



Support your local merchants

**AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, AUGUST 16, 2017 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.

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a) Approval of the Minutes:

- 1) Council Hears Planning & Zoning Matters– July 26, 2017
- 2) Council Regular Session – August 2, 2017

b) Set Next Meeting, Date and Time:

- 1) Wednesday, August 23, 2017 at 6:30 p.m. – Council Hears Planning & Zoning Matters– Cancelled due to League Conference
- 2) Wednesday, September 6, 2017 at 6:30 p.m. – Regular Session
- 3) Wednesday, September 13, 2017 at 5:30 p.m. - Work Session
- 4) Wednesday, September 20, 2017 at 6:30 p.m. – Regular Session
- 5) Wednesday, September 27, 2017 at 6:30 p.m. – Council Hears Planning & Zoning

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c) Possible Approval authorizing extension of High View LLC Mining Conditional Use Permit 20150033 until May 3, 2018. [Staff Resource: Carmen Howard-continued from July 26, 2017 Meeting]

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d) Possible approval and authorization to execute FY 2017-2018 Intergovernmental Agreement between Yavapai County Flood Control District and the Town of Camp Verde in the amount of \$100,000. [Staff Resource: Ron Long]

5. Special Announcements and presentations:

5.1. Yavapai County Update by District 2 Supervisor Thomas Thurman.

- 5.2. Presentation of Certificate of Appreciation to Murray Lichty for his years of service on the Board of Adjustment and Appeals, and acceptance of Letter of Resignation.** [Staff Resource: Judy Morgan]
- 5.3. Arizona Parks and Recreation Association (APRA) 67th Annual Award Winners – Volunteers of the Year Award presented to “The Old Guys” Volunteer Group – Arizona State Parks and Trails.**

- 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))
- 7. Business.** Legal action can be taken.
- 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

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.

- Bashas's Community Board
- Town Hall
- Website



Support your local merchants

DRAFT MINUTES

**TOWN OF CAMP VERDE
COUNCIL HEARS PLANNING AND ZONING MATTERS
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, JULY 26, 2017 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

The meeting was called to order at 6:30 pm., Mayor German presiding.

- 2. Roll Call.** Council Members: Jackie Baker, Buck Buchanan, Dee Jenkins, Brad Gordon; Vice Mayor Jessie Murdock; and Mayor Charles German were present. Councilor Robin Whatley was absent.

Also Present: Town Manager Russ Martin, Marshal Nancy Gardner, Community Development Director Carmen Howard, Planner Melinda Lee and Recording Secretary Marie Moore were present.

3. Pledge of Allegiance

Mayor German led the 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) Work Session – July 7, 2017

b) Set Next Meeting, Date and Time:

- 1) Wednesday, August 2, 2017 at 6:30 p.m. – Regular Session
2) Friday, August 11, 2017 at 9:00 a.m. – Work Session
3) Wednesday, August 16, 2017 at 6:30 p.m. – Regular Session
4) Wednesday, August 23, 2017 at 6:30 p.m. – Council Hears Planning & Zoning
– Cancelled due to AZ League Conference

On a motion by Councilor Gordon, seconded by Councilor Baker, the Consent Agenda was unanimously approved by the Council, as presented.

5. Special Announcements and presentations.

No special announcements and or presentations were heard.

- 6. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)**

There were no items brought forth to Council for consideration.

7. Business. Legal action can be taken.

7.1. Commission/Board (Planning and Zoning Commission and Board of Adjustment and Appeals) Quarterly Reports for April-June 2017.

No presentation was heard, Council accepted what was presented in the packet.

7.2. Discussion, consideration and possible approval authorizing extension of High View LLC Mining Conditional Use Permit 20150033 until May 3, 2018.

Community Development Director Carmen Howard informed Council that she and Deputy Director of Public Works, Troy Odell, have been working consistently with the applicant. The current permit dictates that the Council review the permit on a yearly basis. Due to the current rain, Troy Odell was unable to give an updated status on the progress of storm water compliance at the temporary operation site, therefore, Carmen Howard requested the Council give her an additional month to return to Council with sufficient information for the approval.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council unanimously approves to reset Agenda Item 7.2 as a Consent Agenda item on August 16, 2017.

7.3. Possible approval or denial for an Ordinance (Ordinance 2017-A424) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town zoning map to change the zoning classification of an approximately 7.71 acre parcel, located at 536 W. Salt Mine Rd, APN 404-28-032B, from R1L-35 (residential: single family limited, 35,000-square-foot minimum lot size) District to R-R (residential-rural) District; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law.

Carmen Howard informed Council that the reason for the request to change the zoning classification is due to the filing of an application for a Use Permit on the parcel. Due to the nature of the use permit, a change in zoning classification is required before the permit can be considered and approved. The Planning and Zoning Commission and Staff recommend the approval of the change due to the R-R District being appropriate for the use of the property for Agri-tourism.

Councilor Gordon questioned the Prop 207 Waiver included and if it was due to the change of density. Carmen Howard explained that regardless of the situation, it is a good practice for the Town to include the Prop 207 Waiver.

Councilor Baker questioned the requirements of the Fire Department and expressed her concerns about the lack of turning radius area for the Fire Engines. Carmen Howard explained that as a condition of the Use Permit, the applicant must comply with the Fire Code.

On a motion by Councilor Gordon, seconded by Councilor Buchanan, Council unanimously approved the Ordinance (Ordinance 2017-A424) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town zoning map to change the zoning classification of an

approximately 7.71 acre parcel, located at 536 W. Salt Mine Rd, APN 404-28-032B, from R1L-35 (residential: single family limited, 35,000-square-foot minimum lot size) District to R-R (residential-rural) District; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law.

7.4. Possible approval or denial for a Resolution (Resolution 2017-982) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on Use Permit 20170168, an application submitted by Kevin Norton, owner of Salt Mine Winery, Parcel 404-28-032B, located at 536 W. Salt Mine Rd which is approximately 7.71 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (residential-rural) for the purpose of sampling and selling wine produced on the property and vineyard tours.

Carmen Howard indicated to Council that the applicant has met all of the requirements for the Use Permit including a neighborhood meeting and public meeting. During the public meeting, a member of the community expressed concern regarding traffic in the area. The applicant is only proposing to have the facility open to the public on holidays and Saturdays between the hours of 10 am and 4 pm. The Planning and Zoning Commission has recommended approval of a permit in perpetuity with the condition of a review after one year to ensure there are no issues with potential operations and or traffic in the neighborhood, meeting the Fire Code restrictions and limited operation hours of Saturdays from 10 am to 4 pm and Holidays.

