AMENDED AGENDA
REGULAR SESSION
SPECIAL-WORK SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 21, 2015 at 6:30 P.M.

REMOVING ITEMS

9, 10 & 11

UNTIL A FULL COUNCIL IS AVAILABLE

Support your local merchants.

AMENDED AGENDA
REGULAR SESSION
SPECIAL-WORK SESSION
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473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 21, 2015 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 – October 7, 2015
      2) Special Session –October 7, 2015
      3) Executive Session – October 7, 2015 (recorded)
   b) **Set Next Meeting, Date and Time:**
      1) Wednesday, October 28, 2015 at 6:30 p.m. Council Hears Planning & Zoning
      2) Wednesday, November 4, 2015 at 6:30 p.m. Regular Session
      3) Wednesday, November 11, 2015 –CANCELLED – VETERANS DAY
      4) Wednesday, November 18, 2015 at 6:30 p.m. Regular Session
      5) Friday, November 20, 2015 at 8:00 a.m. Joint Work Session-Planning & Zoning – General Plan
      6) Wednesday, November 25, 2015 at 6:30 p.m. Council Hears Planning & Zoning-CANCELLED
   c) **Possible approval of Resolution 2015-953, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona approving an Intergovernmental Agreement with the Yavapai County Development Services Department for Building Safety Support Services.** Staff Resource: Robert Foreman

5. **Special Announcements and presentations:**
   - **Proclamation Designating November 1, 2015 as Extra Mile Day**

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

7. **Update and PowerPoint presentation by Dr. Penny Wills, President of Yavapai College. Presentation will include, but not limited to, Yavapai College Vision Statement and Goals.**

8. **Discussion, consideration and possible direction to staff regarding the pros and cons of the Town adopting the International Property Maintenance Code.**

~~9. **Discussion regarding previously discussed proposed changes to Council Policies, Rules, and Procedures and possible direction to staff to formally adopt and amend current Council Policies,**~~

~~Rules, and Procedures as outlined in Managers Memo.~~

~~10. Discussion regarding Council Conduct and possible direction to staff to bring back draft policy for sequential or progressive disciplinary measures for inappropriate conduct by Council Members, Commission/Board Members.~~

~~11. Discussion, consideration and possible direction to staff regarding current Records Request Policies for all departments, including electronic records.~~

Requested by Mayor German

12. **Discussion and possible direction to staff to investigate and bring back to Council a procedure whereby citizens can bring forward a special project they would like to do within our community.**

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

14. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Fire District, 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.

15. **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.

- **Open Meeting Law Presentation by Kathryn Marquoit for the Office of the Arizona Ombudsman. Meeting will be held at 9:00 a.m. on Friday, November 13, 2015 at 473 South Main Street, Suite 106, Camp Verde, sponsored by the Verde Natural Resource Conservation District. Council and public is invited.**

16. **Adjournment**

Posted by: Julie M. Scott Date/Time: 10-20-15 9:32am

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.

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4.a.1

DRAFT MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 7, 2015 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 7:03 p.m.

2. **Roll Call**
Mayor Charles German, Vice Mayor Bruce George, Councilors Robin Whatley, Jackie Baker, Jessie Jones, and Carol German. Brad Gordon was absent.

Also Present
Town Manager Russell Martin, Marshal Nancy Gardner, Public Works Director Ron Long, Finance Director Michael Showers, Town Clerk Virginia Jones, Administrative Assistant Julie Scott, and Recording Secretary Saepyol Choe.

3. **Pledge of Allegiance**
Mayor German led the Pledge.

Mayor German reported that Councilor Gordon was absent due to a family tragedy and called for a moment of silence.

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) Work Session – September 9, 2015
2) Work Session – Manager Goals – September 18, 2015
3) Joint Work Session with P&Z – September 18, 2015
4) Regular Session – September 23, 2015

b) Set Next Meeting, Date and Time:
1) Wednesday, October 14, 2015 at 5:30 p.m. Work Session
2) Saturday, October 17, 2015 at 11:00 a.m. Council Retreat
3) Wednesday, October 21, 2015 at 6:30 p.m. Regular Session
4) Wednesday, October 28, 2015 at 6:30 p.m. Council Hears Planning & Zoning

On a motion by Vice Mayor George, seconded by Baker, Council voted unanimously to approve the Consent Agenda.

5. **Special Announcements and presentations:**
- **Proclamation supporting Geotourism Principles**
- **PROCLAMATION DECLARING OCTOBER 9-11 AS CAMP VERDE SESQUICENTENNIAL**

Mayor German proclaimed support for Geotourism Principles, and declared October 9-11 as Camp Verde Sesquicentennial.

6. **Call to the Public for Items not on the Agenda.**
Tom Pitts thanked the Town Clerk for correcting the minutes that contained an error. He applauded Camp

Tom Pitts thanked the Town Clerk for correcting the minutes that contained an error. He applauded Camp Verde Promotions for the Scarecrow Contest, which received good feedback, and brought life and personality to the community. He hopes it will become an annual tradition. He advertised Camp Verde Promotions' $5 raffle tickets to raise funds for Meals on Wheels, and the raffle drawing on Saturday.

Ken McKnight from Camp Verde Promotions announced that he took pictures of 95 entries for the Scarecrow contest and thanked the Town for making it a successful event.

Julie Scott announced that the Town's Sesquicentennial Proclamation included the Scarecrow Contest.

7. **Discussion, consideration, and possible approval of granting the Town Manager approval to move forward and sign contract for new lease purchase financing with US Bank for specified equipment in an amount not to exceed $530,000 per the terms provided in the Request for Proposal (RFP) response summary.** Staff Resource: Michael Showers

On a motion by George, seconded by Jones, Council voted unanimously to approve the Town Manager moving forward and signing the contract for a new lease, purchasing financing with US Bank for specified equipment in an amount not to exceed $530,000 per the terms provided in the RFP response summary.

Finance Director Michael Showers explained that the documents are ready to be signed for financing the equipment with US Bank. Russell Martin explained that Council approval includes approval for purchasing the items as well.

7.A **DISCUSSION, CONSIDERATION AND POSSIBLE DIRECTION TO STAFF TO PURSUE AN ALTERNATIVE FOR THE TRI-INTERESECTION FUNDING. THE ALTERNATIVE IS TO MOVE THE FUNDING TO ADOT FOR THE COMPLETION OF THE INDUSTRIAL DRIVE/SR-260 ROUNDABOUT.** STAFF RESOURCE: RON LONG

On a motion by Jones, seconded by Vice Mayor George, Council voted unanimously to direct staff to pursue an alternative to the estimated amount of $400,000 in the 2016 NACOC Transportation Improvement Plan, from the Tri-Intersection construction to ADOT for SR-260 & Industrial Dr. Roundabout in the amount of $250,000, and the remaining funds to go to the Finnie Flat sidewalk project.

Public Works Director Ron Long explained that in October 2011, the Town received a Planning Assistance for Rural Areas (PARA) grant. Grant proceeds were used to provide a study for possible options to improve the movement of multi-modal traffic at the Tri-intersection—otherwise known as the Circle K intersection. The study also detailed concepts for the design and street scape of Finnie Flat Rd.& Main Street business corridor.

Using the study findings to apply for funding, on May 28, 2014, Council approved JPA/IGA 14-00041117-1 which provides Federal funds in the amount of $84,330 for the Tri-Intersection Design. The Town has paid our required match of $5,097 *plus* an additional $30,000 to ADOT for Project Management and Design Review fees,ADOT has advised that design costs will exceed $300,000 and preliminary estimates for construction are in excess of $1,500,000.

Funding from ADOT is managed through the Council of Governments, in our region that is NACOG (Northern Ariizona Council of Governments). Construction improvements to the Tri-intersection are currently on the NACOG Transportation Improvement Plan for FY 2016, for $400,000. Given the current estimate of $1,500,000 for construction, the Town could possibly be responsible for over $750,000 to cover our match, project overruns, ADOT reviews and project management.

Staff is of the opinion the cost to the Town is not affordable, and is proposing an alternate project for which the $400,000 could be assigned. Council is requested to consider applying the funds to facilitate the roundabout on SR- 260 and Industrial Dr. This project was approved by Resolution 2013-899 wherein ADOT will obtain Federal Funding of $2,200,000 to design, and administer the construction of a roundabout at SR-260 and Industrial Dr. to better facilitate the flow of traffic at this very busy intersection. The Town would not need to provide any additional funding.

ADOT is $250,000 short of the amount needed to complete the roundabout, and has asked the Town for help. The cost of projects have gone up and ADOT has become the middle man for money to the Town, so that 60% of funds go to the project, and 40% is mark-up. The Tri-Intersection would be cheaper to do ourselves in phases, instead of through ADOT. It would be best to use $250,000 from the $421,000 for the Tri-Intersection and use it for the roundabout. This leaves $171,000 for the Finnie Flat sidewalk project that is going out to bid in Jan-Feb 2016. This will tie into the sidewalks that ADOT is building from Cliffs Parkway to Main Street. We budgeted $150,000 for the sidewalk, but anticipate a cost overrun, and it would be best to use these funds instead of Town funds.

Discussion
Baker agreed with Long that the Tri-Intersection should be a Town project, and commented that the Industrial Dr. Roundabout on Hwy 260 does not solve the entire problem. From Denny's to go into Town, people still have to drive through a parking lot to turn onto Homestead Pkwy. It would be better to work with the property behind Denny's about adding a throughway. Unfortunately, taking out the center median and adding a turn lane is not a safe option according to ADOT.

Ron Long agreed with Baker that it would be best for the Town to approach the property owners about a possible solution, and that ADOT would not be able to fix the problem.

Vice Mayor George said he always thought that improving Hwy 260 to Finnie Flat was more of a priority than the Tri-Intersection, especially with the new hospital project, in order to draw traffic to the Main Street corridor.

Jason Kelly, Transportation Planning Manager with NACOG, explained that there are two funding options: the Surface Transportation Program and Highway Safety money, of which the latter will be going away soon. There is much competition for NACOG's transportation funds; currently there are 45 projects in the queue.

German confirmed that the Industrial Dr. Roundabout on Hwy 260 was the only option that ADOT would consider to resolve the traffic issues at that intersection. She highlighted the safety issue of people driving over the median and agreed with the need for supporting a solution.

Public Hearing
No public input.

8. **Call to the Public for items not on the agenda.**
Tom Pitts announced that the Camp Verde Chamber of Commerce is setting up classes and public meetings next month. He recommended Carol German as formal liaison between Council and the Chamber of Commerce, and requested agendizing this decision.

9. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Fire District, 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.

Whatley attended the Colonel's Daughter event, which had 7 participants, and said Camp Verde would be well represented by the new Colonel's Daughter.

Vice Mayor George attended Verde River Days and the Verde River Basin board meeting, at which new Walton family foundation projects were discussed.

Baker attended the Fireman's Auxiliary benefit, and announced the final draft of Focus Future, which they hope to add to the revised economic development portion of the General Plan. She thanked the Town Manager and Marshal's office for their part in preparing for the new Sesquicentennial park dedication.

Jones announced that the Lawnmower Races for the Fort Verde Days Kick-Off would take place on Main Street from 1st Street to Head Street at 5:15pm Friday, October 9th.

German commended the Fireman's Auxiliary departments for a very productive fundraiser at John McReynolds' camp. She and other Yavapai College Board members met the new CVUSD Superintendent, and the Yavapai College Board is still making progress on providing services in the Verde.

10. **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.

Town Manager Russell Martin announced the new Sesquicentennial Park, commended the many volunteers who made it possible, and thanked the Town and businesses for their generous donations for signs and benches. He asked Council to direct people to the new park during Fort Verde Days.

Ron Long announced that Public Works is removing asphalt, compacting, and paving roads along Arnold St. 3rd through 5th Street. They will curb the Arnold terrace cul de sac and 5th Street, but cannot afford to curb all the streets. The Town only put in $53,000 for these projects. Trusses are being installed for the new library building, and the foundation extends 8 feet into ground in case of any flooding.

11. **Adjournment**
Mayor German adjourned the meeting at 7:51p.m.

_____
Charles German, Mayor

_____
Saepyol Choe, 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 October 7, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2015.

_____

Virginia Jones, Town Clerk

4 a 2

DRAFT MINUTES
SPECIAL SESSION
EXECUTIVE SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, OCTOBER 7, 2015 at 6:00 P.M.

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1. **Call to Order**

Mayor Charles German called the meeting to order at 6:00 p.m.

2. **Roll Call**

Mayor Charles German, Vice Mayor Bruce George, Councilors Jackie Baker, Carol German, Robin Whatley, and Jessie Jones-Murdock were present. Councilor Brad Gordon was absent.

Also Present

Town Manager Russ Martin, Town Clerk Virginia Jones and Risk Manager Carol Brown.

3. **Pledge of Allegiance**

Mayor German led the Pledge of Allegiance.

4. **Discussion, consideration, and possible direction to staff and/or discussion or consultation with the Town Attorney and litigation counsel for legal advice concerning litigations in Superior Court case No V1300CV201580323 Camp Verde for Good Government, a political committee; Cheryl Wischmeyer, a natural person vs Town of Camp Verde.** Note Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(3)(4) for discussion or consultation with the attorney for legal advice Staff Resource: Bill Sims

On a motion by Vice-Mayor George seconded by Councilor Jones-Murdock, Council voted unanimously to adjourn to Executive Session to room 102 for discussion, consideration, and possible direction to staff and/or discussion or consultation with the Town Attorney and litigation counsel for legal advice concerning litigations in Superior Court case No V1300CV201580323 Camp Verde for Good Government, a political committee; Cheryl Wischmeyer, a natural person vs Town of Camp Verde.

Council went into Executive Session at 6:01 p.m.

Special Session was reconvened at 6:55

5. **Adjournment**

Mayor German adjourned the Special Session at 6:55 p.m.:

Charles German, Mayor

_____

Virginia Jones, 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 Special Session of the Town Council of Camp Verde, Arizona, held on October 7, 2015. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2015.

_____
Virginia Jones, Town Clerk

4.c

Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: 10-21-2015

☒ *Consent Agenda* ☐ *Decision Agenda* ☐ *Executive Session Requested*

☐ *Presentation Only* ☐ *Action/Presentation* ☐ *Pre-Session Agenda*

Requesting Department: **Community Development**

Staff Resource/Contact Person: **Robert Foreman, Building Official**

Agenda Title (be exact): **Resolution 2015-953**

Discussion, consideration and possible approval of Resolution 2015-953 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving an Intergovernmental Agreement with the Yavapai County Development Services Department for Building Safety Support Services.

Purpose and Background Information:

Due to limited resources and the desire to maintain and provide an optimum level of service to the citizens of Camp Verde, Council approved Resolution 2010-819 on October 20, 2010 adopting an Intergovernmental Agreement (IGA) by and between the Town of Camp Verde and Yavapai County for building support services to include but not limited to plan review, building official and inspection support services, as needed. Staff is now recommending that Council renew the IGA in order to continue providing the same level of service to citizens as resources continue to be limited and the support provided by the County Building Official Mark Rogers and his staff at the Development Services Department has been significantly beneficial to staff and citizens, specifically during the absence of staff during vacation, illness, etc.

The following revisions were recommended by Deputy County Attorney Jack Fields and Town Attorney Bill Sims and include:

1.) Under 4.8 Notices, the address for With Copy To would be as Follows, 1120 Commerce Dr. Prescott, AZ. 86305
2.) On the Approvals: Craig Brown, Chair of the Board of Supervisors and Ana Wayman-Trujillo, Clerk of the Board, and Jack Fields Deputy County Attorney.
3.) Section 4.1 needs to be modified. Supara G needs to be deleted because those statutes were repealed, and in light of the Yarnell fire we are tightening up the indemnity (Section 4.2). You should add the following clause (bold and underlined) at the end of the first sentence. "...under this Agreement for damages and liability arising out of the negligence or willful misconduct of the indemnifying Party and its officers, officials, employees and agents."

Please find attached for your review, the draft IGA, with the recommended revisions, approved as to form by Town Attorney Sims and Deputy County Attorney Jack Fields; and the proposed fee schedule (Exhibit A), with no changes, as provided by Yavapai County Development Services. Excluding the above recommended changes, no additional revisions have been recommended to Council for approval. This is a budgeted item under the Building Department Consulting Services line item (01-510-20-710000) wherein Council has allotted $6,000.00 for Fiscal Year 2015-2016.

