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**AGENDA
TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, MAY 23, 2018 at 6:30 P.M.**

If you want to speak ON ANY ITEM ON THE AGENDA, PLEASE complete the Request to Speak Form

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. Councilor Jackie Baker, Councilor Buck Buchanan, Councilor Dee Jenkins, Councilor Brad Gordon, Councilor Robin Whatley, Vice Mayor Jessie Murdock, and Mayor Charles German.

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) Budget Session – May 4, 2018

b) Set Next Meeting, Date and Time:

1) Wednesday, June 6, 2018 at 6:30 p.m. – Regular Session

2) Wednesday, June 13, 2018 at 5:30 p.m. – Work Session

3) Wednesday, June 20, 2018 at 6:30 p.m. – Regular Session

4) Wednesday, June 27, 2018 at 6:30 p.m. – Council Hears P&Z Matters

5. Special Announcements and presentations.

6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.) Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS

§38-431.01(H)

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7. Business. Legal action can be taken.

7.1. Possible approval (or denial) for Ordinance 2018-A434, an Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending the Town of Camp Verde Planning & Zoning Ordinance Section 203, Use Districts to remove Medical Marijuana Dispensaries from C2 (Commercial, General Sales and Services) Zoning District and to remove Medical Marijuana Off-Site Cultivation Location/Facilities from the C3 (Commercial, Heavy Commercial). [Staff Resource: Carmen Howard]

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7.2. Extension of High View LLC Mining Conditional Use Permit until May 3, 2019.

8. Call to the Public for items not on the agenda. (Please complete Request to Speak Card and turn in to the Clerk.)

9. Council Informational Reports. These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.

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.

11. Adjournment

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

The Town of Camp Verde Council Chambers is accessible to the handicapped. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021

Agenda items may be taken out of order.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - A. All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting.

Pursuant to A.R.S. §38-431.03(A)(2) and (A)(3), the Council may vote to go into Executive Session for the purpose 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.

Camp Verde Council Meetings are recorded and may be viewed on the Camp Verde website. Pursuant to A.R.S. §1-602(A)(9), parents and legal guardians have the right to consent before the Town of Camp Verde makes a video or voice recording of a minor child. If you permit your child to participate in the Council Meeting, a recording will be made. You may exercise your right not to consent by not permitting your child to participate or by submitting your request in advance to the Town Clerk that your child not be recorded.

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DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION – BUDGET
(COUNCIL REVIEW WITH TOWN MANAGER & FINANCE DIRECTOR)
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
FRIDAY, MAY 4, 2018 at 8:00 AM

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

1. Call to Order.

Mayor German called the meeting to order at 8:00 a.m.

2. Roll Call.

Mayor Charles German, Vice Mayor Jessie Murdock, Council Members Jackie Baker, Dee Jenkins, Brad Gordon, Buck Buchanan and Robin Whatley were present.

Also Present: Town Manager Russ Martin, Town Clerk Judy Morgan, Finance Director Michael Showers and Recording Secretary Lynn Riordan.

3. Pledge of Allegiance. Led by Councilmember Robin Whatley.

4. Special Session for FY2018-19 Budget Deliberation – Council Review with Town Manager and Finance Director. Legal action can be taken. Council deliberation and possible action to modify Preliminary Budget content.

4.1. Discussion between Council, Town Manager and Finance Director of Fiscal Year 2019 Budget. [Staff Resource: Michael Showers]

Town Manager Russ Martin advised the presented preliminary Budget included the Departments' Requests and the Manager's Recommendations. Mr. Martin requested Council discussion and direction.

At Mayor German's request, Mr. Martin provided information regarding personnel issues. The proposed budget (Town Manager) includes \$270,000 which includes 167,000+/- in salary adjustments to bring all employees (Town Manager excluded) up to 100% comparative salary plus 102,000+/- for COLA for all employees. Mr. Martin advised the proposed salary adjustments could be reduced to 90% which would free up funding for new positions. Mr. Martin advised the Town currently has \$235,000 proposed for capital improvements from reserves that has been created over the years by saving, underspending and being fiscally responsible. Mr. Martin also advised that the proposed \$25,000 expenditure for recycling can be re-allocated, as the current recycling service will no longer be available for Camp Verde. Councilor Whatley requested the Manager seek new bids for recycling services and keep this expenditure in the budget, and not re-allocate. At the request of Councilor Baker, Finance Director Michael Showers clarified

Non-Departmental, advising that the Coury dealership payments represent about 25% and utilities for all Town Departments. All Non-Departmental expenditures are funded from sales tax. Mr. Showers also advised that the Town will need to be aware that HURF funding and/or other state revenues may get swept to help fund the new teacher's wage increase and school funding, which would create a deficit in Public Works/Streets and/or other departments. At this time, the Town (and the public) is unaware of any plans of how the state will propose funding the new teacher's legislation. Mr. Martin explained there could be an additional \$80k coming in HURF potentially.

Library: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate as presented.

Economic Development: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate as presented, although Councilors Baker, Jenkins and Whatley stated the appearance of little to no return in favor of the Town from the Economic Development Department. Mr. Martin advised that Economic Development is a slow process that runs with growth and development. Councilor Gordon stated he believes the Town would begin seeing positive results from the Economic Development department within the next year. Mayor German concurred stating completion of the Hwy. 260 corridor will present new business opportunities. Mr. Martin suggested each Council Member contact the Economic Development Director to get an update on business progress and status, advising it may not be appropriate to discuss potential business development and/or agreements in a public meeting without permission of the parties involved.

Finance: Mr. Shower advised \$21,000 in the Finance Department budget is allocated to software for Wastewater, and potentially potable water systems, and would only be spent if funding was available. It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate as presented.