The applicant, Kevin Norton, presented a short PowerPoint presentation to Council, showing the property lines, current growing areas and restoration areas on the property, building use on the property, and an overview of their operation plan and how it will affect the neighborhood. There will be no after hour events on the property that will negatively affect the neighborhood and there will be a minimum of two staff people on the property at all times.

Councilor Gordon indicated that there are numerous wineries on Page Springs Road and the traffic is not an issue there, so he feels the concern for increased traffic in the area lacks validity. The applicant agreed with Councilor Gordon's assessment, especially when considering the short operating hours.

Vice Mayor Jessie Murdock confirmed that the applicant understood all of the possibilities included with his use permit and that he would be waiving his right to those. The applicant indicated that he resides on the property so he does not intend to rent the facilities out to the public for any type of after-hour events.

Mayor German questioned what the process would be to change the permit if the property is sold. Carmen Howard explained that the permit remains with the property and if any changes would be made, a new permit would need to be issued.

Mayor German commended the applicant for all the improvements he has done to the property and the opportunity he is bringing to the Town.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council unanimously approved Resolution (Resolution 2017-982) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on Use Permit 20170168, an application submitted by Kevin Norton, owner of Salt Mine Winery, Parcel 404-28-032B, located at 536 W. Salt Mine Rd which is approximately 7.71 acres. The property owner is requesting a Use Permit to allow for Agri-Tourism in a residential neighborhood zoned R-R (residential-rural) for the purpose of sampling and selling wine produced on the property and vineyard tours.

7.5. Possible approval (or denial) for an Ordinance (Ordinance 2017-A425) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town of Camp Verde Planning & Zoning Ordinance by adding a new Section 312, "Shipping Containers" to Part 3, General Regulations/Provisions and a new definition for "Shipping Container" under Part One, Section 103 (Definition of Terms); this amendment will allow for the use of shipping containers for storage as specified; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law

Carmen Howard explained to Council that the Ordinance includes certain standards, including a minimum lot size of 2 acres, the number and size of shipping containers allowed on the property depending on zoning, appearance standards of the containers and usage allowances, with the provision of a compliance date of January 2018.

Mayor German questioned the technology on the containers regarding safety factors. Carmen Howard explained that the units close from the outside and are only allowed for storage purposes, therefore, there is limited ventilation. Altered units will not pass the ordinance and will not be allowed on properties.

Councilor Baker questioned what process would be followed for containers that currently exist on properties that are less than the minimum 2-acre lot. Carmen Howard explained that those individuals would be in violation of the ordinance and asked Council to consider, rather than a 2-acre minimum, the RL-70 zoning district, which would reduce the acreage requirements.

Councilor Jenkins expressed her concern for the hardship the ordinance would place on those who have containers with less than 2 acres. Councilor Jenkins questioned if the Department knew the number of containers on small acreage. Jenkins also expressed her concern at the difficulties of removing the containers off properties.

Carmen Howard explained that the shipping containers are currently illegal and one of the decisions Council will need to make is the lot size restrictions for the containers.

Councilor Gordon indicated that he feels 1-acre lots are sufficient in size for the allowance of the shipping containers and that he personally had a unit on his one-acre property at one time.

Mayor German suggested taking into consideration the number of units on acreage smaller than the 2-acre minimum and possibly changing the minimum later if necessary. Carmen Howard explained that the Planning and Zoning Commission had originally considered a 1-acre minimum parcel and expressed that most small-acre properties are under CC&R restrictions which would possibly restrict the use as well.

Councilor Gordon confirmed that the Department of Community Development works on a complaint basis and will not be actively looking for containers on properties. Carmen Howard confirmed that generally it is not Town initiated, but there have been certain circumstance that the Town has initiated the removal of a container.

Vice Mayor Jessie Murdock expressed her support in reducing the acreage minimum from 2-acres to 1-acre. Murdock also questioned if there was an avenue to waive or reduce fees for permits of already existing containers to help ensure public cooperation. Carmen Howard indicated that would be a decision made by Council and direct the Department to follow.

Councilor Jenkins expressed her support in reducing the minimum acreage size to one from two and indicated she thought this would help with compliance from the public.

Councilor Buchanan expressed his lack of support of the entire Ordinance and explained his experience with the topic while serving as a Commission member for Planning & Zoning. Buchanan expressed his serious concern regarding the safety of children around the containers, how easily the containers can be modified and indicated he could not support an approval, but if it is to be passed, he recommends the 2-acre minimum and impose fines to those who have had them placed illegally.

On a motion by Councilor Gordon, seconded by Councilor Baker, Council approved Ordinance (Ordinance 2017-A425) of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending the Town of Camp Verde Planning & Zoning Ordinance by adding a new Section 312, "Shipping Containers" to Part 3, General Regulations/Provisions and a new definition for "Shipping Container" under Part One, Section 103 (Definition of Terms); this amendment will allow for the use of shipping containers for storage as specified; and providing that this ordinance shall be effective thirty (30) days after its passage and approval according to law with the addition of adding zoning allowance of 1-acre. The motion passed by a 5-1 vote in favor, with Councilor Buchanan opposed.

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

There were no items brought forth for Council consideration.

9. Council Informational Reports.

Mayor German attended Economic Development Specialist, Sebra Choe's graduation from Verde Valley Leadership.

10. Manager/Staff Report

Town Manager Russ Martin requested Council members let him know if they will be attending on Wednesday with the “Old Guys”; departure would be at 3:00 pm.

Russ presented an embroidered tapestry to the Council, which was received as a gift from the Town of Snowflake Chief of Police as a thank you for the donated dispatch equipment from the Town of Camp Verde, which CV was no longer using.

11. Adjournment

The meeting adjourned at 7:33 pm.

Charles German, Mayor

ATTEST:

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on July 26, 2017. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2017.

Judy Morgan, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, AUGUST 2, 2017 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

Mayor German called the meeting to order at 6:30p.m.

2. Roll Call

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

Also Present

Town Manager Russ Martin, Town Clerk Judy Morgan, Marshal Nancy Gardner, Commander Brian Armstrong and Recording Secretary Jennifer Shilling were present.

3. Pledge of Allegiance

Mayor German led the Pledge.