Estimated Presentation Time:

Estimated Discussion Time: 10 Minutes

Reviews Completed by:

Finance Review: ☒ ***Budgeted*** ☐ ***Unbudgeted*** ☐ ***N/A***

Finance Director Comments/Fund: N/A

Attorney Review: ☒ ***Yes*** ☐ ***No*** ☐ ***N/A***

Attorney Comments: Provided in the 'Purpose and Background Information' section above.

Submitting Department: Building

Contact Person: Robert Foreman

Action Report prepared by: Robert Foreman/Emily Diver

Recommended Action (Motion):

Move to approve Resolution 2015-953 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving an Intergovernmental Agreement with the Yavapai County Development Services Department for Building Safety Support Services to include the following revisions:

1.) Under 4.8 Notices, the address for With Copy To would be as Follows, 1120 Commerce Dr. Prescott, AZ. 86305
2.) On the Approvals: Craig Brown, Chair of the Board of Supervisors and Ana Wayman-Trujillo, Clerk of the Board, and Jack Fields Deputy County Attorney.
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As recommended by Jack Fields, Deputy County Attorney and Bill Sims, Town Attorney

Instructions to the Clerk: None

RESOLUTION 2015-953

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, APPROVING AN INTERGOVERNMENTAL AGREEMENT WITH THE YAVAPAI COUNTY DEVELOPMENT SERVICES DEPARTMENT FOR BUILDING SAFETY SUPPORT SERVICES

WHEREAS, the County, through its Development Services Department, provides services related to Building Safety Support Services as needed, in the unincorporated areas of Yavapai County including the areas surrounding the corporate boundaries of the Town; and

WHEREAS, the Town wishes to enter into an agreement whereby the County will provide certain Building Safety Support Services as needed, for the benefit of the Town and its residents.

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

Pursuant to ARS §11-952, the Town shall enter into the intergovernmental agreement with the Yavapai County Development Service Department for joint or cooperative action to provide Building Safety Support Services, under the terms and conditions set forth in the Intergovernmental Agreement, and the Mayor is authorized to execute the agreement on behalf of the Town.

PASSED AND ADOPTED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, this 21st day of October, 2015.

_____ Date: _____
Charles German, Mayor

Attest: _____
Virginia Jones, Town Clerk

APPROVED AS TO FORM:

_____
Bill Sims, Town Attorney

INTERGOVERNMENTAL AGREEMENT
TOWN OF CAMP VERDE/YAVAPAI COUNTY

Building Safety Support Services

THIS AGREEMENT is entered into this 21st day of October, 2015 by and between Yavapai County, a political subdivision of the State of Arizona (hereinafter the "County"), and the Town of Camp Verde, a municipal corporation of Arizona (hereinafter the "Town")

WHEREAS, the County, through its Development Services Department, provides services related to Building Safety Support as needed, in the unincorporated areas of Yavapai County including the areas surrounding the corporate boundaries of the Town; and

WHEREAS, the Town wishes to enter into an agreement whereby the County will provide certain Building Safety Support Services as needed, for the benefit of the Town and its residents; and

WHEREAS, the parties are authorized pursuant to ARS §11-952, to enter into agreements for joint or cooperative action.

NOW, THEREFORE, the parties agree as follows:

1. County Services Provided. For the Town Building Department on an as needed basis, the County, through its Development Services Department agrees to provide the following services (the "County Services Provided")

1.1 Residential and commercial building inspections within five (5) business days of request, on average, for inspection, based on Town codes.
1.2 Residential plan review within fifteen (15) business days, on average, of submittal of complete plans in proper format, based on Town codes.
1.3 Involvement of a Senior Plans Examiner or Chief Building Official in pre-application meetings, but the Town will not have the right to request such attendance more than two (2) times per month.
1.4 Involvement of a County plan reviewer on large commercial projects, as needed.
1.5 The Yavapai County Building Official will be available, at reasonable and mutually agreed times to provide 'advice and consult' services, including written determinations based on interpretations of the adopted Building Codes, to the Town Building Department in the absence of the Town Building Official, as provided for by Town Code Chapter 7, Article 7-4.

2. Payment for Services. In consideration for the County/Town agreement to provide the County Services Provided, the Town agrees to pay the fees for the County Services Provided per the County schedule, as revised from time to time and attached hereto as Exhibit A (County). Payment shall be made monthly by the Town within 15 calendar days from receipt of a statement of County Services Provided.

3. Term of Agreement.

3.1 Initial Term Automatic Renewal. The initial term of this agreement shall commence on the 21st day of October, 2015, and shall terminate on June 30, 2016. It shall thereafter be deemed automatically renewed for up to five (5) successive one-year terms unless written notice of intent not to renew is given by either party to the other party no less than one hundred twenty (120) calendar days prior to the expiration of the then-current initial or renewal term.

3.2 Cancellation. Either party may cancel this Agreement for any reason with sixty (60) calendar days advance notice in writing.

3.3 Termination for Breach. In the event of a breach of any term or condition of this Agreement by either Party, the Party claiming breach shall provide written notice to the other Party said notice setting forth the factual basis for the determination that a breach has occurred. If the breach is not remedied within fifteen (15) calendar days of receipt of notice, the Party claiming breach may terminate this Agreement without further notice.

4. Miscellaneous.

4.1 Contractor Immigration Warranty

A. Under the provisions of A.R.S. § 41-4401, each party hereby warrants to the other that each party and all of its subcontractors (if any) will comply with, and are contractually obligated to comply with, all Federal Immigration laws and regulation that relate to their employees and A.R.S. § 23-214 (A) (hereinafter "Contractor Immigration Warranty")

B. A Breach of the Contractor Immigration Warranty shall constitute a material breach of this Agreement and shall subject the breaching party to penalties up to and including termination of this Agreement at the sole discretion of the non-breaching party.

C. Each party retains the legal right to inspect the papers of any contractor or subcontractor employee of the other party who works on this Agreement to ensure that the contractor or subcontractor is complying with the Contractor Immigration Warranty. Each party agrees to assist the other party in regard to any such inspections.

D. Each party may, at its sole discretion, conduct random verification of the employment records of the other party and any of its subcontractors to ensure compliance with Contractor's Immigration Warranty. Each party agrees to assist the other party in regard to any random verifications performed.

E. A party will not be considered in materially breach of this Agreement or the Contractor Immigration Warranty if the party establishes that it has complied with the employment verification provision prescribed by sections 274A ad 274B of the Federal Immigration and Nationality Act and the E-Verify requirements prescribed by A.R.S. § 23-214, Subsection A.

F. The foregoing provisions of subparagraphs A-E of this article must be included in any contract that a party enters into with any and all its subcontractors who provide service under this Agreement or any subcontract.

4.2 Indemnification and Insurance. To the extent permitted by law, each Party shall save, hold harmless and indemnify the other Party, its officers, employees or agents for any liability created in connection with performance under this Agreement **for damages and liability arising out of the negligence or willful misconduct of the indemnifying Party and its officers, officials, employees and agents.** Both parties shall obtain and maintain general liability insurance in such amounts as may be required to protect itself and the other Party from claims, damages or other losses arising out of performance under this Agreement.

4.3 Severability. The invalidity of any provision of this Agreement as determined by a Court of competent jurisdiction, shall in no way effect the validity of *any* other provision hereof, so long as the original intent of the parties is not defeated thereby.

4.4 Applicable Law. The terms and conditions of this agreement shall be construed and governed in accordance with the laws of the State of Arizona. Venue is proper in Yavapai County Superior Court.

4.5 Disputes; Trial by Court. The Parties expressly covenant and agree that in the event of a dispute arising from this Agreement, each of the parties hereto waives any right to a trial by jury. In the event of litigation, the parties hereby agree to submit to a trial before the Court.

4.6 Disputes; Attorney Fees. The Parties expressly covenant and agree that in the event of litigation arising from this Agreement, neither party shall be entitle to an award of attorneys' fees, either pursuant to the Agreement, pursuant to ARS Section 12-341.01(A) and (B), or pursuant to any other state or federal statute.

4.7 Entire Agreement. This Intergovernmental Agreement contains the entire agreement of the parties with respect to the subject matter hereof, and it may only be amended, modified or waived by written instrument signed by the authorized agents of the parties hereto.

4.8 Notices. Notices relating to this Intergovernmental Agreement shall be deemed to have been duly delivered upon personal delivery, or as of the second business day after mailing by United States mail, postage prepaid, addressed as follows:

Town:	Town of Camp Verde Town Manager 473 S. Main St., Suite 102 Camp Verde, AZ 86322
County:	Yavapai County County Administrator 1015 Fair Street Prescott, AZ 86305
With copy to:	Yavapai County Development Services Director 1120 Commerce Dr. Prescott, AZ 86305

These addresses may be changed by either party by giving notice in writing. Such changes shall be deemed to have been effectively noticed five (5) calendar days after being mailed to each party by the party changing the address.

4.9 Recording. This Agreement shall be recorded by the County in the Office of the Yavapai County Recorder upon its proper approval and execution by the authorized representatives of both parties, pursuant to ARS §11-952(G).

4.10 Conflict of Interest. This Agreement is subject to the ARS §38-511 pertaining to conflicts of interest, the pertinent provisions of which *are* incorporated by reference herein.

APPROVALS

Yavapai County, a political subdivision of the State of Arizona

Craig Brown, Chair of the Board of Supervisors

Date

Attest:

Ana Wayman-Trujillo, Clerk of the Board

Town of Camp Verde, a municipal Corporation of Arizona

Charles German, Mayor

Date

Attest:

Virginia Jones, Town Clerk

DETERMINATIONS OF COUNSEL

Pursuant to A.R.S. Section 11-952(D), the foregoing agreement has been reviewed by the undersigned Deputy County Attorney, who has determined that the agreement is in proper form and is within the powers and authority granted under the laws of this State to the County of Yavapai.

Jack Fields, Deputy County Attorney

Pursuant to A.R.S. Section 11-952(D), the foregoing agreement has been reviewed by the undersigned attorney for the Town of Camp Verde, who has determined that the agreement is in proper form and is within the powers and authority granted under laws of this State to the Town of Camp Verde.

Bill Sims, Town Attorney

THE YAVAPAI COUNTY BOARD OF SUPERVISORS DOES HEREBY RESOLVE THAT THESE FEES ARE NECESSARY AND JUSTIFIED FOR THE ENFORCEMENT AND ADMINISTRATION OF THE MODEL CODES AND ORDINANCES GOVERNING GRADING AND CONSTRUCTION WITHIN THIS COUNTY AS PROVIDED BY ARS 11-251.08.

VALUATION & FEE SCHEDULE

TOTAL VALUATION	FEE
$1.00 to $5,000.00	$100.00
$5,001.00 to $25,000.00	$100.00 for the first $5,000.00 plus $12.50 for each additional $1,000.00, or fraction thereof, to and including $25,000.00.
$25,001.00 to $50,000.00	$349.75 for the first $25,000.00 plus $9.00 for each additional $1,000.00, or fraction thereof, to and including $50,000.00.
$50,001.00 to $100,000.00	$574.75 for the first $50,000.00 plus $6.25 for each additional $1,000.00, or fraction thereof, to and including $100,000.00.
$100,001.00 to $500,000.00	$887.25 for the first $100,000.00 plus $5.00 for each additional $1,000.00, or fraction thereof, to and including $500,000.00.
$500,001.00 to $1,000,000.00	$2,887.25 for the first $500,000.00 plus $4.25 for each additional $1,000.00, or fraction thereof, to and including $1,000,000.00
$1,000,001.00 and up	$5,012.25 for the first $1,000,000.00 plus $2.75 for each additional $1,000.00, or fraction thereof.

Other Inspections and Fees:

1. Inspections outside of normal business hours.....$ 100.00 per hour*
2. Re-inspection fees assessed under provisions of Adopted Codes.....$ 100.00
3. Inspections for which no fee is specifically indicated; .....$ 100.00 per hour* site investigation, courtesy, special inspections
1. Additional plan review required by changes, additions or revisions to plans ...(minimum charge – one hour).....$ 50.00 per hour*
2. Use of outside consultants for plan review, building inspection, or both..... Actual Costs**
6. Fee for Application Extension.....$ 25.00
7. Fee for Permit Extension.....$ 25.00
8. Fee for 2nd Permit Extension...(Site Investigation Included) .....$ 50.00
9. Fee for Temporary Certificate of Occupancy.....$300.00 Residential .....$500.00 Commercial

*Or the total hourly cost to the jurisdiction, whichever is greater. This cost shall include supervision, overhead, equipment, hourly wages and fringe benefits of the employees involved.
**Actual costs include administrative and overhead costs.

THE YAVAPAI COUNTY BOARD OF SUPERVISORS DOES HEREBY RESOLVE THAT THESE FEES ARE NECESSARY AND JUSTIFIED FOR THE ENFORCEMENT

PROCLAMATION

DESIGNATING November 1, 2015
AS
EXTRA MILE DAY

WHEREAS, Camp Verde, AZ is a community which acknowledges that a special vibrancy exists within the entire community when its individual citizens collectively "go the extra mile" in personal effort, volunteerism, and service; and

WHEREAS, Camp Verde, AZ is a community which encourages its citizens to maximize their personal contribution to the community by giving of themselves wholeheartedly and with total effort, commitment, and conviction to their individual ambitions, family, friends, and community; and

WHEREAS, Camp Verde, AZ is a community which chooses to shine a light on and celebrate individuals and organizations within its community who "go the extra mile" in order to make a difference and lift up fellow members of their community; and

WHEREAS, Camp Verde, AZ acknowledges the mission of Extra Mile America to create 500 Extra Mile cities in America and is proud to support "Extra Mile Day" on November 1, 2015.

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde, AZ do hereby proclaim November 1, 2015 to be Extra Mile Day. We urge each individual in the community to take time on this day to not only "go the extra mile" in his or her own life, but to also acknowledge all those who are inspirational in their efforts and commitment to make their organizations, families, community, country, or world a better place.

Passed and approved by a majority vote of the Common Council at the Regular Session of October 21, 2015

_____ _____
Charles German, Mayor Date

Attest:

_____
Virginia Jones, Town Clerk

Yavapai College

Vision Statement

Yavapai College makes our community a premier place to learn, work and live.

Goal 1
Education

- Adult Basic Education
- Dual Credit
- Developmental Education
- Transfer
- Career Technical
- Continuing Education

Goal 2
Economic Development

- Regional Economic Development Center
  - Custom Training
  - Economic Impact & Policy Analyses
  - SBDC
- Academics
  - Allied Health
  - Business
  - Career Technical
  - Public Safety

YAVAPAI COLLEGE REDC REGIONAL ECONOMIC DEVELOPMENT CENTER

Goal 3
Cultural Enrichment

- Classes
  - 2000+ face to face
  - 250+ online
  - OLLI & Edventures
- Art Galleries
- Libraries
  - 20% of County system
- Community Events
  - Live
  - Movies & Satellite
  - Academic Symposium

2015-2020 Strategic Initiatives

Initiative 1	Initiative 2	Initiative 3	Initiative 4	Initiative 5
Student Success	Economic Responsiveness	Community Engagement	Organizational Development	Fiscal Stewardship
		Goals:		
Increase Student Completion rate without sacrificing academic quality	Create job placement process	Increase credit and non-credit enrollment	Improve employee engagement and satisfaction	Model fiscal stewardship throughout the district
	Improve district-wide awareness of YC education and training opportunities	Improve East County satisfaction and cultural programming		Evaluate and revise the Capital Improvement Plan
	Document and share YC economic impact and value	Improve community engagement		

Yavapai College

8. RUSS MALLORY

I WANT TO ADDRESS A PROBLEM WE ARE HAVING IN MY NEIGHBORHOOD.

A VERY OLD HOUSE ACROSS THE STREET FROM ME HAS MANY SURFACES WHERE THE PAINT HAS WORN AWAY AND THE TREM ON MANY ACRES IS ROTTEN AND HANGING DOWN.