Court: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate, but the majority of the council members favored approval of the Court's request for an additional staff person/clerk, as requested by Judge Schlegel. Councilor Baker opposing. Councilors Whatley, Jenkins and Baker stated safety concerns should be a priority over additional personnel, both in the Court and through the Town offices. Councilors Jenkins, Buchanan and Whatley stated a desire to see the Court enforce collection of delinquent fines/fees. Council discussed collection rates of Court imposed fines and the reality that Courts are not a revenue generating department, however, enforcement of Court sanctions is a necessity. Mr. Martin advised that Court security issues were being addressed and mandated by the Supreme Court and was hopeful that the Court would be able to secure some grant funding to meet those mandates. Mr. Martin advised the cost of one new position in the Court would be approximately \$45,000 (salary + benefits), which would be deducted from the \$167,000 allocation for salary adjustments.

Marshall's Office: At the request of Council, Mr. Martin advised that the shortage in dispatch is being covered by other CVMO employees (clerks, admin and supervisors), and dispatch is spending approximately \$40,000 per year in overtime. Vice Mayor Murdock suggested the cost of one new position would be about the same annual cost

as the current overtime, but could eliminate burn-out and some turnover, thus reducing fatigue, potential errors, liability and training costs. The Mayor and Councilors Baker and Jenkins concurred. After discussion, it was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate, with the exception of approval for an additional position in dispatch and funding that position also from the \$167,000 allocation for salary adjustments, thus reducing the 100% comparative salary adjustments to 90%.

Animal Control: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Public Works – Streets: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Mr. Martin advised the carryover amount in the Streets budget is the balance of funds for the ongoing chip-seal program.

Public Works – Engineering: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Public Works – Storm Water: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Public Works – Maintenance: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Councilor Whatley, noting that portions of the kitchen remodel are in the budget every year and progress is made each year, requested that the kitchen project be completed.

Public Works – Waste Water: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Mr. Martin, at the request of Council, advised the reduction in operational costs was due to the department request for equipment, which will be discussed and moved into CIP and capital equipment payments. Mr. Martin advised that the cost of the new lift station will be paid from reserves, but the expenditure will be recovered over time by users (connect and user fees). Waste Water operational costs and CIP projects contain many variables and many funding resources (connect and user fees, WIFA, etc.). Mr. Martin, at the request of Council, advised that the previously discussed program of pumping private septic systems of those property owners that are paying fees but the system is not yet available for hookup/use, will be done on an "as needed" basis, most likely by voucher (approximately 100 residents are eligible) and will be contracted out to a local pumping service company due to the expense of appropriate equipment and potential liability.

Public Works – Parks and Recreation: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Mr. Martin advised Parks and Recreation had requested many additional items, however he was recommending only the increase in Programs (for staff). Councilor Baker stated that many events are being eliminated or reduced, inquiring if any funding was available to re-institute community events. Mike Showers advised the Town already contributes to support of community events through Camp Verde Promotions. Mayor German stated that town revenue and most businesses do not benefit from community events, therefore, these events should be organized, financed and run by volunteers and/or donations within the community – not by Town funds or staff. Mayor German advised that many departments

need additional staff and many CIP requests are put on hold due to lack of funding, therefore, he does not feel it is appropriate to spend additional general fund revenues and tax money on community events.

Public Works – Pool: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Mr. Martin advised the increase in the Pool salary budget is due to the minimum wage increase.

Break 9:28 – 9:39 a.m.

Risk Management: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate. Mr. Martin, responding to an inquiring from Councilor Jenkins, advised the cost of the Town's liability insurance is included in the Risk Management Budget.

Mayor and Council: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Town Clerk: Mayor German stated support for the Clerk's request stating the Clerk's Office serves as the customer service and information desk for all departments within the Town. Judy Morgan, Town Clerk, advised the Clerk's office has only two employees and customer service/informational services takes up a great deal of time. Although the use of volunteers was suggested by Councilor Jenkins, Mr. Martin advised the reality is the Clerk's office needs a permanent position, a well-trained and informed employee with excellent customer service skills and an exceptional knowledge of all Town (and county) departments, which requires a substantial amount of training and longevity, which most likely will not be accomplished by use of volunteers. Mr. Martin advised that the reason his recommendations to Council did not include funding this position was because of other competing priorities, not because the position was not important or needed. Vice Mayor Murdock concurred with Mr. Martin, adding that the Clerk's Office seems to be the information center and field most business for the majority of Town Departments, and suggested that due to budget restraints, perhaps the Clerk's Office could be approved for a part-time position. After substantial discussion, it was the consensus of the majority of the Council to have the Town Manager and/or Town Clerk inquire about grant funding for this requested position and that the Town Manager's Recommendations were appropriate.

At the request of Mayor German, Council candidate Joseph Butner, addressed the Council stating support for enforcement of Court ordered sanctions and collection of fines/fees and support of Court security, safety and the need to enforce "no weapons" allowed in the Court. Mr. Butner advised the Supreme Court has issued safety and security mandates (three-year plan) for all Courts, however, funding for mandates is not provided by the Supreme Court and is left to the governing body (county, city, town, etc.) to find funding to comply through general fund, court enhancement funds, donations or grants.

Community Development: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Building: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Planning and Zoning: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Code Enforcement: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Human Resources: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Information Technology: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Town Manager: It was the consensus of the Mayor and Council that the Town Manager's Recommendations were appropriate.

Capital Improvement Projects: Town Manager Russ Martin advised the proposed budget includes approximately \$135,000 in equipment payments and there is \$100,000 available for new CIP projects. Mr. Martin requests direction from Council on prioritizing allocation of new CIP projects (non-roads) in the amount of \$100,000 +/-.

Discussion: Mr. Martin, at request of Council, advised there were many options with respect to lease and/or purchase of vehicles, and re-assignment of vehicles that may satisfy the needs of several departments, including but not limited to purchasing a front-end loader, side-by-side off road utility vehicle and finding a good solution to a street sweeper replacement. Council discussed whether to do an IGA for a shared street sweeper. Mr. Martin advised the budget has allocated \$270,000 for vehicles/equipment and the Council did not need to make that decision today, requesting that Council review the Capital Strategic Plan (2017) and determine their priorities prior to the next budget work session. Mr. Martin stated the Town has realized more revenue than anticipated this year, but the need to be fiscally responsible remains. Mayor German stated his priority for capital expenditure were projects that 1) generated revenue 2) increase government/public service efficiency and 3) aesthetic; Vice Mayor Murdock stated safety was one of her highest priorities, noting the Town has already shown great progress with a health financial reserve, park development in progress, expanding waste water system and purchasing property, stating support for spending \$100,000 on additional CIP projects to continue moving forward. Mr. Martin advised he would compile a comprehensive list (based upon the Strategic Plan Priorities) for the Council to review, consider and select CIP projects on May 16, 2018.