4. Consent Agenda – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) Approval of the Minutes:

- 1) Special and Executive Session – July 19, 2017
- 2) Special Budget Session – July 19, 2017
- 3) Regular Session – July 19, 2017

b) Set Next Meeting, Date and Time:

- 1) Friday, August 11, 2017 at 9:00 a.m. – Work Session
- 2) Wednesday, August 16, 2017 at 6:30 p.m. – Regular Session
- 3) Wednesday, August 23, 2017 at 6:30 p.m. – Council Hears Planning & Zoning – Cancelled (League conference)
- 4) Wednesday, September 6, 2017 at 6:30 p.m. – Regular Session
- 5) Wednesday, September 13, 2017 at 5:30 p.m. – Work Session

Councilor Jenkins pointed out a correction to be made to the July 19, 2017 Regular Session Minutes. The first sentence on page 3, Item 7, should read, “Steve Ayers gave an overview of the 30-acre Riverfront Park at Interstate 17.” **Motion** was made by Councilor Baker to accept the Consent Agenda with excluding the July 19, 2017 Regular Session minutes. Second was made by Councilor Jenkins. Council unanimously approved the Consent Agenda. **Motion** carried unanimously.

Motion was made by Councilor Jenkins to accept the corrected Regular Session minutes of July 19, 2017. Second was made by Councilor Baker. **Motion** carried unanimously.

5. Special Announcements and presentations:

No 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))

Marshal Nancy Gardner introduced the new Patrol Commander, Brian Armstrong who started with the Marshal's Office June 26, 2017. Commander Armstrong introduced himself to Council and stated he comes to the Town with 30 years of Law Enforcement experience and is excited to be here. Councilor Gordon welcomed him and thanked him for being at the meeting.

- 7. Business.** Legal action can be taken.

- 7.1. Discussion, consideration, and possible instruction to the Mayor as to how to vote on the proposed League Resolutions at the League of Arizona Cities and Towns League Resolution Committee meeting on Tuesday, August 22, 2017 at 1:30 p.m. located at the Hilton El Conquistador, 10000 North Oracle Road, Oro Valley, AZ 85704.**

Acronyms used below: GAHRE-General Administration, Human Resources and Elections; NSQL-Neighborhoods, Sustainability and Quality of Life; TIPW-Transportation, Infrastructure and Public Works Committee

Mayor German reviewed each resolution with Council and welcomed any feedback.

GAHRE 1- Allow city/town elected officials to transfer campaign contributions to a statewide or legislative office.

Council had no problems with this.

GAHRE 2- Allow cities and towns to appoint, by resolution, a designee of the council to sign special event liquor licenses.

Council had no problems with this.

GAHRE 3- Require a candidate or entity that intends to receive contributions or make expenditures of \$1000 or less to file a signed exemption statement that states that intention before receiving contributions, making any expenditure, distributing any campaign literature or circulating petitions.

Mayor German asked the Clerk, Judy Morgan to clarify the proposed resolution. Ms. Morgan explained that the threshold for candidate filing has been raised to \$1,100. The proposed resolution will put the exemption statement filing requirements back in.

Council agreed with the proposed resolution.

NSQL 1- Pursue modifications to state and federal law to provide more options for local governments to regulate unstructured sober living homes in order to protect the health, safety and welfare of sober home residents and the communities in which they are located.

Council had no problems with this.

TIPW1- Draft legislation to allow for Street Light Improvement Districts (SLID) and Parkway Maintenance Improvement Districts (MID) that have continuous border to be combined.

Council had no problems with this.

TIPW2- Explore, draft and support legislation for alternative transportation funding for cities and towns to operate and maintain their roads.

Council had no problems with this.

League Staff 1- Perform extensive research and develop legislation for introduction in the 2018 Legislative Session that addresses the challenges with and discrepancies between local boards of the Public Safety Personnel Retirement System (PSPRS) and reconvene the Pension Task Force in an effort to make the administrative processes more efficient and ensure determinations for disability are uniform among the more than 230 PSPRS plans.

Council had no problems with this.

League Staff 2- Continue the analysis of the impact of various proposed legislative changes to the construction sales tax system to assure that any modifications will create a long-term, sustainable policy that maintains state and municipal revenues, ensures local revenues are received at the location in which the construction activity occurs, provides simplicity for the industry and improves compliance.

Council had no problems with this.

League Staff 3- Urge the Governor and Legislature to complete the stabilization and balancing of the State budget by eliminating current reliance on local governments to fund the State's responsibility for day-today operations of the Department of Revenue.

Council had no problems with this.

7.2. Review, discussion and direction to the Town Manager on Trustee elections for the Arizona Risk and Retention Pool Board. [Staff Resource: Russ Martin]

Town Manager Russ Martin stated that he is the Town's designee to place the online vote for the two open Trustee positions for the Arizona Risk and Retention Pool Board. Mr. Martin stated that in the past members have looked at local candidates. The Council was given a packet with information on each of the nominees. Mr. Martin suggested voting for the local city (Sedona) attorney Mr. Pickles as one of the nominees. Councilor Baker suggested electing Brian Carmichael who is already on the board and is running for re-election. She stated that he has been a very effective and helpful Trustee. The consensus from Council Members is to direct Mr. Martin to vote for Mr. Pickles and Mr. Carmichael.

7.3. Discussion, consideration and possible direction to staff to accept settlement funds in the amount of \$425,000.00 and authorization for Mayor Charlie German and if needed Vice Mayor Jessie Murdock to sign the settlement agreement between the Town of Camp Verde and Coe and Van Loo (CVL).

Town Manager Russ Martin explained this has been an ongoing item for a while. The attorney took the Council's recommendation to reach a settlement. He received advice from the engineer, reviewed all the bills and requests, and came up with a reasonable number to negotiate. Mr. Martin stated this will close an ugly chapter. Councilor Baker asked if the document required two signatures. Mr. Martin stated that it only needs one

but wanted it stated that Vice Mayor Murdock could sign if Mayor German wasn't available.

Motion made by Councilor Baker to accept the \$425,000 payment and authorize for Mayor Charlie German and if needed Vice Mayor Jessie Murdock to sign the settlement agreement between the Town of Camp Verde and Coe and Van Loo (CVL). Second was made by Councilor Murdock. Mr. Martin wanted to make clear to the public that this is a payment to the Waste Water Fund; the Town is not writing a check to someone. This is money coming in. **Motion** carried unanimously.

Councilor Gordon would like Mr. Martin to come up with a public statement recapping the whole scenario. Mayor German stated it would be beneficial to the Council to get one statement out to the public. Mr. Martin will draft a statement for the Council to review and then publish it.

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

There were no comments from the Public.

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.

Councilor Whatley-volunteered at National Night Out and said there was a great turnout considering the weather.

Councilor Jenkins- stated that she didn't know about National Night Out beforehand and asked if there was a way to add events to the calendar in the email system. Mr. Martin stated that he and Ms. Morgan will work on that.

