notice. Service by mail is deemed complete upon deposit in the U.S. Mail. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. The designated period within which said owner or person in charge is required to comply with the order of the Building Official shall begin as of the date such notice was mailed, received or posted."

Per the Town Administrative Building Code, Section 7-2-108.3 (Posting of Signs), states that "The Building Official shall cause to be posted at each entrance to such building a notice to read: DO NOT ENTER, UNSAFE TO OCCUPY by order of the Community Development Department, of the Town of Camp Verde. Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building."

The Building Official has met all the requirements for Sections 7-2-108.2, 108.2.1 & 108.3. for the property under consideration by the Council for Abatement as referenced above.

The owners, their agents or managers have not complied with the order as noticed by the Building Official for the referenced property. The Building Official now must rely on the Right to Demolish portion of the Town Administrative Section of the Town Code, Section 7-2-108.4 as recited under the second bullet point on page one of this Agenda Report.

On January 8, 2013 the Town awarded a contract to Hollamon Generations to provide abatement of dangerous building services to the Town. There is \$7,000 dollars in the current budget for these services. The contractor's quote for abatement is \$9,725, which exceeds the current budget by \$2,725. If resolution 2013-900 is approved prior to this resolution, the beginning balance of this budget line will be – (\$3,500), which means the entire \$9,725 will need to come from funds as determined by the Town Manager.

Under Section 7-2-108.4 of the Town Code, "...the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code..." Direction from the Council to staff is also requested on this item.

Recommended Action (Motion): A motion approving and authorizing the abatement of dangerous structures located at 3155 Verde Lakes Drive (Parcel 404-13-254), approving and authorizing the Town Manager to allocate any additional funds required and directing the Building Official to issue a start work order to demolish and remove the above referenced structures.

Instructions to the Clerk: N/A

RESOLUTION 2013-902

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, APPROVING AND AUTHORIZING THE ABATEMENT OF DANGEROUS STRUCTURES LOCATED AT 3155 VERDE LAKES DRIVE (PARCEL 404-13-254), AND APPROVING AND AUTHORIZING THE TOWN MANAGER TO ALLOCATE ANY ADDITIONAL FUNDS REQUIRED AND DIRECTING THE BUILDING OFFICIAL TO ISSUE A START WORK ORDER TO DEMOLISH AND REMOVE THE ABOVE REFERENCED STRUCTURES.

WHEREAS, the structures on the above property were deemed to be ‘unsafe structures’ per the Town Code, Section 7-2-108.1 and a ‘dilapidated building’ pursuant to A.R.S. §9-499.

WHEREAS, the property owners were notified in accordance with Section 7-2-108.2 and A.R.S. §9-499, and proper service was performed in accordance with Section 7-2-108.2.1 and A.R.S §9-499. The structures were posted in accordance with Section 7-2-108.3 of the Town Code.

WHEREAS, the property owners have failed, neglected or refused to comply with the notice to repair, rehabilitate, or to demolish and remove said buildings or structures, per Section 7-2-108.4 of the Town Code and A.R.S. §9-499 and the Town Council has directed Staff at the November 20, 2013 Council session to prepare a resolution to proceed with the demolition of said structures or buildings on the above listed properties, and for the Town Financial Director to proceed to recoup costs incurred and paid out of the Town Treasury per Section 7-2-108.4 in a manner specified in the Town of Camp Verde Code, per Section 7-2-108.5 and A.R.S. §9-499.

NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. To direct the Town Manager to direct the Town Building Official to proceed with the demolition of the structures or buildings on the above properties and to issue start work order to Hollamon Generations Company, as the designated agent for the removal of dangerous structures or buildings.

Section 2. That upon inspection of the completed work by the Building Official, to his satisfaction, the Building Official will present total costs and penalties incurred and paid out of the Town Treasury to the Town Financial Director for collection pursuant to A.R.S. §9-499.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE
TOWN OF CAMP VERDE, ARIZONA, this _____ day of _____, 2013.**

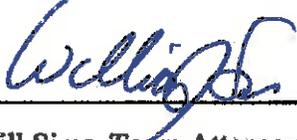
Charles German, Mayor

Date: _____

Attest: _____

Deborah Barber, Town Clerk

APPROVED AS TO FORM:



Bill Sims, Town Attorney



Town of Camp Verde
 Community Development
 473 S. Main St., Suite 108
 Camp Verde, AZ 86322
 Tel: (928) 567-8514
 Fax: (928) 567-7401
 Email: Robert.Foreman@campverde.az.gov

TO: Hollamon Generations
Attn: Mary & Kelly Hollamon – Owners
 285 E. Hollamon St.
 Camp Verde, Arizona 86322

From: Robert Foreman
Building Official

Date Issued: 10-18-13

Quote and Start Work Order (specific parcel)
Abatement of Dangerous Building

Subject Property: Parcel No. 404-13-254

Street Address: 3155 VERDE LAKES DRIVE

Complaint No. _____

Scope of Work: To supply all labor, equipment and transportation necessary to remove dangerous building(s) and associated rubbish and debris.

1.) Structure(s)/Building(s). MAIN STRUCTURE, ALL ATTACHED OR DETACHED STRUCTURES

2.) Rubbish/Debris. ALL DEBRIS AND MATERIAL INSIDE STRUCTURE(S).

3.) Special. _____

Contractor's Specific Quote: \$9725⁰⁰

Robert Foreman, CBCO
 Building Official

Kelly Hollamon
 Hollamon Generations-Mary & Kelly Hollamon

Date:

11-4-13

Date:



DO NOT ENTER UNSAFE TO OCCUPY

BY ORDER OF THE COMMUNITY DEVELOPMENT DEPARTMENT, OF THE TOWN OF CAMP VERDE

A LOCAL INSPECTION OF THE PROPERTY LOCATED AT 217 W. 1ST AVENUE CAMP VERDE, AZ
PARCELS 202-11-001 ON 08/08/2013 IT HAS BEEN DETERMINED THAT PER TOWN CODE
SECTION 7.2 OF THE JURISDICTION OF THE TOWN OF CAMP VERDE IT IS UNLAWFUL FOR ANY PERSON
TO OCCUPY OR RESIDE IN THIS BUILDING.