THIS HOUSE HAS MANY CHARACTERISTICS IN COMMON WITH THE HOUSE BOO RADLEY LIVED IN IN THE MOVIE "TO KILL A MOCKINGBIRD."

IN TALKING TO PEACE IN OUR ADDISON DEPT. THEY TELL ME THERE IS AN INTERNATIONAL PROPERTY MAINTENANCE CODE ~~THAT~~ THAT WOULD ADDRESS PROBLEMS LIKE THIS. UNFORTUNATELY THE TOWN HAS NOT ACCEPTED THIS CODE. EVEN IF FOR SOME REASON YOU DON'T LIKE THIS CODE, YOU SHOULD PASS SOMETHING TO MAKE SURE PROBLEMS LIKE THIS CAN BE TAKEN CARE OF.

HOUSE IS STICK BUILT.

~~FACTORY BUILT~~

INTERNATIONAL PROPERTY MAINTENANCE CODE

Rec'd 10-7-2015

Robert Johnson
3385 E Mesquite Tr
Camp Verde, Az 86322

9.

Manager's Office

Memo

To: Mayor and Town Council

CC: Town Clerk

From: Russ Martin, Town Manager

Date: March 24, 2015

Re: Proposed changes to current Council Policies, Rules, and Procedures

---

The following are the proposed changes to the Town Council Polices, Rules, and Procedures approved by Council 4-20-2011. This is to prepare for our meeting on this Friday at 830 am.

Section 4.1 C 3 & 4.4 A

Amend the timeframe for documents to Wednesday noon as Monday has been interpreted as all/final. I believe noon on Monday is good for preliminary placement on the agenda for title and awareness but some documents take longer for preparation.

Section 12.3

I think having more descriptive definition of "formal" communication. I am suggesting the following definition so that it is clear to Council and Staff what constitutes this type of communication as opposed to general inquiry.

Formal – defined here as any use of any written document existing or created by Staff or Council to fulfill an inquiry or communication of any kind.

In process then we could have a simple cover sheet that the Staff member attaches to that document, scans it in and sends it to the Manager and Town Clerk for dissemination to all Council with basic information like who was in the request/communication and when was it and who to follow up with if anyone else had questions.

Section 13.3 F

Add language that clearly states that the mail sent to the Town of Camp Verde is the property of the Town as it is subject to the Public Records Act, even if addressed individually. Also add the words "germane to all" to be clear that mail Town Council will get that could be for all will be treated as such and copied to all.

Section 15.3 E to 15.4 A

Propose to consider using the formal protocol for public hearing in this section as normal protocol in public meetings under 15.4 A

Section 15.5 B

Remove "without the consent of the Town Manager" as it may be interpreted as through consent orders or instructions can be given. Formal communication if definition would change would clarify this even further.

Section 15.10

This is simply a title issue and came up and created confusion. Simply changing to title by eliminating "of the Ethics Policy" to reflect that this is the enforcement section of this whole policy.

There are some great policies already in place and a through training and regular reminder process may also be helpful. These I believe address the findings in the investigation along with some training.

TOWN COUNCIL POLICIES, RULES, AND PROCEDURES

Approved by Council 4-20-2011

Resolution 2011-844

Revised 12-5-12 by Resolution 2012-873

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SECTION 1 RULES OF PROCEDURE/AUTHORITY

1.1 PROCEDURES

All meetings of the Town Council and its appointed Boards, Commissions, and Committees shall be governed by these procedures, as applicable. In addition, such meetings shall be governed by the following:

A. Applicable provisions of the Arizona Revised Statutes ("A.R.S."), including, but not limited to, the Arizona Open Meeting Law (A.R.S. §§ 38-431 *et seq.*, as amended) and the Arizona Conflict of Interest Law (A.R.S. §§ 38-501 *et seq.*, as amended); and

B. The Town of Camp Verde Town Code.

C. Where not inconsistent with these rules and procedures, the Arizona Revised Statutes and the Town of Camp Verde Town Code, and ***the current version of Robert's Rules of Order on file*** will be used as a supplementary guideline.

D. As used herein, the term "Member" shall refer to either a member of the Town Council or Board, Commission or Committee, as applicable. The term "Meeting" shall refer to a meeting of the Town Council, Board, Commission or Committee, as applicable.

1.2 PARLIAMENTARIAN

A. The Town Clerk shall serve as Parliamentarian for all Town Council meetings. The Deputy Clerk shall serve as Parliamentarian in the absence of the Town Clerk.

B. The Town Clerk shall also serve as Parliamentarian for those Board, Commission, and Committee meetings that he or she attends.

C. The Chairperson of a Commission or Committee shall serve as Parliamentarian for each respective Board, Commission, or Committee meeting. The Vice-Chairperson shall serve as Parliamentarian in the absence of the Chairperson. The Chairperson Pro Tem shall serve in the absence of the Chairperson and the Vice-Chairperson. In the event that there is a lack of agreement to a parliamentary procedure, the Town Clerk shall serve as the resource for a final procedural determination.

1.3 POINTS OF ORDER

The Presiding Officer shall, after consultation with the Parliamentarian, determine all Points of Order, subject to the right of any member to appeal to the entire Town Council or any Board, Commission or Committee. In which event, following a second, a majority vote shall govern, and conclusively determine such question of order.

1.4 QUORUM

Four or more Council members shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time and compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, resolution, ordinance, or other business on the agenda.

SECTION 2 PRESIDING OFFICER FOR MEETINGS

2.1 MAYOR AS PRESIDING OFFICER

The Mayor is the Presiding Officer of all meetings of the Town Council. In the Mayor's absence, the Vice-Mayor shall serve as the Presiding Officer. In the absence or disability of both the Mayor and the Vice-Mayor, the meeting shall be called to order by the Town Clerk, whereupon the Town Clerk shall immediately call for the selection of a Presiding Officer Pro Tem. The Council members present shall, by majority vote, select a Presiding Officer Pro Tem for that meeting.

2.2 CHAIRPERSON AS PRESIDING OFFICER

The Chairperson is the Presiding Officer of all meetings of the Board, Commission or Committee. In the Chairperson's absence, the Vice-Chair shall serve as the Presiding Officer. In the absence or disability of both the Chairperson and the Vice-Chair, the meeting shall be called to order by the Town Clerk or principal Town staff present, whereupon the Town Clerk or Town staff shall immediately call for the selection of a Presiding Officer Pro Tem. The Members present shall, by majority vote, select a Presiding Officer Pro Tem for that meeting.

SECTION 3 MEETINGS OF TOWN COUNCIL AND BOARDS, COMMISSIONS AND COMMITTEES

3.1 REGULAR MEETINGS

A. The Council shall establish regular meeting dates, times, meeting place by Resolution in January of each year for Town Council and all Boards, Commissions, and Committee meetings.

B. When the day for a Regular Meeting falls on a legal holiday, no meeting shall be held on such holiday. The meeting shall be cancelled and be convened at the time and the location as designated by the Town Council or Board, Commission, or Committee.

3.2 SPECIAL MEETINGS

A. The Mayor, after a public vote of the Council may schedule a special session within the jurisdiction of the Town and shall direct staff to schedule a special session; or the Mayor and Manager may jointly schedule a special session to be held in appropriate facilities within Town limits, to begin at the time and place as designated in the motion.

B. Special and emergency meetings, as permitted by law, shall be called and posted in the same manner as regular meetings by the Mayor or the Town Clerk, after confirmation of the availability of a quorum.

C. Notices and agendas will be posted for the special sessions as required by law and additionally posted at the alternate site if applicable.

D. Special sessions herein will not be scheduled away from Town Hall if the agenda involves public hearings on controversial topics likely to interest citizens of the Town in general rather than a particular neighborhood.

E. A Board, Commission, or Committee may, upon majority vote and approval of the Town Manager, set a special meeting or work session.

3.3 EXECUTIVE SESSIONS

A. The Town Council may hold an Executive Session pursuant to A.R.S. §§ 38-431.01. Boards, commissions, and committees may also hold Executive Sessions pursuant to A.R.S. §§ 38-431.01 with prior Council authorization.

B. All information distributed and all discussions during an executive session shall remain confidential indefinitely and are not to be divulged or provided to or discussed with persons who were not parties to the executive session or members of the Council or Board, Commission or Committee, except as permitted or required by A.R.S. § 38-431.03 or a court order.

3.4 WORK SESSIONS

The Town Council or Board, Commission or Committee may schedule work or study sessions for the purpose of presentations and discussions on such issues that require more in-depth consideration by the Town Council or Board, Commission or Committee than may be possible at a Regular Meeting. No formal action may be taken by the Town Council or Board, Commission or Committee at such meetings, other than a general consensus or conveying direction to Town Staff for further action.

3.5 EMERGENCY MEETINGS

As provided for in ARS § 38-431.02(D) and (E), , including a Special Emergency Executive Session, may be called to discuss or take action on an unforeseen issue where time is of the essence and there is not sufficient time for posting of a meeting notice 24-hours or more before the meeting. In such event, the meeting shall be held upon such notice as is appropriate or practicable to the circumstances. A Notice of an Emergency Meeting will be posted within 24-hours following the holding of an Emergency Meeting. The Notice will include the Agenda and a brief and complete description of the nature of the emergency.

3.6 ADJOURNED MEETINGS

Any meeting may be adjourned to a time, place, and date certain, but not beyond the next Regular Meeting. Once adjourned, the meeting may not be reconvened except at the time, date, and place provided for in the motion.

3.7 MEETINGS TO BE OPEN TO THE PUBLIC

A. Pursuant to the Arizona Open Meeting Law, with the exception of Executive Sessions, all Regular Meetings, Special Meetings, Work Sessions, and Emergency Meetings shall be open to the public.

B. All public meetings may be recorded or photographed by means of audio, video, or photographic equipment; provided however, that there is no interference with the orderly conduct of the meeting and the equipment is placed in non-hazardous locations as designated by Town Staff.

3.8 CONDUCT AND DECORUM

A. Members:

1. Any Member desiring to speak shall address the Presiding Officer and upon recognition by the Presiding Officer, may speak. The Presiding Officer shall not unreasonably withhold such recognition. However, the Presiding Officer may call for a vote as to whether to continue a repetitive discussion or motion.

2. When two or more Members wish to speak, the Presiding Officer shall determine the order of speaking and recognize the first speaker.

3. While a Member is speaking, no other Member shall interrupt except to make a point of order or point of personal privilege. A point of order is raised when a Member raises a question of whether there has been a breach of the procedures. A point of privilege is raised when a disturbance occurs or when anything affecting the rights of the Members occurs and a Member states the problem; the Presiding Officer decides the question.

4. When a motion is made and seconded, the Presiding Officer shall ensure that the debate is confined to the motion.

5. The Town Council will not tolerate harassment, personal attacks, or discrimination against each other or by members of appointed Boards, Commissions, or Committees. Any Town Council appointee who violates this provision will be subject to removal by a majority vote. Elected Officials who violate this section may be subject to the provisions of Section 15.11 Sanctions.

6. If a Member acts in violation of these rules, the Presiding Officer shall, or any Member may, call that Member to order. The Member so called shall immediately cease speaking, but may appeal to the Town Council or Board, Commission or Committee, as applicable. Any such appeal shall be decided by a majority vote without debate. See Section 1.3.

B. Town Staff:

Town Staff and employees of the Town shall observe the same rules of procedure and decorum as the members of the Town Council.

C. Public:

Members of the public attending meetings shall observe the same rules of order and decorum applicable to the Town Council. Unauthorized remarks or demonstrations from the audience, such as applause, stamping of feet, whistles, boos, yells, and/or other demonstrations shall not be permitted. The Presiding Officer, or the Council or Board, Commission or Committee as applicable, by majority vote may, after issuing a verbal warning to persons causing such disturbances, direct a police officer to remove such offender(s) from the meeting.

3.9 ATTENDANCE BY REMOTE CONFERENCING

A. Remote Conferencing encompasses attendance by technological devices, such as telephone, computer, Skype, video communications, etc. and applies only to Council, Boards, and Commissions. This section does not apply to staff or contract employees, such as the Town Attorney or consultants.

B. As established by the Arizona Attorney General, Remote Conferencing presents practical and legal implications and should be used only where there are no reasonable alternatives to a Council member's presence at a meeting. To avoid potential Open Meeting Law violations, the following guidelines are established:

1. All agendas shall contain standard language, *"Council Members may attend either in person or by telephone, video or internet conferencing."*

2. Attendance by Remote Conferencing in Executive Sessions is not permitted.

3. The Council chambers shall be arranged so that the public can observe and hear all telephone, video or online communications. If there should be a technological failure, such that the public cannot hear, the remote conferencing may be terminated.

4. The Mayor or Chair shall immediately identify for the record the member(s) who are participating by telephonic, video or internet communication.

5. The minutes shall reflect the name(s) of the member(s) who are participating through remote conferencing.

6. Any Member that is unable to attend the meeting shall notify the Clerk as soon as practicable. The Clerk shall notify the Mayor and the Manager.

7. Remote Conferencing is permitted whenever a member is unavailable to attend a meeting in person. No more than three (3) members may participate in a meeting through Remote Conferencing.

8. Remote Conferencing with a quorum is permitted in extreme cases, such as when a quorum is needed for an emergency meeting. All extreme cases and emergency meetings must be approved by the Mayor AND Manager.

9. If a Council member participates in a meeting through Remote Conferencing, the member shall participate in the entire meeting. Remote Conferencing is not permitted for just one or two agenda items of interest. If a Council member has an agenda item of interest and is unable to attend the meeting, the member may request that the item be pulled for discussion at a time that the Council member is present. The Council will respect the request to delay an item to the extent possible.

SECTION 4 MEETING AGENDAS AND NOTICES

4.1 AGENDA ITEM SUBMITTAL FOR COUNCIL REGULAR AND SPECIAL MEETINGS AND WORK SESSIONS

A. Items may be placed on a Regular, Special, or Work Session Agenda for Town Council discussion and possible action by any Council member and Town staff pursuant to procedures as outlined in the Town Code.

B. Contracts, ordinances, resolutions and other documents requiring review by the Town Attorney shall be provided to the Town Attorney prior to placing the item on the Agenda and in sufficient time for legal review.

C. Any item placed on an agenda must be accompanied by supporting documents and an Agenda Action Form that contains, at a minimum, the following information:

1. Background information on the item;
2. Financial impact if approved; and
3. Proposed action.

The documents and Agenda Action Form must be submitted to the Clerk's Office sufficiently in advance to be included in the council packet, but no later than noon on the Monday prior to the regularly scheduled meetings. If the agenda item is requested by a Council member, it will be noted on the agenda and the requesting member should sign an Agenda Action Form.

4.2 AGENDA ITEM SUBMITTAL FOR EXECUTIVE SESSIONS

Items may be placed on the Agenda for a Town Council Executive Session for discussion if in compliance with the Town Code, these Rules of Procedure, and applicable provisions of the Arizona Revised Statutes, by the following process:

A. Items may be placed on an Agenda for Executive Session discussion by Council members, Town Staff, and the Town Attorney.

B. The Town Attorney may review items submitted for Executive Session discussion prior to placement on the Agenda to ensure that the item is legally permissible to be discussed in Executive Session pursuant to A.R.S. § 38-431.03.

4.3 COUNCIL PACKETS

A. Town Council packets contain the Agenda, unapproved Minutes of previous Town Council Meetings, Town Council communications, and any ordinances, agreements, or resolutions to be acted upon including Agenda Action Forms, and other documentation that may be attached to support items contained on a Town Council Agenda for all noticed meetings of the Town Council.

B. Full packets for all noticed Town Council Meetings (except Executive Session documentation) are placed in the Council member's box. Every effort will be made to distribute full packets by the Thursday prior to each Regular Town Council Meeting, but not less than 24 hours prior to any Special Session.

C. Material that is not received in a timely manner to include in the Council packets will be distributed to Council members with a bright green sheet attached, noting the agenda item number to which the document applies. These green sheets are used only in connection with agenda items to alert Council members that there is additional meeting information.

4.4 PREPARATION OF AGENDA

A. An Agenda is the formal description of items to be considered by the Town Council at a noticed meeting of the Town Council. Complete agenda items, the Agenda Action Form, and all supporting documentation must be submitted to the Clerk's Office no later than noon the Monday before the meeting. Incomplete agenda requests and/or late agenda items will be returned to the submitting department.

