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Minutes
SPECIAL SESSION
EXECUTIVE SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, DECEMBER 16, 2015 at 5:30 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 5:30 p.m.
2. **Roll Call**
   Mayor Charles German, Vice Mayor Bruce George, Councilors Robin Whatley, Brad Gordon, Jackie Baker, Jessie Jones-Murdock and at 5:34 p.m. Councilor Carol German arrived.
3. **Pledge of Allegiance**
   Mayor German led the Pledge.

4. **Discussion, consideration and possible direction to staff and/or discussion or consultation with the Town Attorney and litigation counsel (Town's Attorney) for legal advice concerning litigations in Superior Court Case Number: P1300CV201580323 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 Town's attorneys for legal advice and/or to give direction to the Town's attorneys and staff regarding the Town's position with respect to settlement discussions in order to resolve litigation.*

Mayor German explained to Council there were two options 1) Council could fight the litigation, in which case he would advise they go into executive session or 2) Council could agree to the terms and talk in open session. Mayor German stated he would prefer to keep it in open session so any Council member may talk freely to our citizens about it. Council unanimously agreed to remain in open session.

Manager Russ Martin called attorney's Jeff Murray and Bill Sims to join the discussion for advice if needed. Attorney Jeff Murray gave a brief timeline of how it stands right now: After a brief 1 day hearing the Judge ordered the Town of Camp Verde to hold a special election on March 8, 2016. The Town Clerk called the election for March 2016, *Camp Verde for Good Government* then filed for a fee application asking the Town to pay their attorney fees for $42,500. Mr. Murray received a follow-up letter stating that *Camp Verde for Good Government* would settle for $29,500.

Mayor German ask if the Judge had already approved the fee application. Attorney Murray advised that until the Council had made a decision the Judge would not be briefed on it. Gordon asked if the fees were reasonable and Attorney Murray stated that was up to the council. Attorney Sims stated that is a question that should be discussed in an Executive Session. Councilor Whatley and Gordon were concerned if the fees were genuine offers or was it inflated then a discount given to make it look like a good offer.

On a motion by Gordon and seconded by Baker the Council voted unanimously to pay Camp *Verde for Good Government* the amount of $29,500. Manager Martin ask Council to modify the motion to include that it comes from the contingency fund as that is amount is over his spending limit. Gordon amended the motion to include that it be taken from the contingency fund.

Jones-Murdock asked the attorneys if the Town pays this bill will this portion of the lawsuit be finished, Murray stated yes.

George wanted to make it clear that even though the Town is paying $29,500 fees to *Camp Verde for Good Government,* the Town will still have to pay approximately $30,000 for the recall election plus the Town's Attorney fees.

5. **Discussion, consideration and possible approval of Camp Verde Water System, Inc. Franchise Agreement.** Note: Council may vote to go into Executive Session pursuant to ARS 38-431.03 (A)(3) for legal advice.

Mayor German let council know there had been no agreement with the Camp Verde Water System so there was little reason to go into Executive Session. They will continue to operate as they have and pay their fees until this can be resolved. Attorney Sims stated we had gotten an extension to assist the Water Company so they could share in the cost on our March election. The Water Company could get on a May ballot but would have to bare the entire cost which in turn would possibly mean higher water rates to the citizens to pay for it.

Councilor Whatley reminded everyone that the reason for having the election together was to help with the cost. Vice Mayor George agreed with Whatley. Jones-Murdock stated it is always the same thing, we try to save our citizens money and it ends up costing more. All the money is coming out of the same pockets and the citizens are the ones paying it.

6. **Adjournment Mayor German** adjourned the meeting at 5:57 p.m.

Bruce M George

Bruce George, Vice Mayor

Barbie Bridge, 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 of Camp Verde, Arizona, held December 16, 2015. I further certify that the meeting was duly called, held, and a quorum was present.

Dated this 7th **day of** January ~~2015~~ 2016

Virginia Jones

Virginia Jones – Town Clerk