5. Adjournment. Mayor German adjourned the Work Session at 10:59 a.m.

Charles German, Mayor

Judy Morgan, Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Budget Work Session

of the Town Council of Camp Verde, Arizona, held on May 4, 2018. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2018.

Judy Morgan, Town Clerk

Agenda Item 7.1.



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Section I Zoning Ordinance Text Amendments

Meeting Date: May 23, 2018

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

Requesting Department: Community Development

Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact): POSSIBLE APPROVAL (OR DENIAL) FOR AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE AMENDING THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE SECTION 203, USE DISTRICTS TO REMOVE MEDICAL MARIJUANA DISPENSARIES FROM C2 (COMMERCIAL, GENERAL SALES AND SERVICES) ZONING DISTRICT AND TO REMOVE MEDICAL MARIJUANA OFF-SITE CULTIVATION LOCATION/FACILITIES FROM THE C3 (COMMERCIAL, HEAVY COMMERCIAL).

List Attached Documents:

- Ordinance 2018-A434
- Draft minutes from April 12, 2018 Planning and Zoning Commission meeting

Estimated Presentation Time: 5

Estimated Discussion Time: 10 minutes

Reviews Completed by:

- Department Head: Carmen Howard Town Attorney

Background Information:

The result of recent amendments to the Planning and Zoning Ordinance has resulted in the need to clarify, redefine and restructure certain portions of the Zoning Ordinance. This amendment removes Medical Marijuana Grow Facilities from the C3 zoning district to preserve limited highway commercial land for uses more appropriate for highway frontage development and removes Medical Marijuana dispensaries from locating in C2 zoning districts such as Downtown and Finnie Flat.

Recommended Action (Motion): A MOTION TO APPROVE (OR DENY) ORDINANCE 2018-434, AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE.

Town of Camp Verde: May 23, 2018 Town Council

BACKGROUND:

The Town currently has 5 Medical Marijuana grow facilities with a 6th being developed. Staff receives inquiries frequently for additional grow facility development. Currently, these types of facilities are allowed first as a matter of right in C3 (Commercial: Heavy Commercial) which is the district that 4 of the 6 facilities are located. Marijuana Cultivation facilities often consume large parcels of land, require additional screening and security measures, and must be at least 500 feet away from any private or public school and child day care facility.

Most properties within the C3 District are prime commercial locations, situated along various sections of State Route 260. Staff proposes C3 zoning districts are more appropriate for businesses that need highway visibility to generate clientele and easier access to their sites, and for those that will generate revenue for the Town to provide needed services and contribute to the work force. The Town does not receive any tax revenue from these types of facilities and they require few staffers to operate. The Town's M1 Districts are accessed from the primary corridors, yet are typically situated behind the general and heavy commercial uses and away from general services and denser residential uses.

Marijuana Dispensaries are currently permitted within the C2 (Commercial: General Sales and Services) and C3 (Commercial: Heavy) Districts. Staff believes dispensaries are more suited for the C3 Districts; the C2 District is intended to be for general commercial, retail uses, combined with residential uses. With the potential for future recreational marijuana use allowed in the State of Arizona, this use is not compatible with the general shopping/service and mixed use nature of the District. Staff believes it would be beneficial for the future of Main Street and for development of a desirable walkable shopping/dining entertainment to be proactive and remove this use from the C2 zoning district.

THE FOLLOWING HAS BEEN COMPLETED BY THE APPLICANT AND/OR STAFF:

- A Notice of Public Hearing was placed in the Verde Independent–Camp Verde Bugle newspaper on March 18, 2018 by Community Development Staff.
- The Planning & Zoning Commission held a public hearing on April 12, 2018 as required by law and forwarded a recommendation of approval.

COMMUNICATIONS FROM AGENCIES/PUBLIC:

Staff received no comments from the public regarding this proposed text amendment.

GENERAL PLAN:

The examples of the Town's commercial corridors are located within the 260 West, Finnie Flat, and 260 East Character Areas. All three of these areas cite implementation strategies that include the retention of State Route 260 as the preferred commercial district; however, the 260 West and Finnie Flat Character areas also include the promotion of mixed use along State Route 260. The

size, intensity, and security factors relating to Medical Marijuana Cultivation would not be compatible with mixed use and could prevent following up with this land use preference. The 260 East Character Area does indicate “quasi industrial uses” in their implantation strategy; there are M1-zoned properties available for this use.

STAFF RECOMMENDATION:

Staff recommends approval of the request for the Planning & Zoning Ordinance Text Amendment.

RECOMMENDED MOTION:

Recommended Action (Motion): A MOTION TO APPROVE (OR DENY) ORDINANCE 2018-434, AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A TEXT AMENDMENT TO THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE.



ORDINANCE 2018 A434

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, AMENDING THE TOWN OF CAMP VERDE PLANNING & ZONING ORDINANCE SECTION 203, USE DISTRICTS TO REMOVE MEDICAL MARIJUANA DISPENSARIES FROM C2 (COMMERCIAL, GENERAL SALES AND SERVICES) ZONING DISTRICT AND TO REMOVE MEDICAL MARIJUANA OFF-SITE CULTIVATION LOCATION/FACILITIES FROM THE C3 (COMMERCIAL, HEAVY COMMERCIAL); AND PROVIDING THAT THIS ORDINANCE SHALL BE EFFECTIVE THIRTY (30) DAYS AFTER ITS PASSAGE AND APPROVAL ACCORDING TO LAW.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance 2011-A374, approved May 25, 2011, and

WHEREAS, Part 6, Section 600, C.1 of the Planning and Zoning Ordinance allows for the amendment, supplementation or change of zoning text regulations of the Planning & Zoning Ordinance by the Town Council, and

WHEREAS, the Town Council has an abiding interest in protecting the public health safety and welfare by establishing requirements for provisions of the Planning & Zoning Ordinance by including definitions and text amendments.