B. The Town Clerk shall prepare the agendas for all meetings of the Town Council based on the Agenda Action Forms that are submitted to the Clerk's Office. The Town Clerk may prepare an addendum to the Agenda for items that have emerged after the Agenda has already been distributed with the approval of the Town Manager AND the Mayor.

Addenda will be prepared on bright-green colored paper to catch the attention of Council members. Bright-green colored paper is reserved for agenda matters only and shall not be used by other Town staff.

C. Agenda Meetings are held no later than the Wednesday before the Council meetings at a time set by the Mayor and Manager. Agenda Meetings are attended by the Mayor, Manager, Town Clerk, and no more than two (2) interested Council members for the purpose of reviewing the agenda for appropriateness, comprehensiveness, and order only. The Agenda Meeting will not be used for discussion or deliberation of the proposed agenda items. **Note: to avoid potential violations of Open Meeting Laws, no more than two Council members, in addition to the Mayor, may attend Agenda Meetings.** To avoid a possible quorum in attendance at an Agenda Meeting, interested members must notify the Town Clerk prior to an Agenda Meeting that he or she plans to attend.

Incomplete or inaccurate items and/or the timeliness of items shall cause them be removed from the agenda and returned to the appropriate department with a request to resubmit the item(s) upon resolution of the issue.

Special Session agendas are usually reviewed by the Manager and the Mayor only.

D. The final Agenda must be posted by Thursday at 5:00 p.m. prior to the Town Council's regular meetings. To meet this requirement, the packets are prepared no later than 2:00 p.m. on Thursdays. Special, Executive, and Work Session agendas must be posted no later than 24-hours prior to the meeting.

4.5 AMENDED AGENDAS

The Town Clerk may amend a published Agenda, but not less than twenty-four (24) hours prior to the designated Meeting and only upon approval from the Mayor and the Town Manager. The Town Clerk may amend the agenda to correct minor errors upon notification to the Manager and/or Mayor. Subsequent amended Agendas will indicate the sequential number of the amendment and the date amended.

4.6 PREPARATION AND POSTING OF MEETING NOTICES

Council Agendas are posted at each of the following locations at least 24 hours before each meeting:

1. The bulletin board on the wall outside Town Hall
2. The bulletin board at Basha's, and
3. on the Town's Website.

Commission agendas are posted at the Town Hall Bulletin Board and on the Town's webpage.

4.7 DISTRIBUTION OF AGENDAS AND NOTICES

A. The Town Clerk shall ensure that the Mayor and Town Council members receive copies of all Town Council Meeting Notices and Agendas, and any documentation provided for said Meeting, not less than twenty-four (24) hours prior to the Meeting.

B. The Town Clerk shall ensure that the Town Council Meeting Notices, Agendas, and documentation, as deemed necessary, are distributed to the Town Manager and the Town Attorney and necessary Town Staff, and posted to the Town's website.

SECTION 5 ORDER OF BUSINESS FOR TOWN COUNCIL MEETINGS

5.1 ORDER OF BUSINESS

The Order of Business of each meeting of the Town Council shall be as contained in the Agenda as prepared by the Town Clerk and approved by the Mayor and Manager. The Agenda shall be sequentially numbered by topic and list each item included under each agenda category followed by a brief description, including a dollar amount where appropriate.

5.2 REGULAR MEETINGS

The general form of the Agenda shall be as follows and may be changed as necessary:

AGENDA

Members of the Camp Verde Town Council may attend either in person or by telephone conference call.

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Roll Call**

IV. **Consent Agenda**

V. **Call to the Public**

VI. **Council Informational Reports**

VII. **Business**

VIII. **Call to the Public**

IX. **Manager/Staff Report**

X. **Adjournment**

Presentations to the Town Council will be limited to 10 minutes, unless otherwise designated by a majority vote. Responses from the audience shall be limited to 3 minutes per speaker. Public input on items other than the Call to the Public for items not on the agenda is at the discretion of the Council; however, public input is usually encouraged on non-administrative matters.

All Agendas shall have the following statement placed at the bottom of the Agenda: Persons with special accessibility needs should contact the Town Hall, 928-567-6631, at least 24-hours prior to the meeting.

5.3 SPECIAL MEETINGS

A. For Special Meetings, the Agenda will generally be prepared in the following order:

AGENDA

I. **Call to Order**

II. **Roll Call**

III. **Pledge of Allegiance**

IV. **Business**

V. **Executive Session (optional)**

VI. **Adjournment**

5.4 WORK SESSION MEETINGS

Questions may be directed by the Town Council to a member of the public or another interested party, or in appropriate circumstances, a brief presentation may be permitted by a member of the public or another interested party on an Agenda item or a particular question related to an Agenda item. Presentations to the Town Council will be limited to 10 minutes for the presentation and discussion period, unless otherwise designated by a majority vote. Citizens may attend work-study sessions, but can speak only after an open Call for Public Input. Speakers will be limited to 3 minutes per speaker.

The Agenda generally will be prepared in the following order:

AGENDA

I. **Call to Order**

II. **Pledge of Allegiance**

III. **Roll Call**

IV. **Agenda Items for Discussion (Items numbered for order). Normally, work session items listed are for discussion only. No Action will be taken unless the item(s) is properly agendized for action.**

V. **Adjournment**

5.5 EXECUTIVE SESSIONS

The Agenda for an executive session generally will be prepared in the following order:

I. **Call to Order**

II. **Agenda Items for Discussion**

III. **Adjournment**

5.6 ITEMS CONSIDERED IN ORDER

A. The Presiding Officer, or the Town Council by a majority vote, may consider items out of sequence from the printed Agenda for the meeting.

B. Action may be taken on all items listed for action on the Agenda. In the event of an emergency, action may be taken on items not listed on the Agenda. However, the action must subsequently be noticed in accordance with A.R.S. §38-431.02, as amended.

5.7 MAYOR AND COUNCIL MEMBERS REPORT ON CURRENT EVENTS

This is the time that Council members may present a brief summary on current events. Attendance at meetings and other important information shall be listed on the agenda or shall not be otherwise stated. Open Meeting Laws prohibit the Town Council from proposing, discussing, deliberating, or taking any legal action on the information presented unless the specific item is listed on the Agenda.

5.8 MANAGER/STAFF REPORT ON CURRENT EVENTS

The purpose of this section of the Agenda is to afford the Town Manager and/or staff an opportunity to provide the Town Council and the public with status reports or updates on Town projects and to alert them to upcoming Town events or regional events of potential interest. The topic of these reports shall be listed on the agenda. No discussion or action may be taken unless the specific item is listed on the Agenda.

5.9 CALL TO THE PUBLIC

A. Presentation of petitions or public comments on Non-Agenda items are heard under "Call to the Public." All citizens and interested parties will be limited to a maximum of three (3) minutes to address the Town Council on a non-agenda item. However, the time limit may be waived by vote of the Town Council.

B. At the conclusion of all citizen comments, the Mayor or any Councilmember may take any or all of the following actions:

1. Ask Town Staff to review the matter.

2. Ask that the matter be put on a future Agenda.

3. Thank the citizens for their comments.

If a citizen has criticized one or more members of the Council, the Council may respond to such criticism, but only at the conclusion of the Call to the Public.

5.10 PRESENTATIONS

This section of the Agenda is for allowing the Mayor, Council members, Town Staff, and invited interested parties to make informational presentations to the Town Council and the public. Presentations are limited to no more than ten minutes for the presentation and discussion. Such informational items may only be discussed if specifically listed on the Agenda. No action may be taken on Presentation items unless properly agendized. The Mayor or the Chair will monitor this.

5.11 CONSENT AGENDA

A. The Consent Agenda includes items that (i) are of such a nature that discussion may not be needed or required or (ii) have been previously studied by the Town Council. These items may be adopted by a single motion, second, and affirmative vote of a majority (4) Council members. All routine, administrative-type items, such as contract awards and approvals, etc. shall be placed on the Consent Agenda.

B. Consent Agenda items will NOT be read aloud, except for resolution and ordinance titles and proclamations.

C. There is no discussion on items listed under the Consent Agenda beyond asking questions for simple clarification, unless a Council member requests that an item be removed for discussion.

D. If an item is pulled from the Consent Agenda for discussion, public input may be allowed on that item.

5.12 BUSINESS

A. The Presiding Officer or designee will introduce each Business item by reading its title or description from the Agenda. Consent Agenda items, except Resolutions and Ordinances will NOT be read aloud.

B. If a public hearing is required for a business item, the following sequence of events will generally be followed: Appropriate Town Staff will present its report and recommendation (if any). Council members will then have an opportunity to question Town Staff. The Presiding Officer will then open the public hearing. The first speaker will be the applicant (if any), who will have an opportunity to present comments, testimony, or arguments to the Town Council. The Presiding Officer will then ask for public comment. The applicant will then be afforded an opportunity for rebuttal and concluding comments. The public hearing will then close and no further public comments will be taken. The Town Council will then deliberate and take action.

C. Those speaking before the Town Council, other than the applicant, will be allowed three (3) minutes to address the Town Council, but time limits may be waived upon consensus of the Town Council.

5.13 ADJOURNMENT

The open public meeting of the Town Council may be adjourned by a motion, a second, and an affirmative majority vote.

SECTION 6 PROCEDURES FOR CONDUCTING THE MEETING

Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting and/or following a meeting. Meetings will conclude at 10:00 p.m. unless a majority of Council votes to continue the meeting to a later time. Council member discussion may be limited by a majority vote if the agenda is large and the meeting is expected to last past 10:00 p.m. A break will be scheduled as close to 8:00 p.m. as possible.

6.1 CALL TO ORDER

All meetings shall be called to order by the Presiding Officer.

6.2 PARTICIPATION OF PRESIDING OFFICER

The Presiding Officer shall conduct the meeting. The Presiding Officer may debate and vote, subject only to such limitations of debate as are imposed on all Members.

6.3 INTRODUCTION/EXPLANATION OF AGENDA ITEMS

Except for Consent Agenda Items, the Presiding Officer shall introduce each Agenda item by reading its full title and description, if any, and may provide whatever additional information he or she deems necessary or reasonable.

6.4 MAINTENANCE OF ORDER

The Presiding Officer is responsible for the maintenance of order and decorum at all times. All questions and remarks shall be addressed to the Presiding Officer.

SECTION 7 MOTIONS

7.1 MOTION PROCEDURE

A. When a motion is made and seconded, it shall be stated by the Presiding Officer before debate.

B. The maker of the motion has the right to modify his or her motion or to withdraw it entirely. If the motion is modified, the Member who has seconded it has the right to withdraw or affirm his or her second.

C. If a modification to a motion made by another Member is accepted by the maker of the motion, the Member who seconded the unmodified motion shall be requested to reaffirm his or her second after modification. If the Member refused to reaffirm the second, the second is presumed made by the Member suggesting the modification.

D. In the case of a tie in votes on any motion, the motion shall be considered defeated.

7.2 MOTION TO APPROVE OR ADOPT

A motion to approve or to adopt shall be to approve the Agenda item as proposed or as proposed with an amendment(s) or stipulation(s). After the motion is made and seconded, it shall require an affirmative majority vote (4 votes) to pass, unless the matter is subject to a super majority vote (two-thirds or three-quarters majority). If the motion fails, the Agenda item shall be deemed defeated, unless a new motion is introduced and seconded.

7.3 MOTION TO DENY OR DISAPPROVE

A motion to deny or to disapprove shall be to reject the Agenda item as proposed. After the motion is made and seconded, it shall require an affirmative majority vote (4 votes) to defeat the item. If the motion fails, the Agenda item will not be deemed approved, unless a separate motion to approve or adopt is made and seconded and passes by the requisite majority vote.

7.4 MOTION TO POSTPONE

A motion "to postpone" is used to postpone an item on the Agenda until a definite time or indefinitely. This motion is debatable, and because it can be applied only to the main question, it can, therefore, only be made while the main question is immediately pending (a motion and second is on the floor). This motion is commonly used to postpone an item until a more appropriate time.

7.5 MOTION TO TABLE

Motions to table or more properly, to "lay on the table" is a proposal to suspend consideration of the pending motion. Under Robert's Rules of Order, a motion to table is properly used only when it is necessary to suspend consideration of a main motion in order to deal with another matter that has unexpectedly arisen and which must be dealt with before the pending motion can be properly addressed. Tabling a motion can be very useful to an assembly when 1) a presenter has been delayed or 2) timely information is not available, and staff needs to leave to retrieve or copy the information. Using the Motion to Lay on the Table enables Council to move on. When the delayed person arrives or the information is available, Council can then "take the item from the table" and resume discussion.

The use of a motion "to table" in order to 'kill' a motion is improper. A Member that seeks to avoid a direct vote on a main motion while cutting off debate should make a motion that requires a 2/3 vote, such as an "objection to consideration of the question" which is in order *before* debate has begun or a motion to "postpone indefinitely" (in order at any time with a simple majority), followed by an immediate motion for the "previous question" (2/3 vote required).

Although the motion is undebatable, the Chair can ask the maker of the motion to state his or her reason in order to establish the urgency and legitimate intent of the motion or the maker can state it on his or her own initiative.

7.6 MOTION TO CLOSE, LIMIT, OR TO EXTEND DISCUSSION

Commonly referred to as "Calling the Question," this motion is used to limit or close debate on, or further amend, the main motion. This motion cuts off debate. The Presiding Officer shall immediately ask the Members to vote on whether to call for a vote on the main motion. The next vote will be on the main motion, which the Chair must state.

7.7 MOTION TO AMEND

A. A motion to amend shall be debatable only as to the amendment. A motion to amend an amendment shall be in order, but a motion to amend an amendment to the amendment shall not be in order.

B. Amendments shall be voted on first, then the main motion as amended.

7.8 MOTION TO CONTINUE

Motions to continue shall be to a definite time. Such motions shall be amendable and debatable only as to the propriety of postponement and the time set.

7.9 DIVISION OF QUESTION

If the question or motion contains two or more propositions that could be divided, the Presiding Officer may, upon his or her own initiative or upon the request of a Member, divide the question or motion into multiple questions or motions for separate consideration and action.

SECTION 8 VOTING PROCEDURE

8.1 CASTING A VOTE

A. In acting upon every motion, the vote shall be taken by casting an affirmative ("yes" or "aye") or negative ("no" or "nay") voice, roll call, or other vote method as determined by the Presiding Officer from which the vote of each Member ***can be clearly ascertained.***

B. The vote on each motion shall be entered into the Record by number of and the names of Members casting votes for and against, if called for by voice, roll call, or other method.

C. If a Member has declared a Conflict of Interest and is absent during the roll call vote, the Town Clerk shall include "Absent for the vote due to declared conflict of interest" in the Official Minutes as part of the results of the vote.

8.2 ABSTENTION AND RECUSAL

A. If a Member has a conflict of interest on a matter before the Council or Board, Commission or Committee, he or she shall declare a conflict of interest pursuant to Section 10 and recuse him or her from voting on a particular Agenda item on grounds of a declared conflict of interest.

B. Sometimes a Member may have a reason other than a statutory or non-statutory conflict of interest that he or she believes hinders, compromises, or impairs his or her ability to cast a vote for or against a particular Agenda item. In such event, the Member may abstain from voting.

8.3 TIE VOTES

When there is a tie vote on a motion requiring a majority vote (4 votes) for adoption or approval, the motion shall be deemed defeated.

8.4 RECONSIDERATION

A reconsideration is a method used to temporarily suspend an action taken during a meeting. Any Member who voted with the majority may, ***at the same meeting***, move for reconsideration of any action taken at that meeting. If the motion receives a second from either side (prevailing or non-prevailing), no further discussion can occur and no vote is required. The item will be placed on the next available agenda for reconsideration and action. This method suspends all discussion to allow for appropriate and adequate public notice that Council might or might not change their decision at a future meeting.

After a motion for reconsideration has been acted upon, no other motion for reconsideration thereof shall be made without the unanimous consent of the Town Council or Board, Commission or Committee.

For the purposes of this section, discussion of items that Council addressed at previous meetings are not to be considered a 'reconsideration' unless, the motion for reconsideration was made and seconded as described above. Matters that were voted upon at a previous meeting must follow procedures as outlined in the Town Code relative to placing items on the agenda.