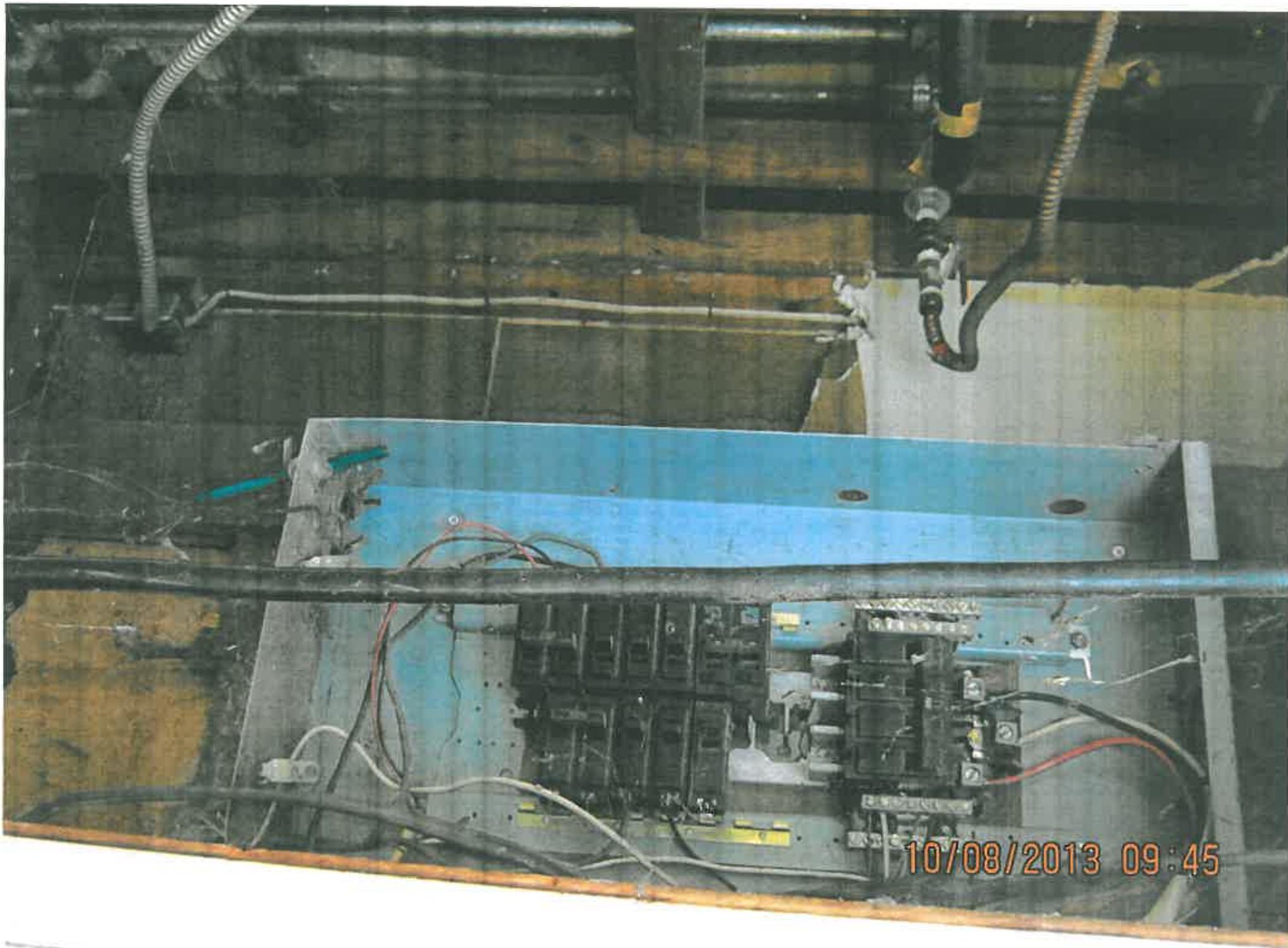
UPON RECEIPT OF THIS NOTICE THE OWNER HAS 5 WORKING DAYS TO RESPOND TO THE COMMUNITY
DEVELOPMENT DEPARTMENT. FAILURE TO RESPOND COULD RESULT IN CITATIONS PER TOWN CODE ARTICLE
5.7 ENFORCEMENT PROCEDURES FOR VIOLATIONS OF THE TOWN CODE.

COMMUNITY DEVELOPMENT DEPARTMENT
JURISDICTION OF THE TOWN OF CAMP VERDE
473 S. MAIN ST., SUITE 108
(928) 567-8514

[Signature]
CODE ENFORCEMENT OFFICIAL

THIS NOTICE SHALL REMAIN POSTED UNTIL THE REQUIRED REPAIRS, DEMOLITION OR REMOVAL ARE COMPLETED. SUCH
NOTICE SHALL NOT BE REMOVED WITHOUT WRITTEN PERMISSION OF THE BUILDING OFFICIAL AND NO PERSON SHALL
ENTER THE BUILDING EXCEPT FOR THE PURPOSE OF MAKING THE REQUIRED REPAIRS OR OF DEMOLISHING THE BUILDING.