NOW, THEREFORE BE IT ORDAINED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE AS FOLLOWS:

Section 1. The Town Council hereby finds as follows:

A. Text Amendments may be initiated by the Planning & Zoning Commission, the Town Council itself or by application of a property owner per Part 6, Section 600, C.1 of the Planning and Zoning Ordinance. This Text Amendment was initiated by the Planning & Zoning Commission.

B. The Text Amendment was reviewed by the Planning & Zoning Commission on April 12, 2018 in public hearing that was advertised and posted according to state law. A recommendation for approval was forwarded to the Town Council by the Planning and Zoning Commission on April 12, 2018.

C. The proposed Text Amendment will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved.

Section 2. The following uses will be deleted from Part 2, Section 203, Use Districts of the Camp Verde Planning & Zoning Ordinance:

C2 District:

aa. ~~Medical Marijuana Dispensaries (see Part 3 Section 304)~~

C3 District:

cc. ~~Med Medical Marijuana Dispensaries~~ ~~Off Site Cultivation Location/Facility.~~ (see Part 3 Section 304) (Definition: See Part 1 Section 103)

Section 3. All ordinances or parts of ordinances adopted by the Town of Camp Verde in conflict with the provisions of this ordinance or any part of the code adopted, are hereby repealed, effective as of the effective date of this ordinance.

Section 4. If any section, subsection, sentence, clause, phrase or portion of this ordinance is for any reason held to be invalid or unconstitutional by the decision of any court of competent jurisdiction, such decision shall not affect the validity of the remaining portions thereof.

Section 5. This ordinance is effective upon the expiration of a thirty 30 day period following the adoption hereof and completion of publication and any posting as required by law.

PASSED AND APPROVED by a majority vote of the Town Council of the Town of Camp Verde, Arizona on this 23TH DAY OF MAY, 2018.

Charles German - Mayor

Date: _____

Approved as to form:

Attest: _____



Bill Sims - Town Attorney

Judith Morgan, Town Clerk

DRAFT MINUTES
SPECIAL SESSION & PUBLIC HEARING
TOWN OF CAMP VERDE PLANNING & ZONING COMMISSION
473 S. MAIN STREET , ROOM 106, CAMP VERDE, AZ 86322
THURSDAY, APRIL 12, 2018 6:30 PM

All Commission meetings will end at 9:00 p.m.; any remaining agenda items will be heard at the next Commission meeting.

1. Call to Order

Vice Chairman Teresa Helm called the meeting to order at 6:30 p.m.

2. Roll Call

Vice Chairman Teresa Helm, Commissioners, Greg Blue, Bruce George, Jim Hisrich, Steve Vanlandingham and Chip Norton were present. Chairman B.J. Davis is absent.

Also Present

Town Planner Melinda Lee, Building Official Robert Foreman, and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Commissioner Vanlandingham led the Pledge

4. Consent Agenda *(All those items listed below may be enacted upon by one motion and approved as Consent Agenda Items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Commission so requests).*

Approval of Minutes:

February 8, 2018 – Special Session

b. Set Next Meeting, Date and Time:

May 10, 2018 – Special Session (Tentative)

Motion was made by Commissioner George to accept the consent agenda as presented. Second was made by Commissioner Norton. **Motion** carried unanimously.

5. Call to the Public for Items Not on the Agenda

(Residents are encouraged to comment about any matter not included on the agenda. State law prevents the Commission from taking any action on items not on the agenda, except to set them for consideration at a future date).

No public comments.

6. Public Hearing Items:

6.a: Public Hearing, Discussion, and Possible Recommendation to the Town Council regarding an application submitted by Harry Hansen, for a Zoning Map Change from C2 (Commercial: General Sales & Service) to M1 (Industrial: General) for an Automobile Storage Yard. The property is 1.08 acres and is located just north of the intersection of Industrial Drive and Davidson Drive, Parcel No. 403-22-041B, in Camp Verde, Yavapai County, Arizona.

Declare Actions:

Public Hearing Open: 6:32 pm

Call for Staff Presentation:

Town Planner Melinda Lee gave a presentation regarding the proposed action. Mr. Hansen was in the marked to purchase a vacant lot for a vehicle storage lot. This property was chosen due to its change in elevations, allowing a parcel split and obscured nature of the lot at the lower elevation. He will be

using this property while he accumulates vehicles, and then when there are enough, they will be shipped elsewhere. Ms. Lee stated that his representative, Steve Ewing, was present to talk more about what he plans to do.. He is requesting a rezone on lower lot only, from C2 to M1; it already adjoins other M1 parcels. The upper lot would retain the C2 and adjoins other C2/C3 parcels. Ms. Lee stated that staff supports this change and it complies with the General Plan.

Call for Applicant Presentation:

Steven Allan Ewing General Manager for U-Pick-It. Mr. Ewing explained the company is a major industrial recycler and that the automobile is the number one consumer product in the United States. It has more products to recycle than any other item. His company purchases vehicles from various places and they will use this lot to hold them until he is able to bring them to the processing facility in Prescott Valley.

Commissioner Hisrich asked if these are un-restorable vehicles or junk cars. Mr. Ewing stated that they are. Commissioner Hisrich asked how this differs from salvage a yard. Mr. Ewing stated that it doesn't differ very much; however, this is just a holding yard until they can ship them off for processing.

Commissioner George asked if they would have a problem getting an 18-wheeler into the lot. Mr. Ewing stated that this parcel works for this purpose because there will not be a lot of cars there at one time and they can move around well.