Mayor- volunteered at National Night Out and asked Mr. Martin to assess the event tables for possible replacement.

Councilor Murdock- attended National Night Out with her children. She asked Marshal Gardener to give a recap of the award Officer Dave Freeman received. Ms. Gardner explained the Kiwanis Club honors an officer each year with this award.

Councilor Baker- participated in the teleconference with the Transportation Policy Advisory Committee for NACOG. There will be a Transportation Summit October 18th-20th. There will be workshops that might be helpful for members to attend. Ms. Baker reviewed some of the revenues and infrastructures.

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.

Mr. Martin reminded members that there is a Verde Valley Regional Economic Organization VVREO Strategic Plan Meeting this Friday. If members would like to carpool, plan to leave from Town Hall at 8:15 a.m. Next Friday at 9 a.m. is the Council Work Session (moved from

8/9 date).

11. Adjournment

Mayor adjourned the meeting at 7:06 p.m.

Mayor Charles German

ATTEST:

Town Clerk Judy Morgan

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 Council Meeting of the Town Council of Camp Verde, Arizona, held on August 2, 2017. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2017.

Judy Morgan, Town Clerk

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Exhibit A - Agenda Item Submission Form – Section I

Meeting Date: August 16, 2017

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): Discussion, consideration and possible approval authorizing extension of High View LLC Mining Conditional Use Permit 20150033 until May 3, 2018.

List Attached Documents:

- 1. Resolution 2015-939
- 2. SWPPP Plan
- 3. Temporary Use Permit Application

Estimated Presentation Time: 0

Estimated Discussion Time: 5

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, 2018. The Use Permit date of implementation is May 3, 2016. High View LLC is currently operating a temporary site outside of the permanent use and site approvals of Use Permit 20150033 to provide aggregate materials for the Hwy 260 roadway project. Deputy Public Works Director Troy Odell and Community Development Director Carmen Howard have been working with High View to comply with site requirements until which time as High View will be developing their permanent site as Use Permit 20150033.

Recommended Action (Motion):

A MOTION TO APPROVE (OR DENY) EXTENSION OF HIGH VIEW LLC MINING CONDITIONAL USE PERMIT 20150033 UNTIL MAY 3, 2018.



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

1.

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.

2.

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 knock box for emergency responders and are to be located inside the mining property so that proper grading can be accomplished.

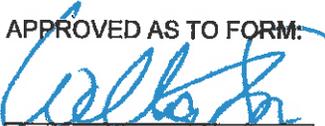
7. Per Section 9-4-4 (General Regulations) Item A.2 (SETBACKS) of the Town Code: "The setback requirements of mining or quarrying operations will be a maximum of 300 feet from the property line. However, Council will regulate the setback requirement on a case-by-case basis as determined by, but not limited 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

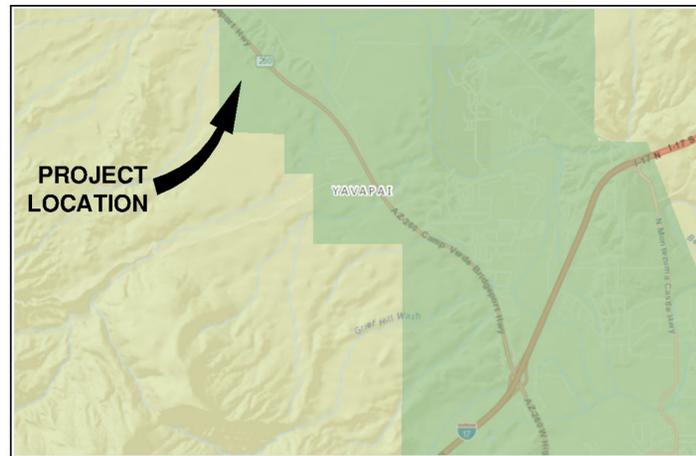
Attest: 
Virginia Jones, Town Clerk

3.