10/08/2013 09:49





10/08/2013 09:44



10/08/2013 09:44



10/08/2013 09:43

3155 Verda Lakes
Drive



10/08/2013 09:39



10/08/2013 09:50



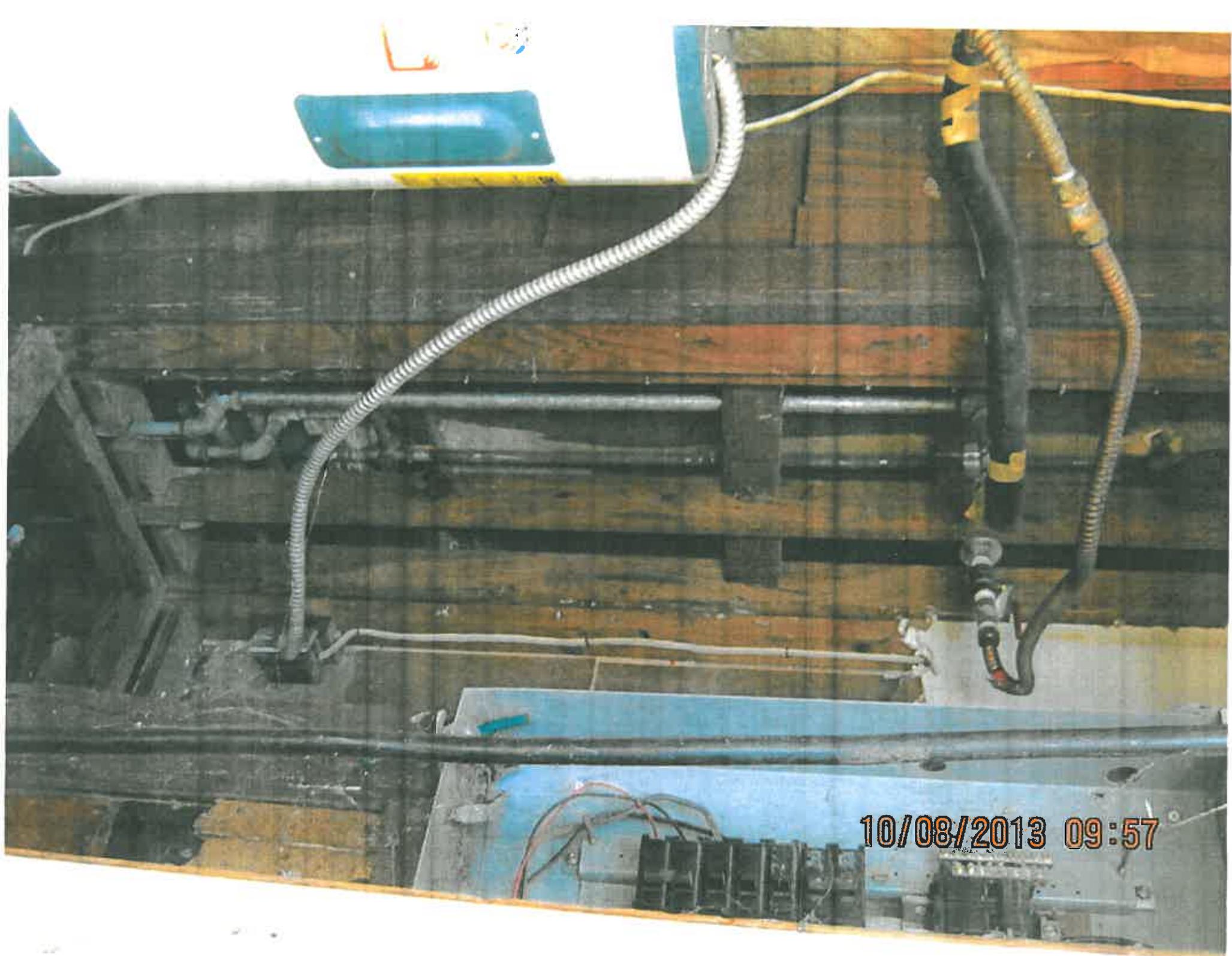


10/08/2013 09:56



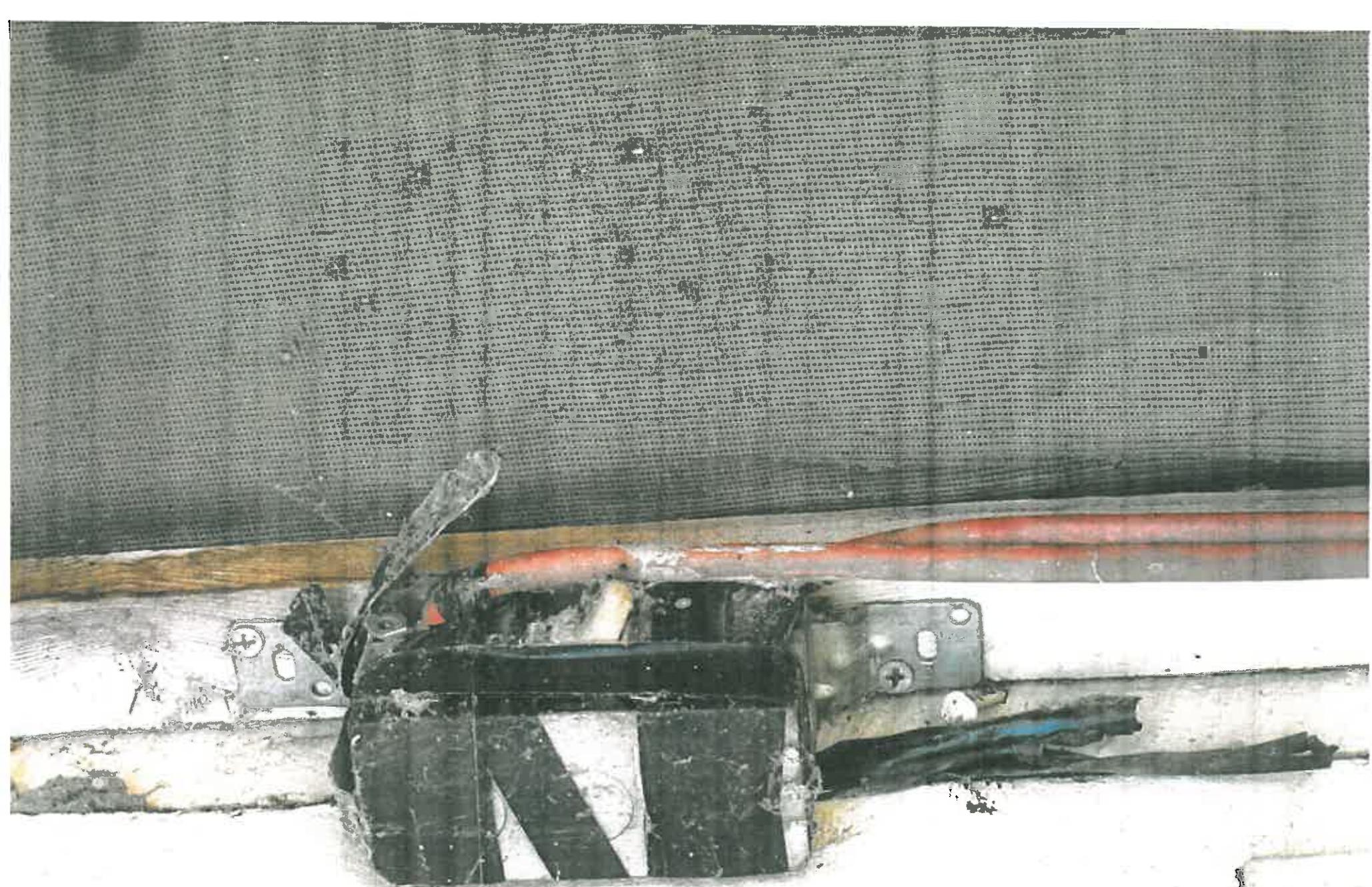
10/08/2013 09:55







10/08/2013 09:53



10/08/2013 09:48



10/08/2013 09:45



TOWN OF CAMP VERDE

◆ 473 S. Main Street ◆ Camp Verde, Arizona 86322 ◆ (928) 567-6631 FAX 567-9061

www.cvaz.org

towncouncil@cvaz.org

Date: 10/10/2013

To: Kathleen Stahl

From: Robert Foreman
Building Official
Town of Camp Verde

Re: 3155 Verde Lakes Dr.
Parcel: #403-13-254

Dear Ms. Stahl

This letter is to inform you that on 10/8/2013 our office posted the above property as unsafe and a public nuisance per Town Code Article 7-2-108.1

This letter will serve as written notice per Town Code Article 7-2-108.2 and requires the owner or person in charge of the property to begin required repairs or demolition of the building within 15 days from the date of this letter and all repairs or demolition to be completed within 30 days from the date of this letter.

Per Town Code Article 7-2-108.2 specifically the building needs to be repaired so as to be structurally sound, electrical wiring needs to be repaired and unsafe conditions in the wiring system replaced and such work be certified by a licensed electrical contractor as safe and meeting electrical codes, it needs to be demonstrated that the building can be heated to a minimum of 68 degrees at three feet above the floor level, that cooking facilities are available for the preparation of food, that sanitation facilities are available, the means of ingress/egress need to be cleared and that emergency rescue openings are available in all sleeping areas, proper light and ventilation, either mechanical or natural, need to be restored and certification form a mold abatement service that the building is mold free.

This letter serves as proper notice per Article 7-2-108.2.1 and the Posting of the above property on 10/9/13 serves as proper notice.

Per Articles 7-2-108.4 and 7-2-108.5 the neglect, refusal or failure to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure the Town Council may order the owner of the building to be criminally prosecuted and may order the Building Official to proceed with the work specified in such notice. Costs incurred plus appropriate penalties shall be charged to the owner and collected by the Financial Director.





Robert Foreman CBCO
Building Official
Town of Camp Verde
473 S. Main St. Ste., 108
928-554-0063
Robert.foreman@campverdc.az.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

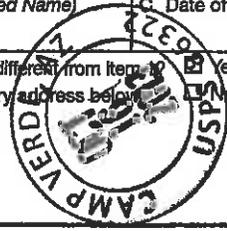
KATHLEEN STAHL
 P.O. BOX 2165
 CAMP VERDE, AZ
 86322

COMPLETE THIS SECTION ON DELIVERY

A. Signature *[Handwritten Signature]*
 Agent
 Addressee

B. Received by (Printed Name) _____ C. Date of Delivery _____

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes

2. Article Number (Transfer from service label) 7012 3010 0000 0105 4807

9.



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
- Presentation Only Action/Presentation

Requesting Department: Community Development/Building Division

Staff Resource/Contact Person: Michael Jenkins (Community Development Director), Robert Foreman (Building Official).

Agenda Title (be exact): A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, APPROVING AND AUTHORIZING THE ABATEMENT OF DANGEROUS STRUCTURES LOCATED AT 475 GROSETA DRIVE (PARCEL 403-23-086B), APPROVING AND AUTHORIZING THE TOWN MANAGER TO ALLOCATE ANY ADDITIONAL FUNDS REQUIRED AND DIRECTING THE BUILDING OFFICIAL TO ISSUE A START WORK ORDER TO DEMOLISH AND REMOVE THE ABOVE REFERENCED STRUCTURES.

List Attached Documents: Quote for Abatement of Dangerous Buildings, Resolution 2013-900, Posting of Signs (Do Not Enter Unsafe To Occupy), Interior Photos of 475 Groseta Drive, Notice to Owner, Proper Service (USPS Certified Mail with Return Receipt)

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 20 minutes

Reviews Completed by:

Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: This fiscal year there is \$7,000 in the budget for the abatement of dangerous buildings under the Community Development Department, Code Enforcement. The abatement quote exceeds the \$7,000 budget by \$3,500.

Background Information:

- Under the Town Administrative Building Code Section 7-2-108 the Building Official may declare a building as a dangerous structure and a public nuisance to be abated by repair, rehabilitation or demolition.