Commissioner Norton asked if the site will be fenced and screen. Mr. Ewing stated there will be a privacy-screened, maximum-height fence. The property will be locked and only accessible by employees -- this is not resale lot. Mr. Ewing explained that "U Pick It" in Prescott Valley their primary site in Arizona. Vehicles take 90 days to process.

Vice Chairman Helm asked how long vehicles stay on the lot before they are moved. Mr. Ewing explained that a truck will could possibly take a load two to three times per week. They don't want them stored long term. Vice Chairman Helm asked if this is the only location in Verde Valley; Mr. Ewing stated yes but they do have one in Flagstaff.

Commissioner George stated he drove by the parcel and it looks like a perfect spot for what Mr. Hansen is proposing.

Call for Comments from the Public: None

Call for Staff and/or Applicant Rebuttal/Clarification: Staff supports this proposal.

Declare Public Hearing Closed at 6:45 pm.

Call for Commission Discussion: None

Call for Staff Comments: None

Call for Motion:

Motion was made by Commissioner Vanlandingham to recommend approval to the Town Council for an application submitted by Harry Hansen, for a Zoning Map Change from C2 (Commercial: General Sales & Service) to M1 (Industrial: General) for an Automobile Storage Yard. The property is 1.08 acres and is located just north of the intersection of Industrial Drive and Davidson Drive, Parcel No. 403-22-041B, in Camp Verde, Yavapai County, Arizona. Second was made by Commissioner Blue.

Call for Discussion of Motion

None needed

Call for the Question

Motion passed unanimously

6.b: Public Hearing, Discussion, and Possible Recommendation to the Town Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 203: Use Districts, to revise the site location of Medical Marijuana Dispensaries to C3 Districts only and to remove Medical Marijuana Off-Site Cultivation Location/Facilities from C3 Districts.

Declare Actions:

Declare Public Hearing Open: 6:46 pm

Commissioner Vanlandingham recused himself because he owns C3 land; he stepped outside.

Call for Staff Presentation:

Town Planner Melinda Lee stated that medical marijuana cultivation facilities are permitted in C3 Districts and there have been a number of requests to open up more facilities. Continuing to allow these facilities in C3 Districts could take away from prime commercial property; these facilities tend to be large and don't bring in tax revenue. Before any more applications come in, staff would like to do something restrict them to M1/M2 Districts, where they would still have access to large parcels but be removed from prime properties.

Ms. Lee referred to the map in the packet showing the C2/C3 commercial districts mostly along State Route 260. The General Plan prefers SR 260 for the main location for commercial uses. She pointed out that the industrial districts are situated behind the commercial zones and still have access to the main roads and large parcels.

Ms. Lee stated there are no dispensaries in the Town of Camp Verde yet -- the potential is there. Dispensaries are allowed in C2/C3 Districts; staff is recommending to move the dispensaries into the C3 Districts only because of security issues. Medical marijuana cultivation sites and dispensaries are required to ask the Town for a Zoning Verification which confirms if it is an allowed use or within 500 feet of a child care facility or school. Staff wanted to make these changes as soon as possible to make the process easier in long run.

Commissioner George stated that he has visited stores and said they are very nice. He took pictures and brought to the Council previously, to show them the cleanliness and security. He would like to see a dispensary in Camp Verde.

Call for Applicant Presentation: None

Call for Comments from the Public: None

Call for Staff Rebuttal/Clarification, if appropriate: Staff supports this action.

Declare Public Hearing Closed at 6:57pm.

Call for Commission Discussion:

Call for Staff Comments: Ms. Lee stated there are currently four cultivation facilities in the Town and three of them are in C3 Districts. They will not be forced to move. Vice Chairman Helm stated this seems like this is a good time to move them before there are too many.

Call for Motion

Motion was made by Commissioner George to recommend approval to the Town Council for a Text Amendment to the Town of Camp Verde Planning & Zoning Ordinance amending Section 203: Use Districts, to revise the site location of Medical Marijuana Dispensaries to C3 Districts only and to remove Medical Marijuana Off-Site Cultivation Location/Facilities from C3 Districts. Second was made by Commissioner Norton.

Call for Discussion of Motion: None needed.

Call for the Question

Motion passed 5-0 with Commissioner VanLandingham abstaining.

11. Current Events

(Individual members of the Commission may provide brief summaries of current events and activities. These summaries are strictly for the purpose of informing the public of such events and activities. The Commission will take no discussion, consideration, or action on any such item, except that an individual Commission member may request an item be placed on a future agenda.)

Vice Chairman Helm stated that on April 21st there will be Earth Day activities at Veterans Park by Cliff Castle Casino.

12. Staff Comments

Ms. Lee would like to know if anyone is interested in a current copy of Planning and Zoning Ordinances and the General Plan. They will have it printed and bound if the Commissioners would like them.

13. Adjournment

Motion was made by Commissioner Blue to adjourn the meeting. Second was made by Commissioner Vanlandingham. **Motion** carried unanimously. Meeting was adjourned at 7:03 PM

Theresa Helm
Vice Chairman

Carmen Howard
Director

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Planning & Zoning Commission of the Town of Camp Verde during the Regular Session & Public Hearing of the Planning & Zoning Commission of the Town of Camp Verde, Arizona, held on the 12th day of April 2018. I further certify that the meeting was duly called and held and that a quorum was present.

Dated this 12th day of April 2018.

Jennifer Reed
Jennifer Reed, Recording Secretary

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Agenda Item 7.2.