8.5 APPOINTMENTS BY THE TOWN COUNCIL OF BOARD, COMMISSION AND COMMITTEE MEMBERS

A nomination that does not receive a second fails. Four votes are required for appointment of Board and Commission members.

SECTION 9 MEETING RECORDS; MINUTES

9.1 MEETING RECORDS

The official record of each Town Council Meeting shall consist of any legal actions formally adopted or approved by the Town Council during the Meeting, including any attachments or exhibits thereto, and the final approved Minutes of the Meeting. The record shall also include any documents or other tangible matter submitted to the Town Council, Board, Commission or Committee or the Town Clerk for inclusion in the record by persons addressing the Council or Board, Commission or Committee in connection with agenda items during the Meeting. These records shall be maintained and preserved by the Town Clerk as the official custodian of records for the Town.

9.2 MINUTES

A. The Town Clerk's office shall provide staff support at all Council meetings to include Regular, Special, and Emergency Meetings and Work and Executive Sessions for the purpose of taking notes and/or audio recordation of the Meeting or Session, as appropriate.

B. For Regular, Special, and Emergency Meetings, written action Minutes instead of verbatim Minutes shall be taken so that a brief accounting of the issues discussed and actions taken is compiled and entered into the permanent Minute Book of the Town and kept on file and of record in the Office of the Town Clerk. The Minutes shall reflect Member attendance for the entire meeting (including notations indicating when a Member arrives late or leaves early). Audio or video recordings of meetings will be retained in accordance with the current State of Arizona Records Retention and Disposition Schedules.

C. Executive Session Minutes shall be confidential. Executive Session Minutes shall be taken in summary form and shall be restricted to indicating the topic discussed, the speakers, and a brief summary of what was said by each speaker. Executive Session Minutes shall be kept in a separate secure confidential file in the Office

of the Town Clerk. Executive Session Minutes may be accessed only as provided by the Arizona Revised Statutes or court order.

D. All Minutes of Meetings are Public Records under the Arizona Public Records Law (A.R.S. §§ 39-121 *et seq.*, as amended), with the exception of Executive Session Minutes. Audiotapes and videotapes of public Meetings are also Public Records.

SECTION 10 CONFLICT OF INTEREST

10.1 ARIZONA CONFLICT OF INTEREST LAW -- INTRODUCTION

Sometimes a member of the Town Council or Board, Commission or Committee may face a situation which requires that Member not to participate in a discussion and voting on an agenda item. This situation exists when the member has a pecuniary or proprietary interest in the outcome of the vote. (*This results in a "conflict of interest" as defined by the Arizona conflict of interest law,* A.R.S. §§ 38-501, *et seq.*) This law establishes minimum standards for the conduct of public officers and employees who, in their official capacity, are, or may become involved with, a decision that may unduly affect their personal interests or those of their close relatives.

10.2 PURPOSE OF CONFLICT OF INTEREST LAWS

The purpose of Arizona's conflict of interest law is to prevent self-dealing by public officials and to remove or limit any improper influence, direct or indirect, that may bear on an official's decision, as well as to discourage deliberate dishonesty.

10.3 APPLICABILITY OF ARIZONA CONFLICT OF INTEREST LAW

The Arizona conflict of interest law, as now in effect and as it may be amended in the future, applies to all matters considered by and all actions taken by the Town Council or Boards, Commissions and Committees.

10.4 DISCLOSURE OF INTEREST

Any Member who believes he may have a conflict of interest should seek the opinion of the Town Attorney as to whether a conflict exists under the Arizona conflict of interest law. Any Member who has a conflict of interest in any agenda item or other matter discussed by the Council or Board, Commission or Committee must disclose that interest. The Member must file a signed written disclosure statement fully disclosing the interest, and declare the existence of the conflict and the reasons therefore at a Town Council or Board, Commission or Committee meeting. The Disclosure of the conflict shall include a statement that the Member withdraws from further participation regarding the matter. The Town Clerk shall maintain for public inspection all documents necessary to memorialize all disclosures of a conflict of interest by a Member.

10.5 WITHDRAWAL FROM PARTICIPATION

Having disclosed the conflict of interest and withdrawn from the matter, the Member must not participate in the decision-making process of the Council or Board, Commission or Committee. Further, the Councilmember should remove himself/herself from the room while the matter is being considered and decided.

10.6 RULE OF IMPOSSIBILITY

In the unlikely situation that a majority (4) of the Members have a conflict of interest on a matter such that the Town Council or Board, Commission or Committee is unable to act in its official capacity, less than a quorum may act on the matter upon approval of the Town Attorney.

10.7 IMPROPER USE OF OFFICE FOR PERSONAL GAIN

Public officers and employees are prohibited from using or attempting to use their official positions to secure valuable things or benefits for themselves, unless such benefits are part of the compensation they would normally be entitled to for performing their duties.

10.8 SANCTIONS FOR VIOLATIONS

Violations of the conflict of interest provisions set forth herein shall be punished as provided for by state law.

10.9 NON-STATUTORY CONFLICTS OF INTEREST

The Council is committed to an open and transparent government and as such, endeavors to avoid all *appearances* of impropriety. As such, if a Member feels ethically constrained from participating in the discussion and voting on an agenda item, even though the circumstances may not technically amount to a conflict of interest under the Arizona conflict of interest law, the Member may declare a conflict. Such conflicts may not violate the state law, but may create an appearance of impropriety. Under such circumstances, the Member should consider disclosing the conflict on the record, formally recusing himself, and stepping down from the dais until the Town Council or Board, Commission or Committee has concluded the public hearing and its discussion and voting upon the item.

SECTION 11 BOARDS, COMMISSIONS, AND COMMITTEES

The Town Council may create such Boards, Commissions, and Committees, as it deems necessary to assist in the conduct of the operation of Town government.

11.1 BOARDS, COMMISSION, AND COMMITTEES

A. All Boards, Commissions, and Committees of the Town shall be classified as a regularly scheduled or unscheduled Board, Commission, or Committee. Regularly scheduled Boards, Commissions, and Committees are those that meet on a regularly scheduled basis or may be quasi-judicial in nature. Unscheduled Boards, Commissions, and Committees meet on an as called basis. All Boards, Commissions and Committees serve at the pleasure of the Council.

B. The Town's current regularly scheduled Boards, Commissions, and Committees are:

1. Planning and Zoning Commission

C. The Town's unscheduled Boards, Commissions, and Committees consist of the Board of Adjustments and Appeals.

D. Any Board, Commission, or Committee the Town creates shall cease to exist upon the accomplishment of the special purpose for which it was created, or when abolished by the Town Council.

11.2 SELECTION OF BOARD, COMMISSION, AND COMMITTEE MEMBERS

A. The Town Council generally makes appointments to the Town's Boards, Commissions, and Committees in January of each year and on an as-needed basis. The Town continually accepts applications from Camp Verde residents interested in serving on a Board, Commission, or Committee. The application form is available from the Town Clerk or on the Town's web site. Completed applications are kept on file for consideration when vacancies occur.

B. A call for applications to fill vacant seats shall be published via media public service announcements, advertising where budget permits, posting, web site, and other means available to the Town.

C. Persons applying for the vacant seats must fill out and submit the Town application form to the Town Clerk.

D. After reviewing the completed applications, the Town Clerk shall place selection of the new Board, Commission, or Committee members on the next available Regular Meeting Agenda. The Council Packet for the meeting shall include copies of all applications that meet eligibility requirements that are received for the vacant seats.

E. All applicants shall be notified of the time and date of the public meeting for selection of the new Board, Commission, or Committee members and shall be invited to attend so that they may answer questions by the Town Council. The public will not be able to ask questions of the applicants.

F. At the conclusion of the question and answer session, the Council members shall vote to fill each vacancy by casting a vote in favor of one of the applicants.

The applicant receiving the lowest number of votes will be dropped, and the Council will continue to vote until one applicant receives a majority of four (4) votes.

G. Each vacancy will be voted on separately. In the event that there are an equal number of applicants for the vacant seats, Council may make one motion to appoint a certain number or all of the applicants.

11.3 QUALIFICATIONS FOR APPOINTMENT

A. All members of Boards, Commissions, and Committees shall meet the following minimum qualifications upon their appointment, unless the Town Council by a majority vote waives or alters the requirement:

1. At least eighteen years of age.

2. A full-time resident of the Town of Camp Verde for at least one year. Residency will be determined in the same manner as residency is determined for purposes of voting in Town elections.

B. Town employees or appointed officers shall not be eligible for appointment to any Board, Commission, or Committee, but may be requested to provide support thereto. Council members may serve on Committees or as a liaison to a Board or Commission, unless provided otherwise.

11.4 TERM, VACANCIES, AND REMOVAL

A. All members of the Town's Boards, Commissions, and Committees shall serve at the pleasure of the Council and any Board, Commission, or Committee member may be removed by the Town Council.

B. A vacancy on a Board, Commission, or Committee shall be deemed to have occurred upon the following:

1. Death or resignation of a member of a Board, Commission, or Committee.
2. A member ceasing to be a Town of Camp Verde resident.
3. Three consecutive unexcused absences by a member from Board, Commission, or Committee meetings. Unexcused absences are those in which a member has failed to provide sufficient notice to the Department Head (at least three days if not an emergency). Such notice allows staff to determine if a quorum will be present.
4. Failure to attend mandatory meetings as set by Council (i.e. work sessions, Quarterly Report meetings, or the Annual Training meeting for all Boards and Commissions).

C. If a Member is no longer eligible to serve and does not resign voluntarily, the Department Head shall notify the Town Manager that a vacancy has occurred. The Manager shall place the matter on the next available agenda for Council consideration.

11.5 APPLICABILITY OF ARIZONA'S OPEN MEETING LAW AND CONFLICT OF INTEREST LAW

All Boards, Commissions, and Committees are subject to the Arizona Open Meeting Law and Conflict of Interest Law.

SECTION 12 COUNCIL AND CANDIDATE RELATIONS WITH TOWN STAFF

12.1 USE OF TOWN STAFF

No Councilmember shall request any staff project without first seeking approval of the Town Manager.

Section 3-2-1.E of the Town Code: Council to Act through Manager: Except for the purpose of inquiry, the council and its members shall deal with the administrative branch solely through the manager, and neither the council nor any member thereof shall give orders or instructions to any subordinate of the manager either publicly or privately. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council and no individual Council member shall give orders or instructions to the Town Manager.

12.2 INFORMATION PROVIDED TO ALL CANDIDATES

A. For purposes of these Rules of Procedure, Town Council "candidates" shall be those who qualify as candidates when the nominating period closes. For purposes of these Rules of Procedure, the time period between when nominations close and the final election shall be known as the "Campaign Period."

B. Once the candidates, including incumbents running for re-election, have been identified, all candidates shall receive Council Packets for each Town Council Meeting that is scheduled during the Campaign Period.

C. During the Campaign Period, when one candidate submits a public information request to the Town, all of the other candidates shall be notified that the request has been made and, if the information is provided to the requestor, shall be afforded the opportunity to request and obtain the same information.

12.3 STAFF COMMUNICATIONS THROUGH TOWN MANAGER

At all times, all formal communications by Town Council members to Town Staff shall be made through the Town Manager or the appropriate department head.

12.4 STAFF COMMUNICATIONS THROUGH TOWN CLERK

During the Campaign Period, all communications to Town staff regarding the pending election by Town Council members running for re-election and candidates to Town Staff shall be made through the Town Clerk, and the Clerk shall notify all other candidates of each communication. This provision shall not preclude a Councilmember speaking directly to the Town Manager regarding any matter related to Town business.

12.5 PROHIBITION AGAINST USING TOWN RESOURCES FOR ELECTION

Pursuant to A.R.S. § 9-500.14, no Town Council member or other representative of the Town may use Town personnel, equipment, materials, buildings or other resources for the purpose of influencing the outcome of an election. In addition, copies of candidate filings will not be provided free of charge. This rule applies to all candidates, including incumbents.

SECTION 13 CORRESPONDENCE POLICIES AND USE OF PERSONAL COMPUTERS AND PERSONAL ELECTRONIC DEVICES FOR TOWN BUSINESS

13.1 DEFINITIONS

A. Personal Computers (PCs) means: home, business, and lap top computers not owned by the Town.

B. Personal Electronic Devices or (PEDs) means cell phones, palm pilots, and any other equipment capable of sending or receiving electronic messages.

C. E-Mail means messages and communications sent to or received by others through any type of technological device concerning Town business and/or matters that are or could be a future agenda item.

D. Legal Opinion means a written opinion given by the Attorney.

E. Incidental Correspondence means routine items that do not set policy.

F. Policy Correspondence means that which purports to set or explain official Town policy.

G. Implementation Correspondence means that which implements a policy or a position that is already established by Council.

H. Citizen Complaint Correspondence means a written complaint form that has been filed by a citizen.

I. Mail Distribution means incoming mail that is distributed by Town staff to the appropriate party.

13.2 PUBLIC ACCESS AND STORAGE OF E-MAIL

A. The Town cannot guarantee that PCs and PEDs used by Town Council members in conducting Town business will be protected from public access. All public records are subject to public records requests. In addition, e-mails, and other documents related to Town business not otherwise classified as public records may be subject to discovery orders in litigation. Thus, all e-mails or other correspondence pertaining to Town business that is received or sent by a Council member should be copied to the Town Clerk for the public record.

B. Town Council members who send or receive e-mails related to Town business from PCs or PEDs shall copy the e-mail to the Town Clerk each time an e-mail is sent or received. .

C. The Town shall maintain a repository for all e-mails that are received or sent by Town Council members for the time prescribed by law. The repository will be subject to public records, discovery, and other lawful requests. The Town does not have resources to delete personal comments from e-mails. Town Council members shall have no expectation of privacy with respect to the contents of e-mails copied to or forwarded to the repository.

D. E-mails and documents related to Town business shall be retained on PCs and PEDs only for such time as needed and may be deleted from PCs and PEDs after they have been copied to or forwarded to the Camp Verde e-mail address.

13.3 CORRESPONDENCE

A. **Incidental Correspondence** are routine items that do not set policy for the Town, such as acknowledging receipt of documents, public relations responses, letters of appreciation, and congratulations for special activities and events. Incidental correspondence may be answered by the Mayor or other Council members. Note cards with the Town logo are available for Council use. Individual Council members may review the correspondence and comment to the Mayor or a Council member on a particular response or request a review by the full Council.

B. **Policy Correspondence** is that which purports to set or explain official policy of the Town, such as letters of support, expressions of position or opinion, or assertions of intent. It must first receive approval of a majority (4) of the Council at public meeting and will then be signed by the Mayor or other such member authorized by Council on behalf of the Council.

At the first meeting in January of each year, Council may adopt a Policy Statement that authorizes the Mayor, as the Town's Chief Elected Official, to support or oppose bills introduced during Legislative Sessions when they adversely affect the Town's interests and require an immediate response.

C. **Implementation Correspondence** is that which implements a policy or position already established by the Council, such as continuing letters of support on legislation, positions on actions by other governmental agencies, responding to public information requests, and other administrative steps identified in the initial representation of the issue and approved by the Council. It will be signed by the Mayor and/or other such members authorized by Council.

D. **Public Inspection** each type of correspondence will be kept chronologically in a separate binder available for public inspection.

E. **Citizen Complaints** is that correspondence that is addressed to the Town, the Mayor, and/or any other Council member and that is signed or otherwise verified and identified to be a citizen complaint concerning any issue(s) relating to official Town business or responsibility as authorized by statute or other legal authority shall be directed to the Town Manager upon receipt to assign appropriately for resolution. Appropriate tracking measures shall be established in order for resolution to be reported back to the Town Manager, complainant, and the Town Council.

F. **Mail Distribution** takes place upon receipt of mail addressed to the Town of Camp Verde, the Council as a whole, or to a particular staff member or department. Mail addressed to the Mayor and/or Council will be opened, date stamped, and copied to the entire Council if the content contains something of interest or that pertains to the entire Council. Documents will only be maintained as confidential if permitted under the Arizona Public Records Act. Thus, all mail marked "Personal and confidential" or "Confidential" will be opened and placed in the appropriate Council member's box. Should the Mayor or individual Council member determine that a citizen is making a complaint, the correspondence shall be immediately referred to the Town Manager in order for the appropriate assignments to be made and allowing for the resolution process to be started. Note: all personnel matters MUST be kept confidential unless the attorney advises otherwise.