- Under the Town Administrative Building Code Section 7-2-108.4 Right to Demolish. If the owner shall fail, neglect or refuse to comply with the notice to repair, rehabilitate or demolish said building the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code and may order the Building Official to proceed with the work specified in such notice.
- The property currently slated to be abated as dangerous is:

475 S. Groseta Drive, Parcel: 403-23-086B

Contractors quote for abatement is: \$10,500.00

Per the Town Administrative Building Code Section 7-2-108.2 (Notice to Owner), states that "The Building Official shall examine or cause to be examined every building or structure or portion thereof reported as dangerous or damaged and, if such is found to be an unsafe building as defined in this section, the Building Official shall give to the owner of such building or structure written notice stating the defects thereof. This notice may require the owner or person in charge of the building premises, within 48 hours, to commence either the required repairs or improvements or demolition and removal of the building or structure or portions thereof, and all such work shall be completed within 90 days from the date of notice, unless otherwise stipulated by the Building Official. If necessary, such notice shall also require the building, structure or portion thereof to be vacated forthwith and not reoccupied until the required repairs and improvements are completed, inspected, and approved by the Building Official."

Per the Town Administrative Building Code Section 7-2-108.2.1 (Proper Service), states that "Proper service of such notice shall be by one of the following methods; personal service upon the owner of record, if found within the Town Limits; if not found within the Town Limits, such service may be made upon said owner by first class mail, postage paid, addressed to the owner, occupant, agent, manager or responsible person at the last known address; delivered in any manner permitted by the Arizona Rules of Civil Procedure for Service of Process or posted in a conspicuous place on or about the entrance of the structure affected by such notice. Service by mail is deemed complete upon deposit in the U.S. Mail. Service of such notice in the foregoing manner upon the owner's agent or upon the person responsible for the structure shall constitute service of notice upon the owner. The designated period within which said owner or person in charge is required to comply with the order of the Building Official shall begin as of the date such notice was mailed, received or posted."

Per the Town Administrative Building Code, Section 7-2-108.3 (Posting of Signs), states that "The Building Official shall cause to be posted at each entrance to such building a notice to read: DO NOT ENTER, UNSAFE TO OCCUPY by order of the Community Development Department, of the Town of Camp Verde. Such notice shall remain posted until the required repairs, demolition or removal are completed. Such notice shall not be removed without written permission of the Building Official and no person shall enter the building except for the purpose of making the required repairs or of demolishing the building."

The Building Official has met all the requirements for Sections 7-2-108.2, 108.2.1 & 108.3. for the property under consideration by the Council for abatement as referenced above.

The owners, their agents or managers have not complied with the order as noticed by the Building Official for the referenced property. The Building Official now must rely on the Right to Demolish

portion of the Town Administrative Section of the Town Code, Section 7-2-108.4 as recited under the second bullet point on page one of this Agenda Report.

On January 8, 2013 the Town awarded a contract to Hollamon Generations to provide abatement of dangerous building services to the Town. There is \$7,000 dollars in the current budget year for these services. The contractor's quote for abatement is \$10,500, which exceeds the current budget by \$3,500.

Under Section 7-2-108.4 of the Town Code, "...the Town Council may order the owner of the building prosecuted as a violator of the provisions of this code..." Direction from the Council to staff is also requested on this item.

Recommended Action (Motion): A motion approving and authorizing the abatement of dangerous structures located at 475 Groseta Drive (Parcel 403-23-086B), approving and authorizing the Town Manager to allocate any additional funds required and directing the Building Official to issue a start work order to demolish and remove the above referenced structures.

Instructions to the Clerk: N/A

RESOLUTION 2013-900

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, APPROVING AND AUTHORIZING THE ABATEMENT OF DANGEROUS STRUCTURES LOCATED AT 475 GROSETA DRIVE (PARCEL 403-23-086B), AND APPROVING AND AUTHORIZING THE TOWN MANAGER TO ALLOCATE ANY ADDITIONAL FUNDS REQUIRED AND DIRECTING THE BUILDING OFFICIAL TO ISSUE A START WORK ORDER TO DEMOLISH AND REMOVE THE ABOVE REFERENCED STRUCTURES.

WHEREAS, the structures on the above property were deemed to be ‘unsafe structures’ per the Town Code, Section 7-2-108.1 and a ‘dilapidated building’ pursuant to A.R.S. §9-499.

WHEREAS, the property owners were notified in accordance with Section 7-2-108.2 and A.R.S. §9-499, and proper service was performed in accordance with Section 7-2-108.2.1 and A.R.S §9-499. The structures were posted in accordance with Section 7-2-108.3 of the Town Code.

WHEREAS, the property owners have failed, neglected or refused to comply with the notice to repair, rehabilitate, or to demolish and remove said buildings or structures, per Section 7-2-108.4 of the Town Code and A.R.S. §9-499 and the Town Council has directed Staff at the November 20, 2013 Council session to prepare a resolution to proceed with the demolition of said structures or buildings on the above listed properties, and for the Town Financial Director to proceed to recoup costs incurred and paid out of the Town Treasury per Section 7-2-108.4 in a manner specified in the Town of Camp Verde Code, per Section 7-2-108.5 and A.R.S. §9-499.

NOW THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, DO HEREBY RESOLVE AS FOLLOWS:

Section 1. To direct the Town Manager to direct the Town Building Official to proceed with the demolition of the structures or buildings on the above properties and to issue start work order to Hollamon Generations Company, as the designated agent for the removal of dangerous structures or buildings.

Section 2. That upon inspection of the completed work by the Building Official, to his satisfaction, the Building Official will present total costs and penalties incurred and paid out of the Town Treasury to the Town Financial Director for collection pursuant to A.R.S. §9-499.

**PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE
TOWN OF CAMP VERDE, ARIZONA, this _____ day of _____, 2013.**

Charles German, Mayor

Date: _____

Attest: _____

Deborah Barber, Town Clerk

APPROVED AS TO FORM:



Bill Sims, Town Attorney



Town of Camp Verde
 Community Development
 473 S. Main St., Suite 108
 Camp Verde, AZ 86322
 Tel: (928) 567-8514
 Fax: (928) 567-7401
 Email: Robert.Foreman@campverde.az.gov

TO: Hollamon Generations
Attn: Mary & Kelly Hollamon – Owners
 285 E. Hollamon St.
 Camp Verde, Arizona 86322

From: Robert Foreman
Building Official

Date Issued: 10-18-13

Quote and Start Work Order (specific parcel)
Abatement of Dangerous Building

Subject Property: Parcel No. 403-23-086B

Street Address: 475 S. GROSSETA DRIVE

Complaint No. _____

Scope of Work: To supply all labor, equipment and transportation necessary to remove dangerous building(s) and associated rubbish and debris.

1.) Structure(s)/Building(s). MAIN STRUCTURE, MOBILE HOME, ALL ATTACHED OR DETACHED STRUCTURES.

2.) Rubbish/Debris. ALL DEBRIS AND MATERIAL INSIDE STRUCTURE(S)

3.) Special. HAVE BUILDING OFFICIAL ACCOMPANY YOU WHEN YOU INSPECT PROPERTY TO PREPARE BID

Contractor's Specific Quote: \$10,500⁰⁰

Robert Foreman, CBCO
 Building Official

Kelly Hollamon
 Hollamon Generations-Mary & Kelly Hollamon

Date:

11-6-13

Date:


DO NOT ENTER UNSAFE TO OCCUPY
An unsafe or unoccupied vessel shall not be used for any purpose.
This notice is posted on the vessel to inform the crew and passengers of the unsafe condition.
The vessel shall not be used until the unsafe condition is corrected and the vessel is safe to occupy.
The vessel shall not be used until the unsafe condition is corrected and the vessel is safe to occupy.
The vessel shall not be used until the unsafe condition is corrected and the vessel is safe to occupy.
The vessel shall not be used until the unsafe condition is corrected and the vessel is safe to occupy.