Town of Camp Verde

Exhibit A - Agenda Item Submission Form – Section I

Meeting Date: April 25, 2018

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

Requesting Department: Community Development

Staff Resource/Contact Person: Carmen Howard, Community Development Director

Agenda Title (be exact): **Extension of High View LLC Mining Conditional Use Permit until May 3, 2019.**

List Attached Documents:

1. Resolution 2015-939
2. Bond Renewal
3. Engineer's Est
4. Compliance Emails

Estimated Presentation Time:

Estimated Discussion Time:

Reviews Completed by:

Department Head:

Carmen Howard, Community Dev Director and Troy Odell, Deputy Public Works Director

Town Attorney Comments:

Finance Department

Background Information:

An application for Use Permit #20150033, to mine, quarry and extract natural resources from the subject parcel was filed by Joe Link, Agent for Altman Land & Cattle III & IV, LLC. The owner of parcels 403-15-002Y & 403-15-003C, located on State Route 260 at milepost 214.27. Use Permit #20150033 was approved and issued by the Town Council on April 22, 2015. The Use Permit was approved after receiving a favorable recommendation by the Planning and Zoning Commission with conditions (see attached copy of Resolution 2015-939). A request to transfer the Mining Use Permit from Aultman Land & Cattle to High

View LLC was received on May 1, 2015 with no changes in conditions and approved by the Town Council on May 6, 2015. Condition 4. of the Use Permit States:

"4. The term of this Use Permit shall be year to year, with the total number of years capped at ten (10), such that the Use Permit expires on the tenth (10th) anniversary date of the Notice to Implement the Use Permit. On or about each anniversary date of the Notice to Implement the Use Permit the Use Permit shall be reviewed by Council to determine compliance with all federal, state, county, Town and other local laws (collectively, "Laws and Regulations"). If during the twelve month period prior to such review the Applicant's use of the Property pursuant to this Use Permit has violated any Laws and Regulations, the Town Council may revoke the Use Permit as allowed pursuant to Town Code Section 9-4-5.B. This annual review shall occur on each anniversary date of the Notice to Implement the Use Permit until the ninth (9th) anniversary date. On the tenth (10th) anniversary date of the Notice to Implement the Use Permit the Use Permit will expire (the "Use Permit Expiration Date"). If the Applicant wishes to renew the Use Permit and not have any interruption with the mining process, the Applicant must submit an application for a new Use Permit at least 8 months prior to the Use Permit Expiration Date. There is no guaranty that any subsequent Use Permit will be approved by Council and will be decided upon the prior years of operation and adherence to the conditions for the approval of the Use Permit or any new impacts to the surrounding properties."

Staff recommends and requests Council approval to extend the Use Permit for a year or May 3, 2019. The Use Permit date of implementation is May 3, 2016. High View LLC is providing aggregate materials for various roadway projects. Deputy Public Works Director Troy Odell and Jon Rivero, Building Inspector, have confirmed site compliance relating to ADEQ and Town SWPPP requirements. All other requirements (Bond Renewal) have also been accomplished.

Recommended Action (Motion):

A MOTION TO APPROVE (OR DENY) EXTENSION OF HIGH VIEW LLC MINING CONDITIONAL USE PERMIT 20150033 UNTIL MAY 3, 2019.



RESOLUTION 2015-939

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE ("TOWN"), ARIZONA, YAVAPAI COUNTY, ON USE PERMIT 20150033, AN APPLICATION SUBMITTED BY JOE LINK – AGENT FOR OWNER AULTMAN LAND & CATTLE III & IV, LLC OF A PORTION OF PARCEL 403-15-002Y, AND A PORTION OF 403-15-003C. THE USE PERMIT WILL ALLOW AN OPERATION THAT WILL MINE, QUARRY AND EXTRACT NATURAL RESOURCES FROM THE PROPERTY WHICH WILL BE A TOTAL OF 195.33 ACRES. THE PROPERTY IS LOCATED ON STATE ROUTE 260 AT MILEPOST 214.27 ON PARCELS 403-15-002Y & 403-15-003C.

The Common Council and the Town of Camp Verde hereby resolves as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 20150033 was filed by Mr. Joe Link - Agent for Altman Land & Cattle III & IV, LLC owner of parcels 403-15-002Y & 403-15-003C ("Property"), located on State Route 260 at milepost 214.27.
 - B. Per Article 9-4-3, Item 1 of the Town of Camp Verde Town Code: **The establishment or expansion of mining or quarrying operations may occur in any zoning district if the Council approves a Conditional Use Permit.**
 - C. The request was reviewed by the Planning and Zoning Commission on April 2, 2015 and by the Common Council on April 22, 2015 in public hearings that were advertised and posted according to state law.
 - D. A neighborhood meeting was held on March 2, 2015 by the Owner as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e. This meeting also met the requirements of Part Eight, Section 806.1.h of the Town of Camp Verde Planning & Zoning Ordinance.
 - E. The purpose of the Use Permit is to allow for commercial or industrial operations involving extraction, removal, processing, quarrying or transportation of natural resources and related products, and the storage, stockpiling, distribution and sale thereof from the site where such resources were derived. Such operations include the extraction, removal and the delivery of the product off-site, of natural resources for monetary gain, regardless of the size of the site or the volume of extraction.
 - F. This Use Permit is not an approval by the Town of any use or activity that is prohibited by any other governmental agency or private covenant.
 - G. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to

adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town Code.

The Common Council of the Town of Camp Verde hereby resolves as follows:

(Conditions of Approval)

1. A bond is to be posted in the amount of reclamation as estimated by an Arizona Registered Civil Engineer and that this bond is to remain in effect until such time that the Town releases the bond. The bond shall remain effective until after the completion of all reclamation required pursuant to the Excavation & Reclamation Plan pursuant to Section 5 of this Use Permit. Also the Town needs to be listed as the single beneficiary of the bond or as determined by the Town Attorney.

2. The Use Permit may not be implemented until all required permits and approvals are obtained from all applicable county, state and federal agencies. A time frame of one year shall be allowed the Applicant to obtain all permits and approvals before implementation. If prior to the anniversary date of the issuance of this Use Permit all such permits and approvals have not been obtained, the Applicant shall resubmit the Use Permit to Council review and approval per Section 9-4-5, Item A (Subsequent Review and Expirations of Permits), which review and approval is subject to the sole discretion of the Town Council.

3. Once all other agency permits have been submitted to the satisfaction of staff, a final Engineer's Cost Estimate of the total restoration of the site per an updated Excavation and Reclamation Plan will be required and reviewed by staff and once an administrative approval has been reached by the Town Engineer, Community Development Director and the Town Attorney a **Notice to Implement the Use Permit** shall be issued to the Applicant and the Applicant can begin mining operations. Per Section 9-4-4, Item B (Implementation of Use Permit) of the Town Code.