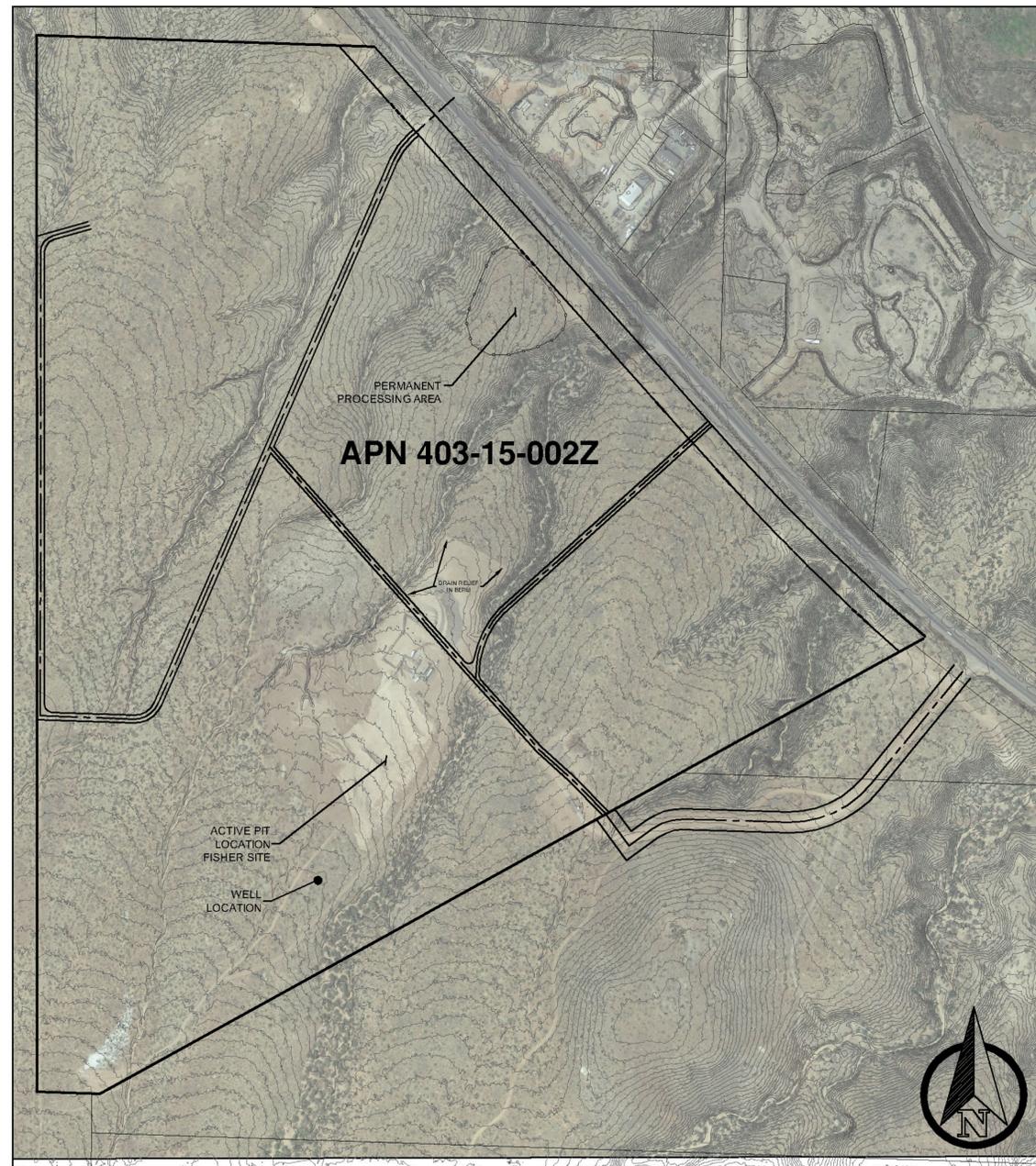
SAND & GRAVEL MINING OPERATION

STORMWATER POLLUTION PREVENTION PLAN

LOCATED WITHIN A PORTION OF THE NORTHWEST 1/4 OF SECTION 9, TOWNSHIP 14 NORTH, RANGE 4 EAST OF THE GILA AND SALT RIVER BASE, WITHIN THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA



VICINITY MAP
NOT TO SCALE



SHEET INDEX

- C-1 COVER SHEET
- C-2 SWPPP
- C-3 STANDARD DETAILS

CONTACT INFORMATION

OWNER: JOHN HARRIS
HIGH VIEW LLC
P.O. BOX 3270
CAMP VERDE, ARIZONA 86322

CIVIL ENGINEER: SEFTON ENGINEERING CONSULTANTS
20 STUTZ BEARCAT DRIVE #8
SEDONA, ARIZONA 86336
PHONE: (928) 202-3999
LUKE A. SEFTON, P.E.
TIMOTHY HUSKETT, P.E.

SURVEYOR: SEFTON ENGINEERING CONSULTANTS
20 STUTZ BEARCAT DRIVE #8
SEDONA, ARIZONA 86336
PHONE: (928) 202-3999
DUGAN MCDONALD, R.L.S.

CONTRACTOR: JACOB WACHA, ON-SITE SUPERINTENDENT
FISHER SAND AND GRAVEL COMPANY
1302 W. DRIVERS WAY
TEMPE, ARIZONA 85284
PHONE: (480) 250-3848

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PH: (928) 202-3999
FAX: (888) 229-2970
LS@SEFENGCO.COM

COVER

HIGH VIEW

SHEET TITLE:

PROJECT TITLE:

DRAWN BY: T.C.H.

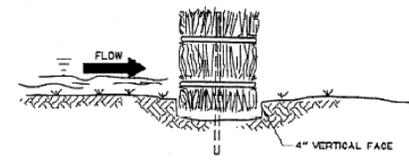
SCALE: 1"=300'

DATE: 6/19/17

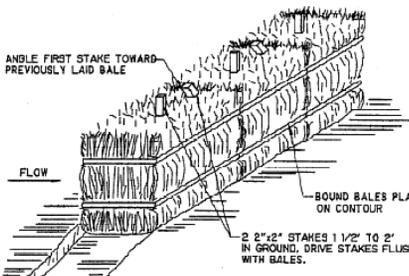
PROJECT NO: 15-0904

SHEET NO.

C-1

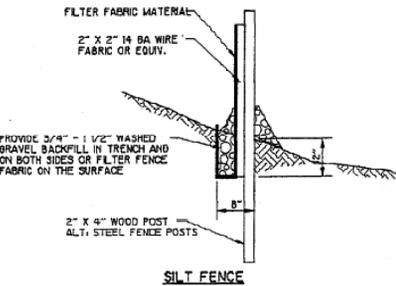
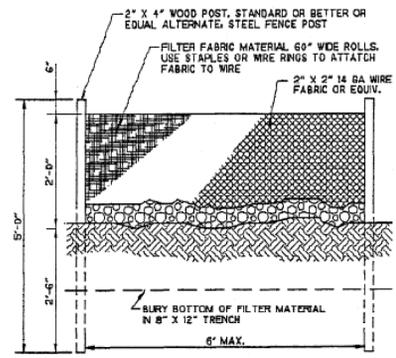