10/25/2013 09:22



07/23/2013 16:07



07/23/2013 16:12



07/23/2013 16:22



07/23/2013 15:46



07/23/2013 15:46



07/23/2013 15:34



07/23/2013 15:48

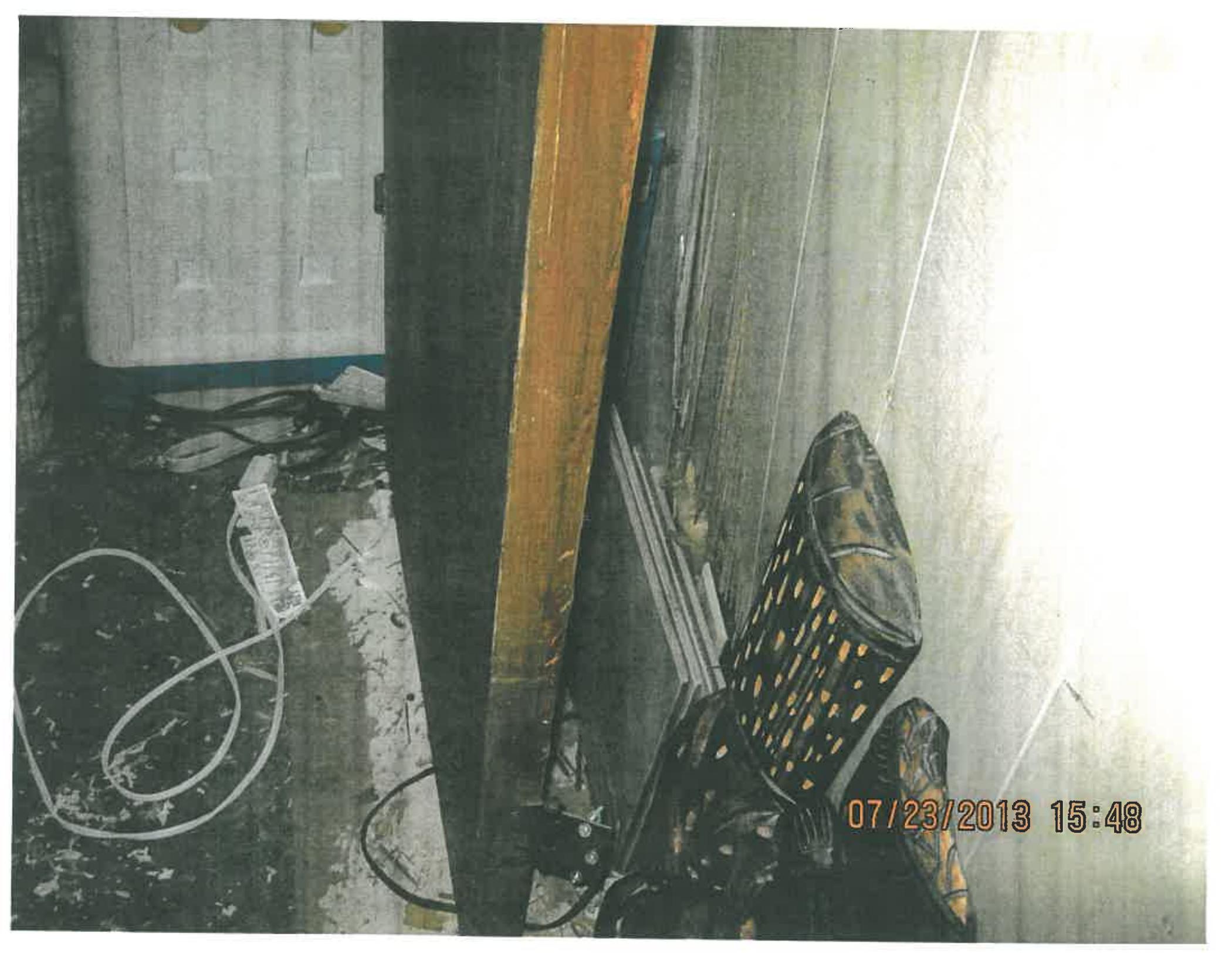




07/23/2013 15:46



07/23/2013 15:35



07/23/2013 15:48



TOWN OF CAMP VERDE

◆ 473 S. Main Street ◆ Camp Verde, Arizona 86322 ◆ (928) 567-6631 FAX 567-9061

www.cvaz.org

towncouncil@cvaz.org

Date: 7/25/2013

To: Irene Aunon

From: Robert Foreman
Building Official
Town of Camp Verde

Re: 475 S. Groseta Dr.
Parcel: #403-23-086B

Dear Ms. Aunon

This letter is to inform you that on 7/23/2013 our office posted the above property as unsafe and a public nuisance per Town Code Article 7-2-108.1

This letter will serve as written notice per Town Code Article 7-2-108.2 and requires the owner or person in charge of the property to begin required repairs or demolition of the building within 15 days from the date of this letter and all repairs or demolition to be completed within 90 days from the date of this letter.

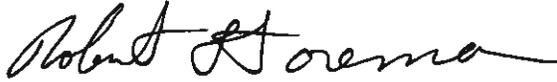
Per Town Code Article 7-2-108.2 specifically the building needs to be repaired so that water service is available for sanitation, so that the building can be heated to a minimum of 68 degrees at three feet above the floor level, (space heaters are not acceptable means of heating) so that cooking facilities are available for the preparation of food, so that the means of ingress/egress be cleared and that emergency rescue openings are available in all sleeping areas, so that proper light and ventilation, either mechanical or natural are provided, and certification from a licensed mold abatement service that the building has been rendered mold free, in addition the walls in the bathroom need to be repaired and the roof in what appears to be the rear sleeping areas need to be repaired, and a licensed electrical contractor needs to inspect and certify in writing to our office that the electrical service and wiring in the structure are safe for habitation.

This letter serves as proper notice per Article 7-2-108.2.1 and the Posting of the above property on 7/23/13 serves as proper notice.

Per Articles 7-2-108.4 and 7-2-108.5 the neglect, refusal or failure to comply with the notice to repair, rehabilitate, or to demolish and remove said building or structure the Town Council may order the owner of the building to be prosecuted and may order the



Building Official to proceed with the work specified in such notice. Costs incurred shall be charged to the owner and collected by the Financial Director.

A handwritten signature in black ink, appearing to read "Robert Foreman". The signature is fluid and cursive, with a long horizontal stroke at the end.

Robert Foreman CBCO
Building Official
Town of Camp Verde
473 S. Main St. Ste., 108
928-554-0063
Robert.foreman@campverde.az.gov

SENDER: COMPLETE THIS SECTION

- Complete items 1, 2, and 3. Also complete item 4 if Restricted Delivery is desired.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

IRENE AUNON
P.O. BOX 1518
CAMP VERDE, AZ
86322

2. Article Number
(Transfer from service label)

7012 1010 0000 0105 9975

COMPLETE THIS SECTION ON DELIVERY

A. Signature

x 

- Agent
- Addressee

B. Received by (Printed Name)

Martin Aunon

C. Date of Delivery

7-29-13

D. Is delivery address different from item 1? Yes

If YES, enter delivery address below: No

3. Service Type

- Certified Mail
- Registered
- Insured Mail
- Express Mail
- Return Receipt for Merchandise
- C.O.D.

4. Restricted Delivery? (Extra Fee)

Yes

10
Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: October 20, 2013

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: Mayor & Council

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Discussion, consideration, and possible approval of Ordinance 2013-A389, an ordinance of the Town of Camp Verde, Yavapai County, Arizona amending Town Code, Section 11-1-6 Parks-Alcohol Use.