4. The term of this Use Permit shall be year to year, with the total number of years capped at ten (10), such that the Use Permit expires on the tenth (10th) anniversary date of the Notice to Implement the Use Permit. On or about each anniversary date of the Notice to Implement the Use Permit the Use Permit shall be reviewed by Council to determine compliance with all federal, state, county, Town and other local laws (collectively, "Laws and Regulations"). If during the twelve month period prior to such review the Applicant's use of the Property pursuant to this Use Permit has violated any Laws and Regulations, the Town Council may revoke the Use Permit as allowed pursuant to Town Code Section 9-4-5.B. This annual review shall occur on each anniversary date of the Notice to Implement the Use Permit until the ninth (9th) anniversary date. On the tenth (10th) anniversary date of the Notice to Implement the Use Permit the Use Permit will expire (the "Use Permit Expiration Date"). If the Applicant wishes to renew the Use Permit and not have any interruption with the mining process, the Applicant must submit an application for a new Use Permit at least 8 months prior to the Use Permit Expiration Date. There is no guaranty that any subsequent Use Permit will be approved by Council and will be decided upon the prior years of operation and adherence to the conditions for the approval of the Use Permit or any new impacts to the surrounding properties.

5. At the time that the Use Permit holder deems that all mining will cease, due to the depletion of aggregate resources, the permit holder will submit to the Town of Camp Verde Community Development Department a notice advising of the projected date of cessation of all mining. Reclamation of the area subject to this Use Permit must be completed within one year from the notice advising the Town of cessation of all mining or the Town will withdraw the provided assurances and complete the reclamation per the currently staff approved "Excavation & Reclamation Plan".

6. For all access points from Highway 260 into the mining area, as defined on the approved Site Plan and the Excavation & Reclamation Plan for the Use Permit, the Use Permit holder shall install a vehicle turn around culdesac having a minimum of a 50 feet radius. The culdesacs shall be situated at the access security gates on the Highway 260 side. These security gates are to have a Knox box for emergency responders and are to be located inside the mining property so that proper grading can be accomplished.

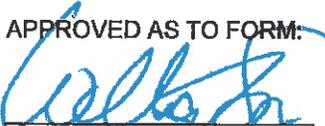
7. Per Section 9-4-4 (General Regulations) Item A.2 (SETBACKS) of the Town Code: "The setback requirements of mining or quarrying operations will be a maximum of 300 feet from the property line. However, Council will regulate the setback requirement on a case-by-case basis as determined by, but not limited to, topography and adjacent land uses." Therefore, the setbacks will stand as shown and approved on the EXCAVATION AND RECLAMATION PLAN as approved with Use Permit 20150033 by a Majority Vote of the Common Council on April 22, 2015. The setbacks for mining areas that may lie within the proposed additional right of way needed by ADOT for the State Route 260 Highway widening project shall be adjusted so that a minimum setback of 20 feet from the additional ADOT right of way is established.

The Common Council of the Town of Camp Verde hereby approves Use Permit 20150033 for the purpose of Mining on Parcel 403-15-002Y and a portion of parcel 403-15-003C in the specified location as shown on the submitted site plan and per the conditions of approval listed above under items 1-7 of this Resolution.

PASSED AND ADOPTED BY MAJORITY VOTE OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON April 22, 2015 WHICH DATE WILL BE KNOWN AS THE USE PERMIT ISSUANCE DATE.


Charles German – Mayor

5-5-2015
Date

APPROVED AS TO FORM:

Bill Sims – Town Attorney

Attest: 
Virginia Jones, Town Clerk

CONTINUATION CERTIFICATE

To be attached to and form a part of Bond described below.



*Lexon Insurance Company
10002 Shelbyville Road
Suite 100
Louisville, KY 40223*

The Town of Camp Verde
473 S. Main Street
Suite 109
Camp Verde, AZ 86322

ATTN: Mike Jenkins

Date: 06-Apr-18

Re: High View LLC
738 S. Park Drive
Camp Verde, AZ 86322
Bond #: 1138378

The Lexon Insurance Company, hereinafter called the "Company," as Surety on Bond No.: 1138378 issued on the 3rd day of MAY, 2016 on behalf of High View LLC, Principal, in favor of The Town of Camp Verde, Obligee, hereby certify that this bond is continued in full force and effect until the 3rd day of MAY, 2020, subject to all covenants and conditions of said bond.

This bond, in the current sum of TWO HUNDRED SEVENTY-ONE THOUSAND AND 00/100 Dollars (\$271,000.00), has been continued in force upon the express condition that the full extent of the Company's liability under said bond and all continuations thereof for any loss or series of losses occurring during the entire time the Company remains on said bond shall in no event exceed the sum of the bond.

In witness whereof the Company has caused this instrument to be duly signed, sealed and dated as of the 10th day of MAY, 2018.

Lexon Insurance Company

Surety

By

A handwritten signature in blue ink that reads 'Summer A. Betting'.

Summer A. Betting

Attorney-in-Fact



POWER OF ATTORNEY

LX- 328832

Lexon Insurance Company

KNOW ALL MEN BY THESE PRESENTS, that LEXON INSURANCE COMPANY, a Texas Corporation, with its principal office in Louisville, Kentucky, does hereby constitute and appoint: Michele Lacrosse, Summer Betting its true and lawful Attorney(s)-In-Fact to make, execute, seal and deliver for, and on its behalf as surety, any and all bonds, undertakings or other writings obligatory in nature of a bond.