BEDDING DETAIL

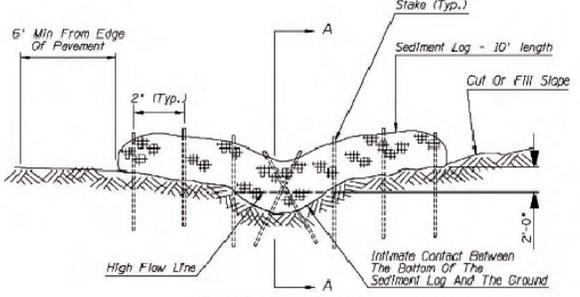


ANCHORING DETAIL

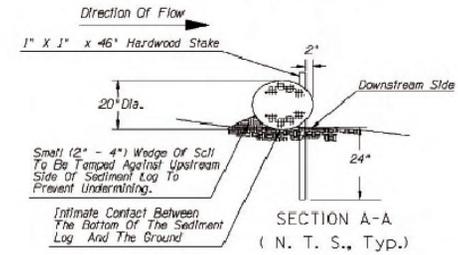
STRAW BALE BARRIERS



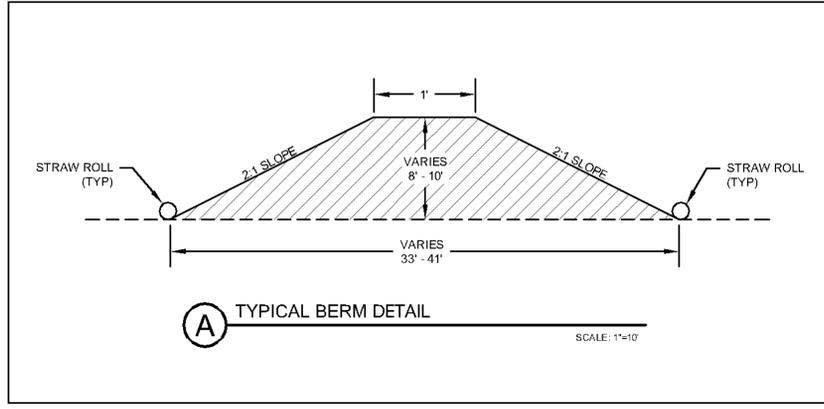
SILT FENCE



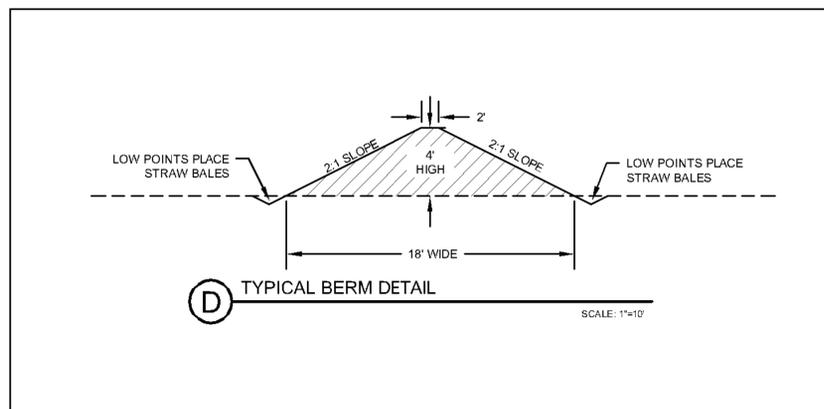
SEDIMENT LOG AND DITCH / CHANNEL SECTIONAL ELEVATION (N. T. S., Typ.)



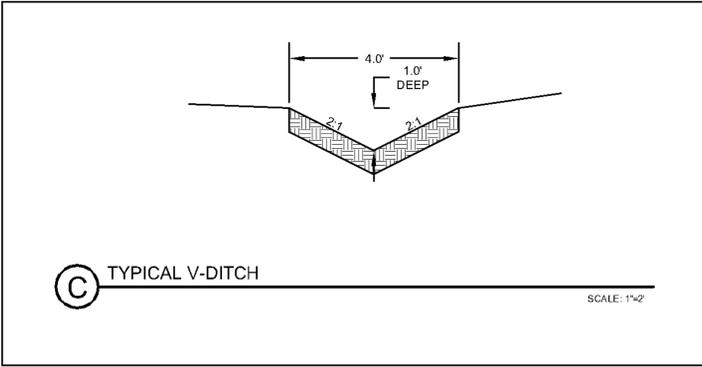
SECTION A-A (N. T. S., Typ.)



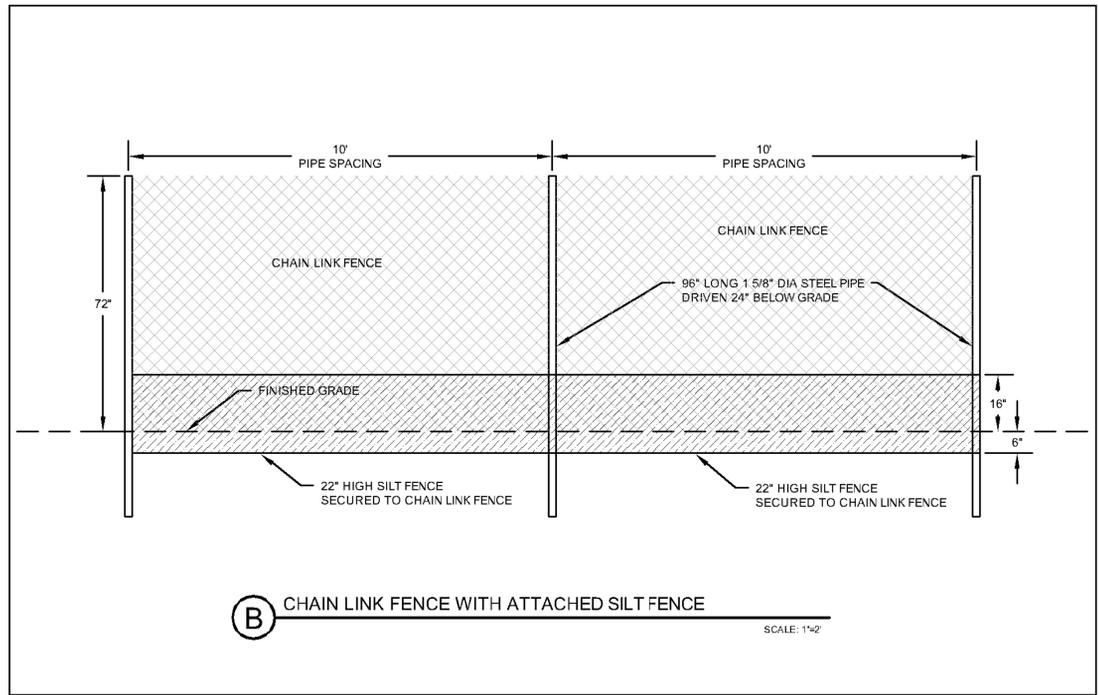
(A) TYPICAL BERM DETAIL



(D) TYPICAL BERM DETAIL



(C) TYPICAL V-DITCH



(B) CHAIN LINK FENCE WITH ATTACHED SILT FENCE



SEFTON ENGINEERING CONSULTANTS LLC
 20 STUTZ BEARCAT DR. #8
 SEDONA, ARIZONA 86336
 PH: (928) 202-3999
 FAX: (888) 229-2970
 LS@SEFENG.CO.COM

SWPPP DETAILS

HIGH VIEW

SHEET TITLE:

PROJECT TITLE:

DRAWN BY: T.C.H.

SCALE: AS SHOWN

DATE: 6/19/17

PROJECT NO: 15-0904

SHEET NO.

C-3



C-3 + KR-2A

Staff Use Only	
Application Number:	20170250
Received By:	SA
Date:	7/17/17
Fees Paid:	\$150.00
Complete:	Y N

Temporary Use Permit Application Instructions

Page 1 of 1

Temporary Use Permits are provided through Administrative Review and approval to facilitate short or restricted term uses (such as but not limited to: tents, carnivals, charitable events or similar uses/structures for public assembly in non-residential districts; and construction or sales-related offices, storage yards or similar facilities including model homes, and sales stands of crops or agricultural products produced on-site in any District.

Required for a Temporary Use Permit

Property owner:

Name: High View L.L.C.