List Attached Documents: Ordinance 2013-A389

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 15 minutes

Reviews Completed by:

Department Head: N/A

Town Attorney Comments: N/A

Finance Department N/A

Fiscal Impact: None

Budget Code: N/A

Amount Remaining: _____

Comments:

Background Information: On October 2, 2013 Council directed staff to prepare an ordinance amending the Town Code as it relates to Alcohol. In 2001, Section 11-1-6 of the Town Code was amended to permit alcohol use on Town-owned property for three events only. These events are Ft Verde Days, Corn Festival and Pecan & Wine Festival.

Recommended Action (Motion): Approve Ordinance 2013-A389, an ordinance of the Town of Camp Verde, Yavapai County, Arizona amending Town Code, Section 11-1-6 Parks-Alcohol Use.

Instructions to the Clerk:



DRAFT ORDINANCE 2013-A389

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE SECTION 11-1-6 PARKS – ALCOHOL USE**

TOWN CODE, SECTION 11-1-6 is hereby amended as follows:

Section 11-1-6 Parks - Alcohol Use (2000-A162) (2009-A367) (2009-A369) (2011-A375) (A2013-389)

Definitions: "Public Recreation Area" shall include a Town park, district or regional parks, riverfront parks, or areas so designated by the Town Council of the Town Hall complex, such as the adjoining sports fields, parking lots, or gymnasium, or other Town property.

Prohibition on Alcohol Use. It is unlawful for any person to consume, possess, give, or sell any alcoholic beverage within the boundaries of any public recreation area or on Town-owned property within the Town limits, or in a public thoroughfare, except that persons may sell, purchase, or consume beer and/or wine by permit from the Town. The Council ~~may approve no more than three (3) alcohol permits on Town property in a fiscal year, at the following events only: Fort Verde Days (beer only), Cornfestival (beer only), and Pecan, Wine & Antique Festival (wine only)~~ **SHALL DETERMINE AND APPROVE ALL EVENTS AT WHICH ALCOHOL IS TO BE SOLD.** A special event license from the Arizona Department of Liquor Control is required and procedures are outlined in the Town of Camp Verde Procedures and Operations Guide, Special Event Permitting Procedures and Handbook. The permit will specify the area and other conditions of use.

- A) Proof of alcohol training from Arizona Department of Liquor Control is required as a condition of the permit.
- B) Signs will be posting stating that no one appearing to be intoxicated will be served
- C) "LAST CALL" promotions are strictly prohibited.

Permit Procedures. The Town Manager will establish permit procedures under this ordinance, except that the Town Council **SHALL** by motion or resolution determine which events will have beer sold under a Town special event license.

Violations and Penalties. Violation of this [section] ordinance is declared to be a Class 1 misdemeanor, punishable by fines up to \$2,500 and 6 months in jail or to the limits as may be amended by State law.

Posting. Signs shall be posted in all public recreation areas warning the public of the provisions of this ordinance.

Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is accomplished.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 20th day of November 2013.

Charles German, Mayor

Date: _____

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney



Town of Camp Verde

Meeting Date: November 20, 2013

- Consent Agenda Decision Agenda Executive Session Requested
 Presentation Only Action/Presentation

Requesting Department: Administration

Staff Resource/Contact Person: Russ Martin

Agenda Title (be exact): Discussion, consideration, and possible approval of Ordinance 2013-A390 An Ordinance amending 3-1-1, 3-2-1, 3-2-4 relating to residency requirements of the Town Manager and Town Marshal.

List Attached Documents:

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 15 minutes

Reviews Completed by:

- Department Head: Russ Martin** (comments included in report)
 Town Attorney Comments: N/A
 Finance Department: N/A

Background Information:

Town Council directed staff to develop options to change the current residency requirements to include no change, changes that would clarify how residency would be determined in the future and finally an option to eliminate the requirement. Staff has presented the options in the second part of this report so as to assist Council through this discussion on possibly changing the current ordinance.

Recommended Action (Motion): Move to approve Option 3 of Ordinance 2013-A390 An Ordinance amending 3-1-1, 3-2-1, 3-2-4 relating to residency requirements of the Town Manager and Town Marshal.

Instructions to the Clerk: None at this time. Because of the possibility for amended versions a final signature version may have to wait until the decision is made by Council.

Town of Camp Verde

Agenda Item Submission Form – Section II (Staff Report)

Department: Administration

Staff Resource/Contact Person: Russ Martin

Contact Information: Russ @ 554-0001; russ.martin@campverde.az.gov

Background:

Same as above.

Statement of the Problem or Opportunity:

This has been and continues to be a difficult discussion as it is always preferred to have your employees work in the Town they serve for numerous reasons as understood by many "company" Towns that were created around mines or factories for example. This desire is still very prevalent for those same reasons and those who work in government understand the desire by the Taxpayer to see, if nothing else that money paid in salaries recirculated to benefit even further the community needs. However, it is also understood that in the hiring process you always strive to find the most qualified, best fit, most experienced you can find to fill the job to provide the biggest value to the Taxpayer by the work that is completed by that staff. Here in lies the problem we face both have very legitimate reasons for desiring the code reflect in the best world both and many times you find both being satisfied with the results of a hire. An employee who is both good and lives in the community is a great asset to the Taxpayer and Community, but those whom for whatever reason don't are not automatically any less of an asset or cant' be assumed they don't care about the community because they don't live in the community they work for, they are all professionals and are expected to perform regardless of their residency.

Staff has attempted to put forth direct and simple changes that accomplish any one of the three general options Council directed.

The ordinance in final form will include the following placed in them if the option is selected:

Alternatives/Options/Solutions:

- Option 1
 - No change, therefore no wording or text will be changed.

- Option 2
 - Change the text to read:
 - Section 3-2-1 (c) (in part)
 - Removing "The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.
 - Section 3-2-4 (a) (in part)
 - Removing "The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.
 - Remove current Section 3-1-1 and replace with:
 - Residency is required for the Town Manager and Town Marshal within 120 days of the date of hire.
 - This section (3-1-1) allows for the following exceptions however it must be complied with every possible relocation:

- (A) Residency is established within 20 mile radius of the Town Limits in any direction.
 - (B) Residency requirements for a spouse for documented medical or career related reasons prohibit them from relocation.
- Option 3
 - Change the text to read:
 - Section 3-2-1 (c) (in part)
 - Removing "The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.
 - Section 3-2-4 (a) (in part)
 - Removing "The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.
 - Amending Section 3-1-1 to state: Residency within Town limits for department heads or other personnel ~~may be~~ is not required. ~~for certain positions as reflected in the advertising for the position.~~

Comparative Analysis:

It is important to note that every attempt was made to simplify the criteria so as to make it easier to understand and enforce.

Option 1 continues status quo allowing Council to continue to make a case by case review of the circumstances and determine a waiver based on their own criteria. It is also a difficult option because it does leave a lot of room to interpret the criteria for the waiver and simply how long any employee would have to reasonably comply upon hire. Adding a simple timeframe for compliance may help this option if it were selected to clarify enforcement and to be reasonable to a new relocating employee.

Option 2 provides for the clarity requested and serves as a way to eliminate Council interaction with compliance so as to eliminate potentially difficult scenarios being publicly reviewed. It provides clarity for enforcement on location and possible reasonable extension beyond our borders. It also provides for a reasonable accommodation for the one potential issue that was identified during previous discussions that could prohibit a potential candidate from fulfilling the residency requirement. It provides for a realistic timeframe for compliance as suggested Option 1 does not and addresses simply and directly to potential candidates internal and external what expectations will be, no waivers or additional criteria that may be misinterpreted by current or future Managers or Councils.

Option 3 simply eliminates the need for any criteria development as it would allow all employees including the Town Manager and Town Marshal to live wherever. It does provide for clarity as no requirement eliminates this from potential confusion by a candidate or staff.

Fiscal Impact to the Town:

There does not appear to be a current potential financial impact. Car usage policy is addressed in the employee manual, currently Town cars are not allowed to be used by those residing out of the Town limits.