This authority is made under and by the authority of a resolution which was passed by the Board of Directors of LEXON INSURANCE COMPANY on the 1st day of July, 2003 as follows:

Resolved, that the President of the Company is hereby authorized to appoint and empower any representative of the Company or other person or persons as Attorney-In-Fact to execute on behalf of the Company any bonds, undertakings, policies, contracts of indemnity or other writings obligatory in nature of a bond not to exceed \$4,000,000.00, Four Million dollars, which the Company might execute through its duly elected officers, and affix the seal of the Company thereto. Any said execution of such documents by an Attorney-In-Fact shall be as binding upon the Company as if they had been duly executed and acknowledged by the regularly elected officers of the Company. Any Attorney-In-Fact, so appointed, may be removed for good cause and the authority so granted may be revoked as specified in the Power of Attorney.

Resolved, that the signature of the President and the seal of the Company may be affixed by facsimile on any power of attorney granted, and the signature of the Assistant Secretary, and the seal of the Company may be affixed by facsimile to any certificate of any such power and any such power or certificate bearing such facsimile signature and seal shall be valid and binding on the Company. Any such power so executed and sealed and certificate so executed and sealed shall, with respect to any bond of undertaking to which it is attached, continue to be valid and binding on the Company.

IN WITNESS THEREOF, LEXON INSURANCE COMPANY has caused this instrument to be signed by its President, and its Corporate Seal to be affixed this 5th day of August, 2015.



LEXON INSURANCE COMPANY

BY [Signature] David E. Campbell President

ACKNOWLEDGEMENT

On this 5th day of August, 2015, before me, personally came David E. Campbell to me known, who be duly sworn, did depose and say that he is the President of LEXON INSURANCE COMPANY, the corporation described in and which executed the above instrument; that he executed said instrument on behalf of the corporation by authority of his office under the By-laws of said corporation.



AMY TAYLOR Notary Public- State of Tennessee Davidson County Mv Commission Expires 07-08-19

BY [Signature] Amy Taylor Notary Public

CERTIFICATE

I, the undersigned, Assistant Secretary of LEXON INSURANCE COMPANY, A Texas Insurance Company, DO HEREBY CERTIFY that the original Power of Attorney of which the forgoing is a true and correct copy, is in full force and effect and has not been revoked and the resolutions as set forth are now in force.

Signed and Seal at Mount Juliet, Tennessee this 10th Day of MAY, 20 18.



BY [Signature] Andrew Smith Assistant Secretary

WARNING: Any person who knowingly and with intent to defraud any insurance company or other person, files and application for insurance of claim containing any materially false information, or conceals for the purpose of misleading, information concerning any fact material thereto, commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."



Luke Sefton PE, CFM
Tim Huskett, PE, CFM
Dugan McDonald RLS
Clint Gillespie RLS
Sam Musser, Planner

May 11, 2018

High View
Attn: Dugan McDonald
738 S. Parks Drive
Camp Verde, AZ 86322

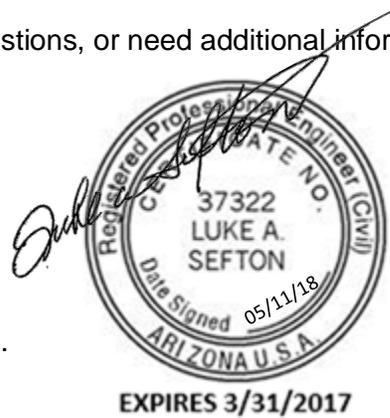
RE: High View Material Source
Engineer Estimate

Dear Dugan:

The purpose of this letter is to provide you an Engineer Cost Estimate for grading the property after the Sand & Gravel Mining Operation has been completed. The cost is based on reducing the mine pit walls from an operations slope of 2.5:1 (H:V) to a finish slope of 3:1 (H:V). We have determined that approximately 504,000 cubic yards of material will be moved within the property (This includes hydro seeding the disturbed areas) in order to make the property viable for future development. The cost for grading the property is approximately \$176,400 using the most current market pricing. Cost data is based on actual cost that have incurred with similar projects within a one mile radius. In addition, portions of the property that will be elevated with fill material will require compaction tests which we have estimated to cost approximately \$30,000 in addition to the grading cost. The total cost for the project is \$206,400 based upon our evaluation in addition to the estimate provided to the State Mine Inspector office of \$64,800 for a total of \$271,200.

If you have any questions, or need additional information, please feel free to contact me at (928) 202-3999

Sincerely,



Luke A. Sefton, P.E.
Project Manager

Attachment:

150904

40 Stutz Bearcat Dr. Unit 1, Sedona, Arizona 86336 ~Phone: (928) 202-3999
Email: info@sefengco.com ~ www.SeftonEngineeringCompany.com
In affiliation with:
Heritage Land Surveying & Mapping, Inc. with office in Sedona, Camp Verde & Colorado

Carmen Howard

From: Troy Odell
Sent: Monday, May 14, 2018 8:32 AM
To: Carmen Howard
Subject: High View Sand & Gravel Use Permit Stormwater Requirements

Carmen:

I have received the majority of what I had requested to bring the Stormwater Requirements up to date on the property mentioned above. They are still working on mapping the existing pits for a record of what the bottoms and sides of the excavated pit looks like for a future record. I feel they will complete the mapping of the existing pits for a future backfill and compaction record for building code and that they should not have any problems fulfilling the requirements of their use permit.

Troy Odell

All messages created in this system belong to the Town of Camp Verde and should be considered a public record subject to disclosure under the Arizona Public Records Law (A.R.S. § 39-121 et seq.) Town employees, Town public officials, and those who generate email to them, should have no expectation of privacy related to the use of this technology. The content of this message may contain the private views and opinions of the sender and does not constitute a formal view and/or opinion of the Town unless specifically stated. The contents of this email and any attachments may contain confidential and/or proprietary information, and is intended only for the person/entity to whom it was originally addressed. Any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this email in error please notify the sender immediately by return e-mail and delete this message and any attachments from your system.

Furthermore, to ensure compliance with the Open Meeting Law, Council or Board/ Commission / Committee members who are recipients of this message should not forward it to other members of the Council or Board / Commission / Committee of the Town of Camp Verde. Council Members or Board / Commission / Committee members may reply to a staff member regarding this message, but they should not send a copy of a reply to other Council or Board / Commission / Committee members.

Please consider our environment before printing this email. 