Staff and department mail will not be opened; however, the envelopes will be date-stamped and placed in the appropriate box.

SECTION 14 COUNCIL BUDGET

14.1 ADOPTION OF TOWN COUNCIL BUDGET

The annual budget for the Town adopted by the Council will contain a line item designated for Council members' expenditures. This line item shall be the maximum amount that may be reimbursed to or expended by individual Council members pursuant to this section. This line item is a part of the approved Town Council Budget.

14.2 USE OF BUDGETED FUNDS; PROCEDURES

A. The Council budget may be used only for expenses incurred by individual Council members for participation in business activities and events at which a Council member is representing the Town in the Councilmember's official capacity.

B. In order to receive reimbursement for amounts expended for participation in activities or events described in Paragraph A, a Councilmember shall submit a receipt(s) to the Finance Director showing the amount expended and the purpose of the expenditure. If no receipt was received for the expenditure, reimbursement may be given if satisfactory evidence of the expenditure is submitted to the Finance Director. If there is uncertainty regarding whether the expenditure is an expense for which the Council member may be reimbursed pursuant to this section, the Finance Director shall obtain approval from the Town Manager prior to providing reimbursement to the Councilmember.

SECTION 15 CODE OF CONDUCT FOR ELECTED AND APPOINTED OFFICIALS

15.1 SUMMARY

The Three Rs of Camp Verde Government Leadership: Roles, Responsibilities and Respect

The Town Code provides information on the roles and responsibilities of Council Members, the Vice Mayor and the Mayor. This is a Code of Conduct for the Town of Camp Verde's elected officials.

This Code of Conduct is designed to describe the manner in which Council Members and appointed officials of the Town (collectively, "Public Officials") should treat one another, Town staff, constituents, and others they come into contact with in representing the Town of Camp Verde. It reflects the work of defining more clearly the behavior, manners and courtesies that are suitable for various occasions. This is designed to make the public meetings and the process of governance run more smoothly.

The content of this Code of Conduct includes:

- Overview of Roles and Responsibilities
- Policies and Protocol Related to Conduct
- Council Conduct with One Another
- Council Conduct with Town Staff
- Council Conduct with the Public
- Council Conduct with Other Public Agencies

- Council Conduct with Boards and Commissions
- Council Conduct with the Media
- Sanctions
- Principles of Proper Conduct
- Checklist for Monitoring Conduct

The constant and consistent theme through all of the conduct guidelines is "respect." Public Officials experience significant workloads and tremendous stress in making decisions that could impact thousands of lives. Despite these pressures, Public Officials are called upon to exhibit appropriate behavior at all times. Demonstrating respect for each individual through words and actions is the touchstone that can help guide Public Officials to do the right thing in even the most difficult situations.

15.2 OVERVIEW OF ROLES AND RESPONSIBILITIES

Other resources that are helpful in defining the roles and responsibilities of Public Officials can be found in the Town of Camp Verde Code and in the Elected Officials Guide published by the League of Arizona Cities & Towns.

MAYOR

- Is directly elected by the people pursuant to ARS §9-232.03. (Town Code, Section 2-2-1)
- Acts as the official head of the Town for all ceremonial purposes
- Chairs Council meetings (Town Code, Section 2-2-4)
- Calls for special meetings (Town Code, Section 2-3-2)
- Recognized as spokesperson for the Town of Camp Verde
- Makes judgment calls on proclamations, agendas, etc.
- Recommends subcommittees as appropriate for Council approval
- Leads the Council into an effective, cohesive working team
- Sign documents on behalf of the Town of Camp Verde

VICE MAYOR

- Serves at the pleasure of the Council (Town Code, Section 2-2-2)
- Performs the duties of the Mayor if the Mayor is absent (Town Code, Section 2-2-2)
- Chairs Council meetings in the absence of the Mayor

- Represents the Town at ceremonial functions at the request of the Mayor

ALL COUNCIL MEMBERS

All members of the Town Council, including those serving as Mayor and Vice Mayor, have equal votes. No Council Member has more authority than any other Council Member, and all should be treated with equal respect.

All Council Members should:

- Fully participate in Town Council meetings and other public forums while demonstrating kindness, consideration, and courtesy to others.
- Prepare in advance of Council meetings and be familiar with issues on the agenda.
- Represent the Town at ceremonial functions at the request of the Mayor or at the request of the Council.
- Be respectful of other people's time. Stay focused and act efficiently during public meetings.
- Serve as a model of leadership and civility to the community
- Inspire public confidence in Camp Verde government
- Provide contact information with the Town Clerk in case of an emergency or urgent situation arises while the Council Member is out of Town
- Demonstrate honesty and integrity in every action and statement
- Participate in scheduled activities to increase team effectiveness and review Council procedures, such as this Code of Conduct

MEETING CHAIR

The Mayor will chair official meetings of the Town Council, unless the Vice Mayor or another Council Member is designated as Chair of a specific meeting.

- Maintains order, decorum, and the fair and equitable treatment of all speakers
- Keeps discussion and questions focused on specific agenda items under consideration
- Makes parliamentary rulings. Chair rulings may be overturned if a Council Member makes a motion as an individual and the majority of the Council votes to overrule the Chair.

15.3 POLICIES AND PROTOCOL RELATED TO CONDUCT

A. Ceremonial Events

Requests for a Town representative at ceremonial events will be handled by Town staff. The Mayor will serve as the designated Town representative. If the Mayor is unavailable, then Town staff will determine if event organizers would like another representative from the Council. If yes, then the Mayor will recommend which Council Member should be asked to serve as a substitute. Invitations received at Town Hall are presumed to be for official Town representation. Invitations addressed to Council members at their homes are presumed to be for unofficial, personal consideration.

B. Correspondence Signatures

Council Members do not need to acknowledge the receipt of correspondence, or copies of correspondence, during Council meetings. The Town Clerk will prepare official letters in response to public inquiries and concerns. These letters will carry the signature of the Mayor unless the Mayor requests that they be signed by another Council Member or the Town Clerk.

If correspondence is addressed only to one Council Member, then that Council Member may check with staff on the best way to respond to the sender.

C. **Endorsement of Candidates**

Council Members have the right to endorse candidates for all Council seats or other elected offices. It is inappropriate to mention endorsements during Council meetings or other official Town meetings.

D. Public Announcements in Council Meetings

Council Members who want to speak during the Call to the Public or Council Members Report portion of the Council meeting should notify the Chair in advance. Council Members, like members of the public who use this portion of the agenda to recognize achievements or promote an event, will be limited to three minutes each, and should keep the focus on matters of community-wide interest. Matters that may require Council action or direction should not be discussed and those items on the agenda should not be used for any form of campaigning.

E. Public Hearing Protocol

The applicant shall have the right to speak first. The Chair will determine the length of time allowed for this presentation. Speakers representing either pro or con points of view will be allowed to follow. All speakers should be heard. All statements should be made to and through the Chair. The applicant will be allowed to make closing comments. The Chair has the responsibility to run an efficient public meeting and has the discretion to modify the public hearing process in order to make the meeting run smoothly.

Council Members should not express opinions during the public hearing portion of the meeting, except to ask pertinent questions of the speaker or staff. All Council Member comments or questions should be directed to the Chair. "I think" and "I feel" comments by Council Members are not appropriate until after the close of the public hearing. Council Members should refrain from arguing or debating with the public during a public hearing and shall always show respect for different points of view.

Main motions may be followed by amendments, followed by substitute motions. Any Council Member can call for the question or a point of order. Only Council Members, who voted on the prevailing side, may make motions to reconsider. Motions to reconsider must be made prior to adjourning the meeting.

F. Travel Expenses

The policies and procedures related to the reimbursement of travel expenses for official Town business by Council Members is according to the Town of Camp Verde Financial Operations Guide, as may be amended. All Council travel in excess of the allowed budget, in which the Council Member expects to officially represent the Town and/or be reimbursed by the Town for travel costs, must be approved in advance by the Council. In addition, all out of state travel for which the Council Member expects to officially represent the Town and/or be reimbursed by the Town for related travel costs, must be approved by the entire Council PRIOR to taking the trip. The travel policy and budget for Council should be reviewed at each annual budget cycle.

15.4 COUNCIL CONDUCT WITH ONE ANOTHER

Councils are composed of individuals with a wide variety of backgrounds, personalities, values, opinions, and goals. Despite this diversity, all have chosen to serve in public office in order to preserve and protect the present and the future of the community. In all cases, this common goal should be acknowledged even as Council may "agree to disagree" on contentious issues.

A. IN PUBLIC MEETINGS

1. **Practice civility and decorum in discussions and debate**

Difficult questions, tough challenges to a particular point of view, and criticism of ideas and information are legitimate elements of a free democracy in action. This does not allow, however, Council Members to make belligerent, personal, impertinent, slanderous, threatening, abusive, or disparaging comments. No shouting or physical actions that could be construed as threatening will be tolerated.

2. **Honor the role of the Chair in maintaining order**

It is the responsibility of the Chair to keep the comments of Council Members on track during public meetings. Council Members should honor efforts by the Chair to focus discussion on current agenda items. If there is disagreement about the agenda or the Chair's actions, those objections should be voiced politely and with reason, following procedures outlines in parliamentary procedure.

3. **Avoid personal comments that could offend other Council Members**

If a Council Member is personally offended by the remarks of another Council Member, the offended Council Member should make notes of the actual words used and call for a "point of personal privilege" that challenges the other Council Member to justify or apologize for the language used. The Chair will maintain control of this discussion.

4. **Demonstrate effective problem-solving approaches**

Council Members have a public stage to show how individuals with disparate points of view can find common ground and seek a compromise that benefits the community as a whole. When requesting that staff provide copies to Council members, provide an explanation as to your reasoning for the request.

B. IN PRIVATE ENCOUNTERS

1. **Continue respectful behavior in private**

The same level of respect and consideration of differing points of view that is deemed appropriate for public discussions should be maintained in private conversations.

2. **Be aware of the lack of security of written notes, voicemail messages, and e-mail**

Technology allows words written or said without much forethought to be distributed wide and far. Would you feel comfortable to have this note faxed to others? How would you feel if this voicemail message were played on a speakerphone in a full office? What would happen if this e-mail message were forwarded to others? Written notes, voicemail messages and e-mail should be treated as potentially "public" communication.

3. **Even private conversations can have a public presence**

Elected officials are always on display – their actions, mannerisms, and language are monitored by people around them that they may not know. Lunch table conversations will be eavesdropped upon, parking lot debates will be watched, and casual comments between individuals before and after public meetings noted. Remember the open meeting law prohibits conversations of four or more council members or the "linking" together through a common source of four or more individual conversations.

4. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with One Another" shall be followed not only by Council Members but also by other Town Public Officials.

15.5 COUNCIL CONDUCT WITH TOWN STAFF

Governance of a Town relies on the cooperative efforts of elected officials, who set policy, and Town staff, who implements and administers the Council's policies. Therefore, every effort should be made to be cooperative and show mutual respect for the contributions made by each individual for the good of the community.

A. **Treat all staff as professionals**

Clear, honest communication that respects the abilities, experience, and dignity of each individual is expected. Inappropriate behavior towards staff is not acceptable.

B. **Limit contact to specific Town staff**

Consequently, remember Town staff is accountable to their supervisors. Tasks performed by staff that come from outside the normal chain of supervision could cause staff confusion, inadequate work product and inefficient performance. Questions of Town staff and/or requests for additional background information should be directed through the Town Manager, Town Clerk or Department Heads, or the Department Head's designee. The Town Manager should be copied on any request. In accordance with Town Code Section 3-2-1-E, no Council Member shall give orders or instructions to any subordinate of the Town Manager other than instructions for the purpose of inquiry without the consent of the Town Manager.

When in doubt about what staff contact is appropriate, Council Members should ask the Town Manager for direction. Materials supplied to a Council Member in response to a request will be made available to all members of the Council so that all have equal access to information.

C. **Do not disrupt Town staff from their jobs**

Council Members should not disrupt Town staff while they are in meetings, on the phone, or engrossed in performing their job functions in order to have their individual needs met.

D. **Never publicly criticize an individual employee**

Council should never express concerns about the performance of a Town employee in public, to the employee directly, or to the employee's manager. Misdirected comments could violate the Town's personnel rules and limit the Town's ability to deal fairly and efficiently with personnel matters. Comments about staff performance should only be made to the Town Manager through private correspondence or conversation.

E. **Do not get involved in administrative functions**

Council Members must not attempt to influence Town staff on the making of appointments, awarding of contracts, selecting of consultants, processing of development applications, or granting of Town licenses and permits.

F. **Check with Town staff on correspondence before taking action**

Before sending correspondence, Council Members should check with the Town Manager to see if an official Town response has already been sent or is in progress.

G. **Do not attend meetings with Town staff unless requested by staff.**

Even if the Council Member does not say anything, the Council Member's presence implies support, shows partiality, intimidates staff, and hampers staff's ability to do their job objectively.

H. **Limit request for staff support**

Routine secretarial support will be provided to all Council Members by Clerk's Office staff. Routine secretarial support consists of simple requests that consume minimum staff time, such as an occasional letter or note, travel arrangements for Council-approved events, or providing copies of requested material. Secretarial support does not include making phone calls or other support for non-Council-sanctioned events and/or maintaining an appointment calendar.

The Clerk's Office staff will prepare and/or process all correspondence and documents that have been approved in a duly convened Council meeting by a majority of the members. All requests for secretarial support must be made through the Town Clerk.

Requests for additional staff support – even in high priority or emergency situations – should be made through the Town Manager who is responsible for allocating Town resources in order to maintain a professional, well-run Town government.

The Clerk's Office opens all mail for Council Members and distributes per the Correspondence policy. Mail delivered to Town Hall and marked 'confidential' will not be treated as confidential unless permitted under the Arizona Public Records Act, but will be distributed according to the Correspondence policy.

I. **Do not solicit political support from staff**

Council Members should not solicit any type of political support (financial contributions, display of posters or lawn signs, name on support list, etc.) from Town staff; to do so could violate the law. Town staff may, as private citizens with constitutional rights, support political candidates for other government entities but all such activities must be done away from the workplace.

J. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with Town Staff" shall be followed not only by Council Members but also by other Town Public Officials.

15.6 COUNCIL CONDUCT WITH THE PUBLIC

A. IN PUBLIC MEETINGS

1. **Making the Public Feel Welcome** is an important part of the democratic process. No signs of partiality, prejudice or disrespect should be evident on the part of individual council Members toward an individual participating in a public forum. Every effort should be made to be fair and impartial in listening to public testimony.

Be welcoming to speakers and treat them with respect

Be fair and equitable in allocating public hearing time to individual speakers

Generally, each speaker will be allocated three minutes. If many speakers are anticipated, the Mayor may shorten the time limit and/or ask speakers to limit themselves to new information and points of view not already covered by previous speakers.

No speaker will be turned away unless he/she exhibits inappropriate behavior. After the close of the public hearing, no more public testimony will be accepted.

2. **Give the appearance of active listening**

It is disconcerting to speakers to have Council Members not look at them when they are speaking. It is fine to look down at documents or to make notes, but reading for a long period of time or gazing

around the room gives the appearance of disinterest. Be aware of facial expressions, especially those that could be interpreted as "smirking," disbelief, anger or boredom.

3. **Ask for clarification, but avoid debate and argument with the public**

Only the Mayor, no individual Council Members, can interrupt a speaker during a presentation. However, a Council Member can ask the Mayor for a point of order if the speaker is off the topic or exhibiting behavior or language the Council Member finds disturbing.

If speakers become flustered or defensive by Council questions, it is the responsibility of the Mayor to calm and focus the speaker and to maintain the order and decorum of the meeting. Questions by Council Members to members of the public testifying should seek to clarify or expand information. It is never appropriate to belligerently challenge or belittle the speaker. Council members' personal opinions or inclinations about upcoming votes should not be revealed until after the public hearing is closed.

4. **No personal attacks of any kind, under any circumstances**

Council Members should be aware that their body language and tone of voice, as well as the words they use, can appear to be intimidating or aggressive.