Other Impacts:

Community desires to have their employees especially the “top two” candidates living within the Town's borders. If this is changed there is a possibility that this would not be the case. If incidents were to occur current code has the Town Manager responsible with the Town Marshal second in case of the Town Manager's absence, this may complicate incident procedures. It has also been noted that with the current restrictions there is a possibility of limiting potential candidate pools for these positions the facts are that approximately 40 candidates applied for the last opening of the Town Manager and approximately 80 for the last opening of the Town Marshal.

Conclusion:

This has and continues to be a difficult issue for the Town and no answer or decision will make all involved or interested satisfied. It is with that understanding that as the Town Manager I have made my recommendation to eliminate the requirement. It simplifies for the community and myself and future Town Managers and Marshals often difficult jobs and the balance with our personal lives we all want to be able to live. It provides the Council and the Manager with one more tool to use in hiring the best candidate for the job without potential conflict or confusion. I believe in Option 2 as well and will be satisfied with its passage as I understand the community desire to see their staff involved in the community. However, leaving it the same does not provide any further clarification that is warranted given the past couple of month's discussion.

Recommendation: Move to approve Option 3 of Ordinance 2013-A390 An Ordinance amending 3-1-1, 3-2-1, 3-2-4 relating to residency requirements of the Town Manager and Town Marshal removing the requirement for staff to reside in the Town of Camp Verde limits.

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY

Residency within Town limits for department heads or other personnel may be required for certain positions as reflected in the advertising for the position.

SECTION 3-2-1 TOWN MANAGER (2000-A160) (2001-A211) (2008-A355)

- A. Office Established. The office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.

SECTION 3-2-4 TOWN MARSHAL

- A. Office Established. The office of the Town Marshal is hereby established. The Town Marshal shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code. The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.
- B. Powers and Duties. The Town Marshal is the administrative head of the police department of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.



DRAFT ORDINANCE 2013-A390

(OPTION #2)

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE SECTION ~~3-1-1. RESIDENCY;~~
~~3-2-1.C TOWN MANAGER - RESIDENCY; AND 3-2-4.A MARSHAL - RESIDENCY~~**

TOWN CODE, SECTIONS 3-1-1, 3-2-1. AND 3-2-4 ARE HEREBY AMENDED AS FOLLOWS:

Section 3-1-1 Residency

~~Residency within Town limits for department heads or other personnel may be required for certain positions as reflected in the advertising for the position~~ **IS REQUIRED FOR THE TOWN MANAGER AND TOWN MARSHAL WITHIN 120 DAYS OF THE DATE OF HIRE.**

EXCEPTIONS:

- A. RESIDENCY IS ESTABLISHED WITHIN A 20-MILE RADIUS OF THE TOWN LIMITS IN ANY DIRECTION.**
- B. RESIDENCY REQUIREMENTS FOR A SPOUSE'S DOCUMENTED MEDICAL OR CAREER RELATED REASONS THAT PROHIBIT THEM FROM RELOCATION.**

Section 3-2-1 Town Manager (2000-A160) (2001-A211) (2008-A355)

- A. Office Established.** The office of Town Manager is hereby established.
- B. Appointment of Town Manager.** The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- ~~C. Eligibility.~~ **No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council.** ~~The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.~~

Section 3-2-4 Town Marshal

- A. Office Established.** The office of the Town Marshal is hereby established. The Town Marshal shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code. ~~The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.~~
- B. Powers and Duties.** The Town Marshal is the administrative head of the police department of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.

Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is accomplished.

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on NOVEMBER 20, 2013.

Charles German, Mayor

Date

Attest:

Approved as to Form/Date:

Deborah Barber, Town Clerk

Town Attorney



DRAFT ORDINANCE 2013-A390

(OPTION #3)

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
AMENDING TOWN CODE SECTION ~~3-1-1, RESIDENCY;~~
~~3-2-1.C TOWN MANAGER - RESIDENCY; AND 3-2-4.A MARSHAL - RESIDENCY~~**

TOWN CODE, SECTIONS 3-1-1, 3-2-1.C AND 3-2-4.A ARE HEREBY AMENDED AS FOLLOWS:

Section 3-1-1 Residency

Residency within Town limits for department heads or other personnel ~~IS NOT~~ may be required for certain positions as reflected in the advertising for the position.

Section 3-2-1 Town Manager (2000-A160) (2001-A211) (2008-A355)

- A. Office Established. The office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- ~~C.~~ Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. ~~The Town Manager shall be a resident of the Town, unless such requirement is waived by the Council.~~

Section 3-2-4 Town Marshal

- A. Office Established. The office of the Town Marshal is hereby established. The Town Marshal shall be appointed by the Town Manager on the basis of ability, and shall hold office pursuant to Section 3-1-3.A of this code. ~~The Town Marshal shall be a resident of the Town, unless such requirement is waived by the Council.~~
- B. Powers and Duties. The Town Marshal is the administrative head of the police department of the Town under the direction and control of the Town Manager. He shall perform such duties as may be required of him by law and as the Town Manager may deem necessary.

Effective Date. This Ordinance is to be effective when publication and posting pursuant to A.R.S. § 9-813 is accomplished.

PASSED AND ADOPTED in open meeting by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on **NOVEMBER 20, 2013.**

Charles German, Mayor

Date

Attest:

Approved as to Form/Date:

Deborah Barber, Town Clerk

Town Attorney

**AGENDA
REGULAR SESSION COMBINED WITH
COUNCIL HEARS PLANNING & ZONING MATTERS
MAYOR AND COUNCIL
COUNCIL CHAMBERS · 473 S. Main Street, Room #106
WEDNESDAY, NOVEMBER 20, 2013 at 6:30 P.M.**