Address: PO Box 3270 City: Camp Verde State: AZ

Zip Code: 86322 Hm.Phone: 567-9170 Cell: 301-5964

Applicant:

Name: Dugan Mc Donald

Address: P.O. Box 3270 City: Camp Verde State: AZ

Zip Code: 86322 Hm.Phone: 567-9170 Cell: 301-5964

Physical Address of event/sales

will take place: 3901 W. State Route 260, Camp Verde

Description of project: High View Materials Operations

Temporary Part-A-John Location * see below

I have read and agree to the above information and hereby file this application request and declare that all information submitted is true and correct to the best of my knowledge and belief. I further acknowledge that any omission of information or any error in my application may be cause for revocation of this permit.

BY: [Signature] Date: July 12, 2017
Signature of Applicant

For official Use

Assessor's Parcel Number: _____ Subdivision & Lot: _____

Application Date: _____ Amount of Fees paid: _____

Application Taken By: _____ Approved By: Paul Howard 7/18/17
Community Development Director

* Temporary Construction Site
CH 7/18/17

[Page intentionally left blank]

Agenda Item 4 (d)



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: August 16, 2017

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

Requesting Department: Public Works

Staff Resource/Contact Person: Ron Long

Agenda Title (be exact): Possible approval and authorization to execute FY 2017-2018 Intergovernmental Agreement between Yavapai County Flood Control District and the Town of Camp Verde in the amount of \$100,000

List Attached Documents: IGA (6 pages)

Estimated Presentation Time: N/A

Estimated Discussion Time:

Reviews Completed by: N/A

Department Head: Town Attorney Comments: approved as to Form

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: **Budget Code:** 06-410-432000 **Amount Remaining:** _

Comments: \$100,000 has been approved in FY 17/18 budget

Background Information: The special taxing district of Yavapai County Flood Control District (District) receives general funding for planning, construction and maintenance of flood control improvements. The District distributes funds to Towns and political subdivisions in Yavapai County to complete flood control projects in their boundaries.

The financial contribution of \$100,000 from the Yavapai County Flood Control District for the Fiscal Year 2017-2018 will be used to make drainage improvements in the Verde Lakes area; which *may* include one or more of the following: installing culverts, construction of earthen drainage channels, construction diversion berms, regrading roadside ditches, straightening existing driveway culverts in areas within the Verde Lakes subdivision This is part of an on-going plan to provide much needed drainage improvements in the Verde Lakes area

Recommended Action (Motion): Move to approve and authorize the execution of Fiscal Year FY 2017-2018 Intergovernmental Agreement between Yavapai County Flood Control District and the Town of Camp Verde in the amount of \$100,000.

Instructions to Clerk: Forward Three (3) signed IGA's to Yavapai County Flood Control, Att: Dan Cherry, 1120 Commerce Drive, Prescott, AZ 86305

INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND
THE TOWN OF CAMP VERDE
FOR THE FISCAL YEAR 2017-2018 FINANCIAL CONTRIBUTION
FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL
IMPROVEMENTS

THIS INTERGOVERNMENTAL AGREEMENT BY AND BETWEEN THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND THE TOWN OF CAMP VERDE, FOR THE FISCAL YEAR 2017-2018 FINANCIAL CONTRIBUTION TO THE TOWN FOR FLOOD CONTROL IMPROVEMENTS (the “Agreement”) is entered into, effective this 20th day of September, 2017, between the Yavapai County Flood Control District, a political subdivision of the State of Arizona (the “DISTRICT”), and the Town of Camp Verde, Arizona, a municipal corporation of the State of Arizona (the “TOWN”). The District and the Town are sometimes collectively referred to as the “Parties” or individually as the “Party.”

RECITALS

WHEREAS:

- A. The DISTRICT is a special taxing district legally created in the State of Arizona and organized by Yavapai County to include and govern its jurisdiction.
- B. The DISTRICT administers the Federal Emergency Management Agency (“FEMA”) Regulations under the National Flood Insurance Program.
- C. The Yavapai County Board of Supervisors is the Board of Directors of the DISTRICT.
- D. A portion of the TOWN lies within the legal boundaries of the DISTRICT.
- E. The DISTRICT, the TOWN, and the County are separate and distinct political subdivisions, but each can provide for the benefit of the other(s), for the benefit of public health, safety, and welfare, and other public purposes.
- F. The DISTRICT and the TOWN have authority to enter into Intergovernmental Agreements pursuant to Arizona Revised Statutes (“A.R.S.”) §§11-952, 48-3603, and 9-240, and TOWN’s Code.
- G. Among other things, the DISTRICT receives tax proceeds as general funding for the planning, construction, and maintenance of flood control improvements.

- H. Under the budgeting process for the DISTRICT, a category of “Contributions” (hereinafter “Funds”) has been established, setting aside monies that may be utilized by the various political subdivisions located within the boundaries of Yavapai County.
- I. The DISTRICT has approved and budgeted Funds to provide funding assistance for flood mitigation work and is authorized to expend such Funds for flood control projects (including storm water control) to political subdivisions for projects so long as the projects are flood or drainage related, cost-effective, a benefit to the County, the DISTRICT, and the political subdivision and are in accordance with FEMA regulations.
- J. The TOWN has experienced storm water control and flooding problems for a number of years in various locations and seeks to mitigate such problems to increase safety and protect public and private property and persons within the TOWN.
- K. The TOWN seeks to improve its storm water control, make drainage improvements, and/or mitigate flooding problems by constructing Verde Lakes Estates Drainage Improvements, (hereinafter the “Project”).
- L. The TOWN desires to receive DISTRICT Funds for the 2017-2018 fiscal year to be used for its Project.
- M. The DISTRICT has budgeted Funds to support the Project in an amount not to exceed One-Hundred Thousand Dollars (\$100,000) for fiscal year 2017-2018 which begins on July 1, 2017.

AGREEMENTS

NOW THEREFORE, for good and valuable consideration, including consideration of the mutual promises, terms, and conditions hereinafter set forth, including the mutual promises and obligations to be performed by the Parties hereto, IT IS AGREED BETWEEN THE TOWN AND THE DISTRICT AS FOLLOWS:

I. PURPOSE

The purpose of this Agreement is to authorize the DISTRICT to pay and contribute to the TOWN Funds in support of the TOWN’s Project. Such funding for fiscal year 2017-2018 shall not exceed One-Hundred Thousand Dollars (\$100,000).

II. COMMENCEMENT, DURATION, AND TERMINATION

The effective date is as set forth on page one (1) of this Agreement. Performance under this Agreement shall commence following the effective date and shall terminate upon the earliest of:

- A. The completion of the Project as determined by the TOWN;
- B. The exhaustion of the Funds allocated to the TOWN for the Project;
- C. The end of the fiscal year 2017-2018; or
- D. The mutual agreement of the Parties.