B. IN UNOFFICIAL SETTINGS

1. **Make no promises on behalf of the Council**

Council Members will frequently be asked to explain a Council action or to give their opinion about an issue as they meet and talk with constituents in the community. It is appropriate to give a brief overview of Town policy and to refer to Town staff for further information. It is inappropriate to overtly or implicitly promise Council action, or to promise Town staff will do something specific (fix a pothole; remove a library book; plant new trees, etc.)

2. **Make no personal comments about other Council Members**

It is acceptable to publicly disagree about an issue, but it is unacceptable to make derogatory comments about other Council Members, their opinions and actions.

3. **Remember Camp Verde is a Small Town**

Council Members are constantly being observed by the community every day that they serve in office. Their behaviors and comments serve as models for proper deportment in the Town of Camp Verde. Honesty and respect for the dignity of each individual should be reflected in every word and action taken by Council Members, 24 hours a day, seven days a week. It is a serious and continuous responsibility.

Other Town Public Officials

The foregoing guidelines concerning "Conduct with the Public" shall be followed not only by Council Members but **also by other Town Public Officials.**

15.7 COUNCIL CONDUCT WITH OTHER PUBLIC AGENCIES

A. **Be clear about representing the Town or personal interests**

If a Council Member appears before another governmental agency or organization to give a statement on an issue, the Council Member must clearly state: 1) if his or her statement reflects personal opinion or is the official stance of the Town; 2) whether this is the majority or minority opinion of the Council.

Council Members should be clear about which organizations they represent and inform the Mayor and Council of their involvement in order to assure their independence and impartiality on behalf of the common good. Public Officials should not use their official positions to influence government decisions in which they have a substantial financial interest or a relationship that may give the appearance of a conflict of interest. Public Officials should abstain from participating in deliberations and decision-making where conflicts of interest may exist as defined under Arizona law. Public Officials should discuss issues of conflict of interest with the Town Attorney.

B. **Correspondence also should be equally clear about representation**

Town letterhead may be used when the Council Member is representing the Town and the Town's official position. A copy of official correspondence should be given to the Town Clerk to be filed as part of the permanent public record.

Town letterhead should not be used for correspondence of Council Members representing a personal point of view, and is best not used to express a dissenting point of view from an official Council position. However, should Council Members use Town letterhead to express a dissenting point of view, the official Town position must be stated clearly, so the reader understands the difference between the official Town position and the viewpoint of the Council Member.

C. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with Other Public Agencies" shall be followed not only by Council Members but also by other Town Public Officials.

15.8 COUNCIL CONDUCT WITH BOARDS AND COMMISSIONS

The Town has established several Boards and Commissions as a means of gathering more community input. Citizens who serve on Boards and Commissions become more involved in government and serve as advisors to the Council. They are a valuable resource to the Town's leadership and should be treated with appreciation and respect.

A. **If attending a Board or Commission meeting, be careful to only express personal opinions**

Council Members may attend any Board or Commission meeting, which are always open to any member of the public. However, they should be sensitive to the way their participation - especially if it is on behalf of an

individual, business or developer – could be viewed as unfairly affecting the process. Any public comments by a Council Member at a Board of Commission meeting should be clearly made as individual opinion and not a representation of the feelings of the entire Town Council.

B. **Limit contact with Board and Commission members to questions of clarification**

It is inappropriate for a Council member to contact a Board or Commission member to lobby on behalf of an individual, business, or developer. It is acceptable for Council Members to contact Board or Commission members in order to clarify a position taken by the Board or Commission.

C. **Remember that Boards and Commissions serve the community, not individual Council Members**

The Town Council appoints individuals to serve on Boards and Commissions, and it is the responsibility of Boards and Commissions to follow policy established by the Council. But Board and Commission members do not report to individual Council Members, nor should Council Members feel they have the power or right to threaten Board and Commission members with removal if they disagree about an issue. Appointment and re-appointment to a Board or Commission should be based on such criteria as expertise, ability to work with staff and the public, and commitment to fulfilling official duties. A Board or Commission appointment should not be used as a political "reward."

D. **Be respectful of diverse opinions**

A primary role of Boards and Commissions is to represent many points of view in the community and to provide the Council with advice based on a full spectrum of concerns and perspectives. Council Members may have a closer working relationship with some individuals serving on Boards and Commissions, but must be fair and respectful of all citizens serving on Boards and Commissions.

E. **Keep political support away from public forums**

Board and Commission members may offer political support to a Council member, but not in a public forum while conducting official duties. Conversely, Council Members may support Board and Commission members who are running for office, but not in an official forum in their capacity as a Town Council Member.

F. **Inappropriate behavior can lead to removal**

Inappropriate behavior by a Board or Commission member should be noted to the Mayor, and the Mayor should counsel the offending member. If inappropriate behavior continues, the Mayor should bring the situation to the attention of the Council.

15.9 COUNCIL CONDUCT WITH THE MEDIA

Council Members are frequently contacted by the media for background and quotes.

A. **The best advice for dealing with the media is to <u>never</u> go "off the record"**

Most members of the media represent the highest levels of journalistic integrity and ethics, and can be trusted to keep their word. But one bad experience can be catastrophic. Words that are not said cannot be quoted.

B. **The Mayor is the official spokesperson for the Town.**

The Mayor is the designated representative of the Council to present and speak on the official Town position. If an individual Council Member is contacted by the media, the Council Member should be clear about whether their comments represent the official Town position or a personal viewpoint.

C. **Choose words carefully and cautiously**

Comments taken out of context can cause problems. Be especially cautious about humor, sardonic asides, sarcasm, or word play. It is never appropriate to use personal slurs or swear words when talking with the media.

D. **Other Town Public Officials**

The foregoing guidelines concerning "Conduct with the Media" shall be followed not only by Council Members but also by other Town Public Officials.

15.10 ENFORCEMENT OF THE ETHICS POLICY

A. **Complaints**

1. Public Officials themselves have the primary responsibility to assure compliance with this Code of Conduct.

2. The Chairs of commissions, boards, and committees and the Mayor have the additional responsibility to intervene when actions of the Public Officials appear to be in violation of this Code of Conduct.

3. If the Mayor or the chair of the applicable board, commission or committee fails to intervene, two members of the Council, board, commission may request the Mayor or the chair of the applicable public body to intervene. If the complaint arises out of actions or inactions of the Mayor or the chair, the matter shall be directed to the vice-mayor or vice-chair. If the Mayor, chair, vice-mayor or vice-chair fails to intervene, then the matter shall be referred to the Town Attorney.

4. The Town Attorney shall review the complaint and shall simultaneously notify in writing the Town official subject to the complaint of such review.

5. Within 30 days, the Town Attorney shall submit the results of his or her review to the complainant, to the official who is the subject of the complaint, and to the Mayor or chair of the public body on which the official who is the subject of the complaint sits. If the matter cannot be resolved within ten days, the matter shall be referred to the Town Council. The Town Council shall consider the Town Attorney's report at a public meeting. If the Town Council finds an ethical violation by a person serving on a commission, board or committee, then the Town Council may remove the member from the Town board, commission, or committee. In resolving a complaint, the totality of the

circumstances shall be taken into consideration, including the intent of the person accused of the wrongdoing.

6. In addition, the Town Council may impose sanctions on Public Officials whose conduct does not comply with this Code of Conduct, such as reprimand, censure, loss of seniority or committee assignment, or official travel restrictions.

B. **Resolving Complaints against the Mayor and/or other Members of the Town Council.**

1. When complaints are levied against the Mayor or members of the Town Council, the Town Attorney shall have the authority to decide either to (a) act directly on any complaint filed against the Mayor and/or other members of the Town Council pursuant to subparagraph A above, or (b) refer a complaint to an independent reviewing authority such as a city or town attorney from another jurisdiction or an attorney from the office of the county attorney.

15.11 SANCTIONS

A. **Public Disruption**

Members of the public who do not follow proper conduct after a warning in a public hearing may be barred from further testimony at that meeting or removed from the Council Chambers.

B. **Inappropriate Staff Behavior**

Council Members should refer to the Town Manager any Town staff that does not follow proper conduct in their dealings with Council Members, other Town staff, or the public. These employees may be disciplined in accordance with standard Town procedures for such actions.

C. **Council Members Behavior and Conduct**

In addition to sanctions imposed pursuant to paragraph A.6 above, Town Council Members who intentionally and repeatedly do not follow proper conduct may be reprimanded or formally censured by the Council, lose seniority or committee assignments (both within the Town of Camp Verde or with inter-government agencies) or have official travel restricted.

15.12 PRINCIPLES OF PROPER CONDUCT

Proper conduct IS . . .

- Keeping promises
- Being dependable
- Building a solid reputation

- Participating and being available
- Demonstrating patience
- Showing empathy
- Holding onto ethical principles under stress
- Listening attentively
- Studying thoroughly
- Keeping integrity intact
- Overcoming discouragement
- Going above and beyond, time and time again
- Modeling a professional manner

Proper conduct IS NOT . . .

- Showing antagonism or hostility
- Deliberately lying or misleading
- Speaking recklessly
- Spreading rumors
- Stirring up bad feelings, divisiveness
- Acting in a self-righteous manner

IT ALL COMES DOWN TO RESPECT

Respect for one another as individuals . . . respect for the validity of different opinions . . . respect for the democratic process . . . respect for the community that we serve.

15.13 CHECKLIST FOR MONITORING CONDUCT

- Will my decision/statement/action violate the trust, rights or good will of others?
- What are my interior motives and the spirit behind my actions?
- If I have to justify my conduct in public tomorrow, will I do so with pride or shame?
- How would my conduct be evaluated by people whose integrity and character I respect?

- Even if my conduct is not illegal or unethical, is it done at someone else's painful expense? Will it destroy their trust in me? Will it harm their reputation?
- Is my conduct fair? Just? Morally right?
- If I were on the receiving end of my conduct, would I approve and agree, or would I take offense?
- Does my conduct give others reason to trust or distrust me?
- Am I willing to take an ethical stand when it is called for? Am I willing to make my ethical beliefs public in a way that makes it clear what I stand for?
- Do I exhibit the same conduct in my private life as I do in my public life?
- Can I take legitimate pride in the way I conduct myself and the example I set?
- Do I listen and understand the views of others?
- Do I question and confront different points of view in a constructive manner?
- Do I work to resolve differences and come to mutual agreement?
- Do I support others and show respect for their ideas?
- Will my conduct cause public embarrassment to someone else?

15.14 Exit Process for Departing Council/Commission Members

During the elected/appointed term, members receive and/or have access to information relative to the Town of Camp Verde government, such as reports, maps, photographs, gifts that have been accepted by a member on behalf of the Town, and other documentation, as well as Town-owned equipment, cell phones, keys, computers, office supplies, etc. This list is not all inclusive.

The Clerk's Office is responsible for coordinating the Exit Process with all Council/Commission members. All Town-owned equipment and other documents, supplies, information, keys, etc. must be returned to the Clerk's Office at least TWO business days prior to the end of the member's term. Staff will assist the member with determining what information, documents, etc. that may be removed Town offices. At no time, will a departing member be permitted to remove items without staff review.

SECTION 16 SUMMARY OF GOOD GOVERNMENT RULES FOR ELECTED AND APPOINTED OFFICIALS

16.1 SUMMARY AND NOTICE OF STATUTORY AUTHORITY.

removal of a competitor from a vendor list, seeks inside information about competitors' bids before a bid award, asks about competitors' prices, or seeks modification of the contract after the bid is awarded. There are treble civil damages and criminal penalties for violations.

16.5 CONFLICTS OF INTERESTS.

Public policy requires that personal interests not exist as a possible factor influencing a public official in the performance of his duties. Any pecuniary or proprietary interest, direct or indirect, of public officers or employees (or their relatives), is deemed a "substantial interest" which triggers a conflict, unless it falls within one of the 11 statutory exceptions set out in ARS §38-502.10. A conflict must be declared on the public record and by filing a paper signed by the public officer or employee which fully discloses the substantial interest (ARS §38-502.3). The filing shall be in a special file established pursuant to ARS §38-509. If a conflict is made known, it is not enough to simply refrain from voting. The public officer or employee may not participate in the discussion or decision of the matter on which there is a conflict with other members of the public body before, during, or after the meeting. These steps must be taken even if there is little or no likelihood that the public servant would participate in the matter, and even if the person is confident that neither his nor her objectivity nor the public interest would be harmed by participation. The conflict of interest statutes are mandatory. Criminal penalties apply for knowing violations of the statutes, and public servants may be subject to prosecution even if they were unaware of a conflict when they took official action (ARS §38-510.A.2). In addition to civil and criminal penalties, assessment of damages, attorneys fees and costs, removal from office, and other equitable relief, a contract made on behalf of the public agency in violation of the conflict of interest laws is voidable at the discretion of the agency (ARS §38-506.A/511).

16.6 COMPENSATION.

Arizona law prohibits all public officers and employees from receiving any money, tangible thing of value, or financial benefit, whether directly or indirectly, for any service rendered in connection with their duties (ARS §38-505)(Class 4 felony under ARS §38-444). The acceptance of a gift, even if given in the best intentions (without attempting to influence the public servant though rarely will gifts be brought by persons other than those who are dealing with the Town!), can still violate the law. State code section R2-5-501.C.4 prohibits employees from receiving anything of economic value as a gift, gratuity, favor, entertainment, or loan, which may even appear to be designed to influence the employee's official conduct.

16.7 FAVORITISM.

Federal and state laws are numerous which prohibit discrimination, and the reverse conduct of favoritism. Related to this are requests by constituents for assistance in dealing with other agencies or branches of government. Public officials should not use their positions to improperly influence the outcome of proceedings in which they play no official role, such as matters in other agencies or branches of government. Responses to requests by constituents should be limited to inquiry about the status of a matter, and to help the constituent understand the procedures that may be involved, and not directly or indirectly interfere.

16.8 PUBLIC RECORDS.

Public records and other matters in the office of any officer at all times during office hours shall be open to inspection by any person (ARS §39-121). The public records include records reasonably necessary or appropriate to maintain an accurate knowledge of the public officer's or public body's official activities. "Other matters" means documents which are not required by law to be filed as public records, and are held by the public officer in his or her official capacity, and in which the public's interest in disclosure outweighs the governmental interest in confidentiality. These may include informal communications such as notes, memos, calendars, and e-mail that is related to or could be related to some future Town business. *Examples* of problems areas are refusing to produce public records; purposefully delaying the release; refusing to release records based on speculation that they may contain information that does not need to be produced; refusing to disclose records because they are "only drafts" or are incomplete; refusing to disclose because of a promise of confidentiality when there is no statutory basis of confidentiality. One example of confidentiality of interest is that during and for 2 years following a public servant's position, that person may not disclose or use for personal profit confidential information acquired in the course of official duties (ARS §38-504.B). Portions of personnel files containing a peace officer's home address, home telephone number and personal cell phone, and photograph if serving or scheduled to serve as an undercover agent, are confidential.

11.

CAMP VERDE MARSHAL'S OFFICE

Camp Verde
ARIZONA

Records Division & Fingerprinting

Records Division

The Lobby and Records Division is open Monday - Thursday from 7:00 a.m. to 5:00 p.m. and Fridays 7:00 a.m. t0 11:00 a.m.

The Police Records Division is responsible for providing initial customer service to visitors of the police station and serves as the central repository for incident reports prepared by department personnel. Records assists the general public, department personnel, and other government agencies in obtaining police related information; provides copies of police reports to citizens, insurance companies, lawyers, city prosecutor, county attorney, victim witness, etc; reviews and enters data from police reports into the computerized records management system; processes subpoenas, summons and related paperwork, completes mandated State and Federal monthly validations of all police department entries into state and federal databases; ensures proper disposal of confidential materials and reports that have met state purge criteria and images records for retention purposes. Other public services provided include;

Fingerprinting

Public fingerprint services are held on Wednesdays from 08:00 - 11:00 AM & 1:00- 4:00 PM.

For public fingerprinting a Photo ID, fingerprint card(s) and the $5.00 fee is required and must be presented before services are rendered.