ADDITIONAL INFORMATION

ITEM #11

From Council Member Carol German

Option 4

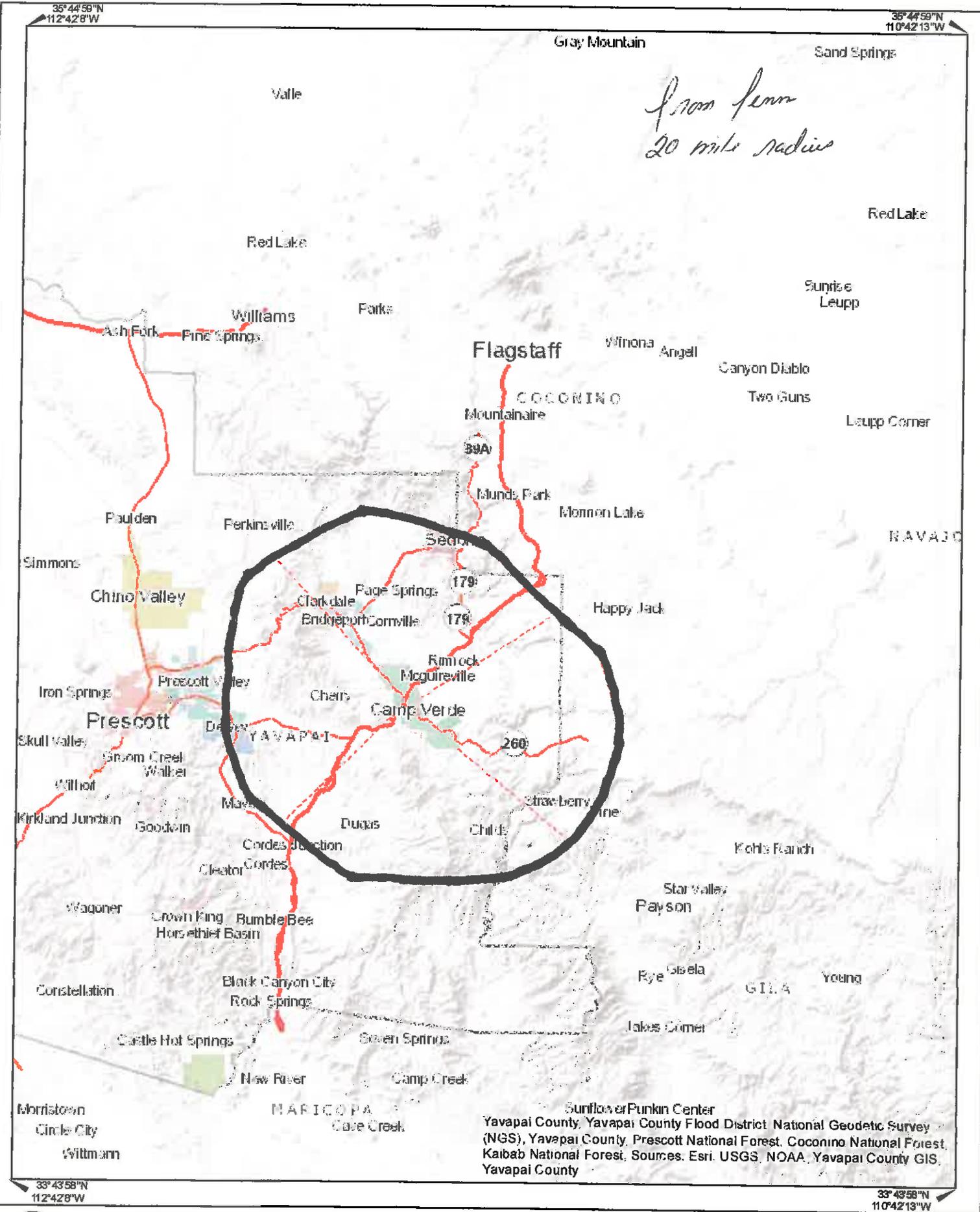
Residency within the Town limits is required for the Town Manager and Town Marshal within 120 days of the date of hire. (No Waiver)

Option 5

Residency is required for the Town Manager and Town Marshal within the Town limits or the 86322 zip code area within 120 days of the date of hire. (No Waiver)

Option 6

Residency within Town limits for all department heads is required for all future hires.

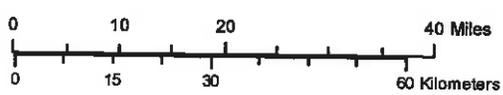


*From Flagstaff
20 mile radius*

Sunflower/Punkin Center
 Yavapai County, Yavapai County Flood District National Geodetic Survey (NGS), Yavapai County, Prescott National Forest, Coconino National Forest, Kaibab National Forest. Sources: Esri, USGS, NOAA, Yavapai County GIS, Yavapai County



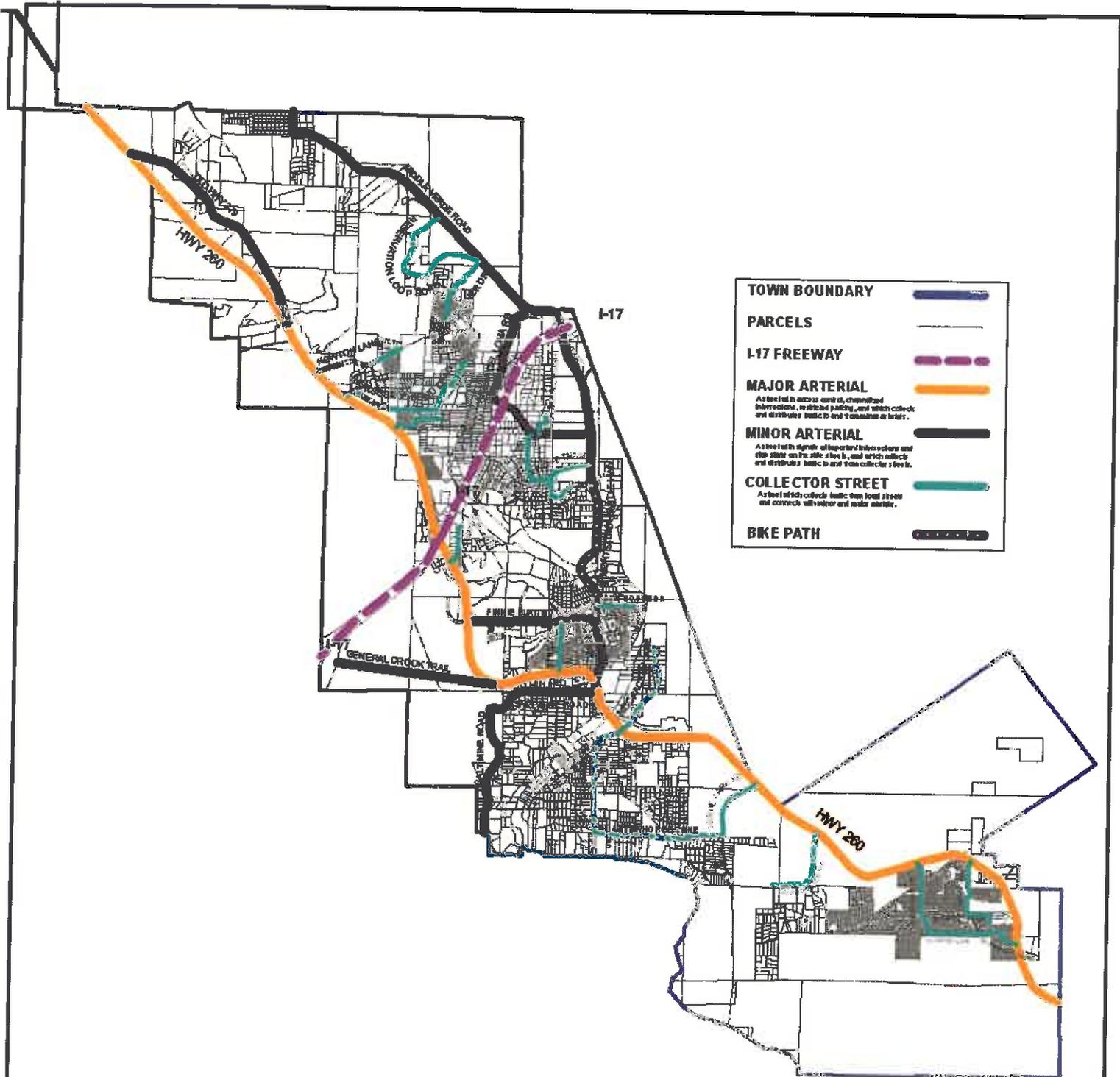
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 Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. The information is provided subject to the express condition that the user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



1:1,200,000

Yavapai County assumes no responsibility for errors, omissions, and/or inaccuracies in this mapping product.

Map Created 11/18/2013



TOWN BOUNDARY	
PARCELS	
I-17 FREEWAY	
MAJOR ARTERIAL <small>As listed in section 402 of chartered institutions, which collect and distribute traffic and maintain a level.</small>	
MINOR ARTERIAL <small>As listed in section 402 of important intersections and stop signs on the side of the road, and which collect and distribute traffic and maintain a level.</small>	
COLLECTOR STREET <small>As listed in section 402 of local streets and connect with major and minor arterials.</small>	
BIKE PATH	

Circulation Map

Town of Camp Verde

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 Camp Verde, AZ 86322
 Tel: (928) 687-0631
 Fax: (928) 667-7401
www.cvaz.org



This map has been provided for informational purposes only. Every effort has been made to ensure this map is as accurate as possible. The Town of Camp Verde shall assume no liability for the information contained on this map.

FUNDING FOR AMENDING CAMP VERDE'S GENERAL PLAN IS PROVIDED IN PART BY DEPT. OF COMMERCE GROWING SMARTER PLANNING GRANT.