III. RESPONSIBILITIES OF PARTIES

A. The TOWN shall:

1. Be solely responsible for the design, engineering, bidding, right-of-way acquisition, supervision, construction, inspection, administration, and project management of the Project and for contracting directly for all Project work.
2. If plans are used to bid, provide the DISTRICT a copy of the final Project plans.
3. Use the Funds for the Project in fiscal year 2017-2018.
4. Use the Funds exclusively for costs associated with the Project described above.
5. When requesting Funds from the DISTRICT, provide detailed invoices with supporting documentation for the request(s).
6. Request Funds from the DISTRICT on or before July 31, 2018 (for work completed in fiscal year 2017-2018).
7. Be responsible for the proper disbursement of the Funds provided by the DISTRICT.
8. Be responsible for maintaining the Project and the resulting improvements.

B. The DISTRICT shall:

1. Make Funds available to the TOWN for the Project as approved by the Board of Directors.
2. Provide funding as available and appropriate upon proper request(s) by the TOWN.
3. Pay properly invoiced requests monthly or on an alternate schedule as agreed to by the TOWN and DISTRICT.
4. Pay properly invoiced requests for work completed by the TOWN in fiscal year 2017-2018 so long as TOWN's requests are received by the DISTRICT on or before July 31, 2018.

C. The DISTRICT and TOWN mutually agree:

1. That they recognize the Funds to be used by Parties pursuant to this Agreement are tax funds. The agreements herein for funding are based upon projected tax funds to be received. In the event the projected income is not received, there is the possibility that some or all of the Funds anticipated by this Agreement and set forth herein will not be available. All monetary obligations under this agreement shall be subject to annual budget approval of the respective governing bodies of the parties. A failure of either party's governing body to approve funding for payment of any obligation hereunder shall constitute grounds for termination of this agreement.
2. The Project is the sole responsibility of the TOWN, and not of the DISTRICT or the County. All real property upon which the Project work will occur is within the TOWN limits and not owned or under the control of the DISTRICT or County.

VII. INDEMNIFICATION

The TOWN agrees to defend, indemnify, and hold harmless the DISTRICT, its Board of Directors, the County, its Board of Supervisors, officers, employees, agents, or other representatives from any and all claims for damages or otherwise arising under this Agreement and from any negligent acts of the Town, its officers, employees, agents, or other representatives. This Indemnification provision shall survive the termination of this Agreement.

VIII. OTHER PROVISIONS

- A. NOTICE. All notices or demands upon any party to this Agreement shall be in writing and shall be delivered in person or sent by certified mail, return receipt requested, addressed as follows:

TOWN OF CAMP VERDE
Mayor
473 South Main Street
Camp Verde, AZ 86322

DISTRICT
Yavapai County Flood Control District Director
1120 Commerce Drive
Prescott, AZ 86305

- B. ENTIRE AGREEMENT. This Agreement represents the entire understanding between the parties with respect to the subject matters herein, and may be amended, modified, or waived only by written instrument signed by both Parties.
- C. CONFLICT OF INTEREST. This contract is subject to the cancellation provisions of A.R.S. §38-511.
- D. SEVERABILITY. In case one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision thereof and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been contained therein.
- E. NON-DISCRIMINATION. The Parties shall comply with Executive Order 2009-09, which mandates that all persons, regardless of race, color, religion, sex, age, national origin or political affiliation, shall have equal access to employment opportunities, and all other applicable State and Federal employment laws, rules and regulations, including the Americans with Disabilities Act. The Parties shall take affirmative action to ensure that applicants for employment and employees are not discriminated against due to race, creed, color, religion, sex, national origin or disability.
- F. EMPLOYMENT VERIFICATION. The Parties are required to comply with A.R.S. §41-4401, and hereby warrants that they will, at all times during the term of this Agreement, comply with all federal immigration laws applicable to the employment of their respective employees, the requirements of A.R.S. §41-4401, and with the e-verification requirements of A.R.S. §23-214(A) (together the “state and federal immigration laws”). The Parties further agree to ensure that each subcontractor that performs any work under

DETERMINATIONS OF COUNSEL
FOR THE
INTERGOVERNMENTAL AGREEMENT

BETWEEN
THE YAVAPAI COUNTY FLOOD CONTROL DISTRICT AND
THE TOWN OF CAMP VERDE

FOR THE FISCAL YEAR 2017-2018 FINANCIAL CONTRIBUTION
FROM THE DISTRICT TO THE TOWN FOR FLOOD CONTROL IMPROVEMENT

Pursuant to A.R.S. §11-952, as amended, the foregoing Agreement has been submitted to the undersigned Attorney Town of Camp Verde. The undersigned has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona and the Town of Camp Verde.

Attorney
Town of Camp Verde

Date

Pursuant to A.R.S. §11-952, as amended, the foregoing Agreement has been submitted to the undersigned Attorney for the Yavapai County Flood Control District, Prescott, Arizona. The undersigned has determined that this Agreement is in proper form and is within the powers and authority granted under the laws of the State of Arizona to the Yavapai County Flood Control District.

Deputy County Attorney
Flood Control District

Date



Agenda Item Submission Form – Section I

Meeting Date: 08-16-2017

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

Requesting Department: Town Clerk

Staff Resource/Contact Person: Judy Morgan

Agenda Title (be exact): Presentation of Certificate of Appreciation to Murray Lichty for his years of service on the Board of Adjustment and Appeals, and acceptance of letter of resignation.

List Attached Documents: Certificate of Appreciation
Resignation Letter

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 3 Minutes

Reviews and comments Completed by:

- Town Manager: N/A Department Head: _____
- Town Attorney Comments: N/A _____
- Risk Management: N/A _____
- Finance Department
Fiscal Impact:
Budget Code: _____ Amount Remaining: _____
Comments: _____

Background Information: Mr. Lichty was appointed to the Board of Adjustment and Appeals on 06-02-2010 to fill a vacancy

Recommended Action (Motion): No motion necessary

Instructions to the Clerk: Advertise to fill vacancy.

Town of Camp Verde

Attn: Town Clerks Office

473 S. Main Street

Camp Verde, Arizona 86322

Due to health issues I must resign from my post on the Board of Adjustment effective immediately. I would not be able to attend long meetings without interruption and feel this is the best solution. Thank you for the opportunity to serve on the Board all these years.

Sincerely,

A handwritten signature in cursive script that reads "Murray Lichy".

Murray Lichy

143 West Head Street

Camp Verde, Az 86322

TOWN OF CAMP VERDE
Certificate of Appreciation

is hereby granted to:

Murray Lichty

for his service on the Board of Adjustment & Appeals

Awarded this 16th day of August

Mayor Charlie German