Court ordered prints that are requested through the Camp Verde Municipal Court are conducted on a first come first serve basis during normal business hours of Monday - Thursday from 7:00 a.m. to 5:00 p.m. and Fridays 7:00 a.m. t0 11:00 a.m. A photo ID is required and must be presented before services are rendered. Please note, Identity Verified Prints (IVP) services are not provided at this location.

Records Requests

A Records request requires a short form to be filled out by the requestor. All request are subject to a $5.00 charge per copy, if the report is larger than 20 pages, an additional fee of .25 cents per page will be applied. Exempt from fees are the victims of: rape, robbery, aggravated assault, burglary, larceny-theft, motor vehicle theft and arson. Immediate family members of homicide or manslaughter victims are also exempt.
In most cases the request will be fulfilled while you wait; however, in the event a report has not been cleared for release the records clerk will notify you as soon as the report becomes available.

Government

- Public Meetings Calendar
- Community Development
- Human Resources

Camp Verde Marshal's Office Request for Records/Photographs/ Audio-Visual Recordings

Date Requested _____

Person Requesting or Company Name _____

Phone Number _____

ALL REPORTS HAVE AN IN-HOUSE PROCESS OF APPROVAL THEY MUST GO THROUGH. IT MAY TAKE UP TO 1 WEEK FOR THE REPORT TO GO THROUGH THIS PROCESS. PLEASE PROVIDE A CURRENT PHONE NUMBER AND WHEN THE REPORT IS READY FOR DISSEMINATION WE WILL CALL YOU. RECORDS ARE FOR THE LOCAL AREA OF CAMP VERDE ONLY.

Person(s) Involved _____

Location of Occurrence _____

Case Number _____ OR Date of Occurrence _____

Date Range to Check if requesting multiple records _____

Please check all that apply

☐ Copy of Report(s) ☐ Photographs ☐ Audio/Visual Recordings (Audio Taped Interviews/In-Car Camera Footage etc)

Copies of photographs or audio/visual recordings are transferred to a CD which can be played on any standard computer.

The Camp Verde Marshal's Office charges for the reproduction of materials.

REPORT up to 20 pages = $5.00 there is a .25 cent PER PAGE fee after 20 pages.
PHOTOS (CD disc) = $10.00
AUDIO/VISUAL (CD) = $10.00

I, _____, declare that the copies or other reproductions of the public records described above and requested by me, are to be used solely for (check appropriate box)

☐ Non-Commercial Purposes ☐ Commercial Purposes

For Commercial purposes please use the "Commercial Records" form.

("Commercial Purpose", means the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from such public records for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public record

The Camp Verde Marshal's Office disclaims any liability for information contained therein, and is only producing records pursuant to a request for public records.

In order to determine the outcome of charges filed, we would suggest you contact the Court in which the charges were filed.

NON-COMMERCIAL PURPOSE
Public Record Request

To: _____ (Designate Record Custodian)

Request is hereby made to ☐ inspect ☐ reproduce the following record(s): (indicate document name, page numbers, address, and permit number where applicable. Attach 8.5" X 11" sheet if necessary.)

_____

_____

_____

☐ Will not be used for a commercial purpose: Commercial purpose is defined as: "the use of a public record for the purpose of sale or resale or for the purpose of producing a document containing all or part of the copy, printout or photograph for sale or the obtaining of names and addresses from such public record for the purpose of solicitation or the sale of such names and addresses to another for the purpose of solicitation or for any purpose in which the purchaser can reasonably anticipate the receipt of monetary gain from the direct or indirect use of such public records." Pursuant to ARS §39-121.03, the record(s) are requested are for **Non-Commercial** purposes only.

I certify that all information provided is true and correct under penalty of perjury. I agree to pay the fee or deposit of $_____ for these records. I also agree that the public records will not be transmitted or resold to any other person or entity without specific authorization from the Town's record custodian. I agree to delete all data acquired via this request from my databases and all other electronic media forms upon completion of the purpose or use for which this request is made. I agree not to hold the Town of Camp Verde liable for any inaccurate or incomplete information that I may receive. [1]

Signed: _____ Date: _____

Address: _____ City/State/Zip: _____

"A person who obtains public records for a commercial purpose without indicating the commercial purpose or who obtains a public record for a noncommercial purpose and uses or knowingly allows the uses of such public record for a commercial purpose or who obtains a public record for a commercial purpose and uses or knowingly allows the use of such public record for a different commercial purpose or who obtains a public record from anyone other than the custodian of such records and uses them for a commercial purpose shall in addition to other penalties be liable to the state or the political subdivision from which the public record was obtained for damages in the amount of three (3) times the amount which would have been charged for the public record had the commercial purpose been stated plus costs and reasonable attorney's fees or shall be liable to the state or the political subdivision for the amount of three (3) times the actual damages if it can be shown that the public record would not have been provided had the commercial purpose of actual use been stated at the time of obtaining the records.

[1] Requestor/purchaser understands and agrees that the Town of Camp Verde does not guarantee the accuracy of the data and information requested and hereby expressly disclaims any responsibility for the truth, lack of truth, validity, invalidity, accuracy, inaccuracy of any said data and information. Requestor/Purchaser accepts responsibility for requester/purchaser's unauthorized use or transmission of any such data or information in its actual or altered form.

SECTION 7: RECORDS REQUESTS

Public Records Request Policy

A. Purpose

The purpose of this policy is to assist Town departments with processing public record requests by defining the guidelines for non-commercial use requests, commercial use requests, and custom requests so as to protect the public's right to data, maximize cost recovery, and ensure the appropriate distribution of monies received in connection with providing public records.

B. Definition of Legal Responsibility

A number of legal provisions govern the Town's response to requests for public information. They are as follows:

1. *The Public Records Act, ARS §39-121 through ARS §39-121.03;*

2. *The Open Meetings Act, ARS §38-431;*

3. *Various information-specific statutes and administrative regulations designating particular information as either subject to public access or as confidential;*

4. *The body of law interpreting these provisions as reported in court decisions and opinions of the Arizona Attorney General.*

The Town of Camp Verde, as a public body, and its officers are responsible for maintaining records reasonably necessary or appropriate to preserve an accurate record of their activities. Permanent public records must be maintained in accordance with the requirements of ARS §39-101 and other state and federal laws. Other public records must be maintained in accordance with ~~ARS §41-1~~347 and ARS ~~§41-1351~~. needs updated - no longer exists

C. Policies and Procedures

The following policy is established to manage the provision of Town of Camp Verde public records:

- *The Public Records Act is to be interpreted liberally to facilitate broader access to public records.*
- *Public Records and other matters in the Town are presumed to be open for public inspection and shall be open to inspection during office hours, with certain exceptions.*
- *All information is considered public record, with three (3) broad exceptions:*

  1. ***Confidentiality*** *– Disclosure is not required where prohibited by statute, court rule, or court order. (i.e. social security numbers, court orders, etc.)*

2. ***Personal Privacy*** – *Some data need not be disclosed due to an individual's privacy rights. (e.g., home address, telephone numbers, racial background, age)*

3. ***Best Interest*** – *Disclosure may not be required if release of the information is not in the best interest of the public body. (i.e. release would inhibit public safety efforts or place the Town at a competitive disadvantage)*

- ***Generally:***
  - ✓ *The Town of Camp Verde has the burden of proving that release of specific public information should not be allowed.*
  - ✓ *Public record requests should be submitted to Town departments in writing. Department management has the discretion to accept verbal public record requests for data that is readily available.*
  - ✓ *The standard forms supplied with this policy should be completed by a petitioner before any public record is released, unless the petitioner has already provided all the information in writing.*
  - ✓ *Any person may request to examine or be furnished copies, printouts, or photographs of any public record during regular office hours. However, if the custodian does not have the facilities for making copies of the public records, the copies may be made while the public records remain in the control of the custodian and subject to the custodian's supervision. The Town is not required to allow the petitioner to make his own copies.*
  - ✓ *Petitioners only have a right to the data that is already maintained and in the format in which it is currently kept. A public entity is not required to convert data to a different format or convert the magnetic media to one that the public entity does not use. (i.e. tapes to cds, 3/5" floppy disc to an 8", etc.)*
  - ✓ *Information that falls within an exemption may be 'redacted', which means 'obscured', and the remainder must be disclosed. Just because one piece of information in a document does not have to be released does not mean that the entire document can be withheld.*
  - ✓ *The custodian responsible for the public record may not avoid the responsibility of performing redaction by refusing access to records.*
  - ✓ *Redaction must be done in good faith.*

- ✓ *Access to a public record cannot be refused if the record still exists beyond its retention date, even if the document should have been destroyed according to the schedule.*

- ✓ *The Town is not required to create a new record to meet a public record request. This means that we are not obligated to obtain new data, perform research projects, create new report formulas, convert data to different medium or formats, nor perform custom programming or extraction.*

- ✓ *Custom public record requests may be declined. However, a director or manager may choose to fulfill a request for non-existing information or for existing information in a different format or medium when it is in the Town's best interest to do so.*

- ✓ *Factors to consider when reviewing a custom public record request:*
  - ❑ *Availability of resources, such as personnel, equipment, etc.*
  - ❑ *The data subject to disclosure*
  - ❑ *Production costs*
  - ❑ *Maintenance costs*
  - ❑ *Impact on your department*
  - ❑ *Impact on the Town*

- ✓ *Once a 'custom' document is created or different data is collected in response to a custom request, that newly created document or data becomes a public record. The Public Record Request Policy will now apply to that newly created document or data.*

- ✓ *Any modification to the aforementioned 'custom' document (different time frame, layout, fields) makes the new request another custom request.*

- ✓ *What fees can be charged? Different rules apply to non-commercial purpose, commercial purpose, and custom requests for the recovery of costs. The Clerk will recommend fees for Council approval.*

Policy for Special Types of Public Record Requests

Public Record Requests for Personnel Files and Evaluations

The Town's general policy is to keep personnel records confidential in order to preserve the employee's privacy rights. The Town will review a request for personnel files to determine whether the request is made pursuant to a matter of public interest, such as a claim letter, written

complaint, criminal investigation, litigation, or an allegation involving misconduct of a public employee.

1. ***Information that Will be Released:***
   - *Name*
   - *Job Title*
   - *Department*
   - *Supervisor*
   - *Date of Hire*
   - *Salary*
   - *Date of Termination*

2. ***Information that May be Released:*** *If the request is made pursuant to a matter of public interest, the following information will be released:*
   - *Personnel Action Form*

3. ***Information that Will NOT be Released:***
   - *Social security number*
   - *Date of birth*
   - *Home address and phone number*
   - *Personal identifying information*
   - *Medical Records*

4. ***Requests for Inspection of Public Records***

   The person making a public records request must be specific in the request so as not to interrupt daily activities. While the public has a right to inspect public records, this is not an unlimited right. Inspection is subject to reasonable rules and regulations. It is the responsibility of the custodian to safeguard the records, avoid unreasonable disruption of the functioning of the office, provide reasonable supervision and ensure there is no confidential information in the records to be reviewed prior to the inspection. As such, public inspection of records must be approved by the department head and scheduled if such request will interrupt normal day-to-day activities. Contact the Clerk or Town Attorney if you have any questions or concerns with this type of request.

5. ***Public Record Requests for Documents from Other Agencies***

Records from another agency are not the Town's records and therefore, should not be released by the Town. An agency may release documents to the Town that may include non-public information. The person making a public records request must be referred to the originating agency for the document to avoid potential legal issues for the Town. An example of this would be a request for a copy of a Superior Court Order. Please note, however, if the document has become a part of the Town's public records, it should be released.

6. ***Public Record Requests from the News Media***

Public record requests from the media are not automatically considered commercial purpose requests.

7. ***Request for Electronic Access to a Town Database***

Requests for electronic, 'remote' access to a Town database should be carefully considered from several perspectives prior to implementation. The Town Manager should be contacted to discuss the technological and customer service perspectives. The Town Attorney should be contacted to discuss legal concerns.

8. ***Request for Electronic Copy of a Town Database***

The greatest concern surrounding such requests is the accidental disclosure of proprietary software. The request should be forwarded to the Town Attorney for legal concerns and the Town Manager to determine technological concerns.

9. ***Request to Purchase Town Software Application***

Requests to purchase Town-developed software may involve questions of proprietary software. The Town Manager should be contacted to discuss technological concerns.

10. ***Authority and Responsibility:***

*The **Town Clerk** shall:*

- *Assist Town departments with analyzing public records requests.*
- *Assist Town departments with calculating cost recovery for providing public records.*
- *Assist with custom information requests. All custom requests must be submitted to the Clerk's Office for review and approval. The Clerk shall prepare correspondence in response to custom information requests.*
- *Prepare reports to Council concerning information requests.*
- *Approve and file Certificates of Destruction with the appropriate State agencies.*
- *Keep staff updated with current records information and retention schedules.*
- *Provide training on records management/retention procedures.*

*The **Town Attorney** shall assist departments in determining the level of confidentiality of their public records, pursuant to the following:*

- *When the request is made concerning a matter currently in litigation or one that is likely to lead to litigation.*
- *When the item requested is a memorandum containing legal advice from the Town Attorney or from one of the Town's outside counsel.*
- *When the request involves producing a draft of work in progress and not the final product.*
- *When, after reviewing the handbook and consulting your supervisor, you are unsure how to respond.*

***Department Management** shall:*

- *Seek assistance from the Town Clerk.*
- *Develop the cost recovery strategy for all departmental records provided.*
- *Identify funding requests and priorities for the use of funds from the provision of department records.*
- *Ensure that all policies regarding public records and requests for public record are followed.*
- *Have discretionary power to accept or fulfill verbal record requests for records that are readily available.*

***Note:** Council makes the final determination as to what department information is provided for commercial use.*

***Marshal's Office –** Generally, all information in a police report is subject to release without editing unless that information falls into one of two categories set forth below. Editing, rather than outright refusal is the preferred method of protecting various records. Information that is generally subject to release without editing includes:*

- *A general description of the crime;*
- *The type of crime;*
- *Date and time or occurrence, if known:*
- *General description of property involved;*
- *Name of the victim, if known*, if release will not interfere with the investigation of the offense, and the crime was not a sex offense.

- *Name of the suspect,* if release will not interfere with apprehension of the suspect or hinder the investigation.

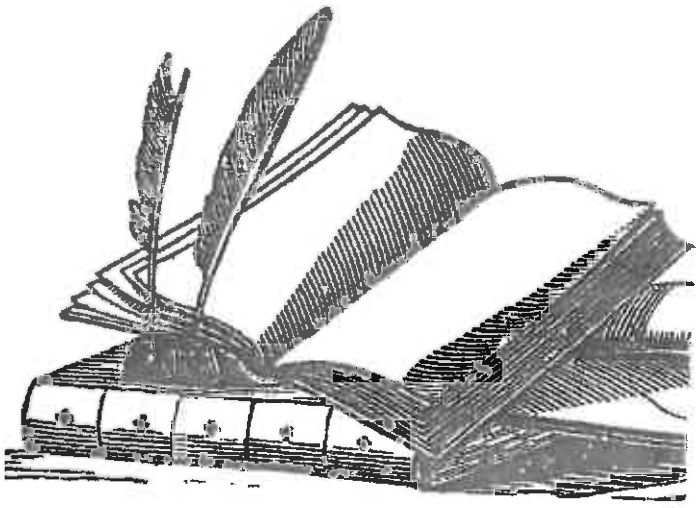
Arizona's Open Meeting Law

Are you part of a PUBLIC BODY?

You could be part of a public body if you are an active member of your community!

What's a public body? "Public Body" includes all boards and commissions of the state, all multi-member governing bodies of agencies, institutions and instrumentalities of the state or political sub-divisions including boards of directors who are appointed or elected . Public bodies also include standing, special or advisory committees or sub-committees appointed by the public body.

Members of a public body must comply with Arizona's **OPEN MEETING LAW!**



Anyone interested in Arizona's Open Meeting Law is invited to attend a presentation on the law by Kathryn Marquoit from the office of the Arizona Ombudsman.

Who: Open to the Public!

Where: Camp Verde Town Hall
473 South Main Street, Suite 106
Camp Verde, Arizona 86322

When: Friday, November 13, 2015 9 AM

Verde NRCD

Sponsored by: The Verde Natural Resource Conservation District. For more information please contact us at nrcdverde@gmail.com or 602-903-2436