

**AMENDED AGENDA
MAY 28, 2008**

CORRECTING ITEM #10

AMENDING SECTION 108 NOT 118

**ADDITIONAL INFORMATION
FROM MAYOR GIOIA**

ITEM 4e

**AMENDED
AGENDA**



**COUNCIL HEARS PLANNING & ZONING
TOWN OF CAMP VERDE
COUNCIL CHAMBERS**

**473 S. Main Street, Room #106
WEDNESDAY, MAY 28, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

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) May 20, 2008 – Budget Work Session

b) Set Next Meeting, Date and Time:

1) Budget Work Session – May 29, 2008 at 3:00 p.m.

2) Special Session – June 4, 2008 at 5:00 p.m.

3) Regular Session – June 4, 2008 at 6:30 p.m.

4) Work Session – June 11, 2008 at 6:30 p.m.

5) Regular Session – June 18, 2008 at 6:30 p.m.

6) Council Hears Planning & Zoning – June 25, 2008 at 6:30 p.m.

c) Possible approval of a Proclamation declaring May 24 through May 26, 2008 at Memorial Poppy Weekend. Staff Resource: Mayor Gioia

d) Possible approval of Resolution 2008-747, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Town of Camp Verde Housing Rehabilitation Program Guidelines as revised. Staff Resource: Matt Morris

e) Possible authorization for the Mayor to draft a letter of support for the Tavasci Marsh Riparian Enhancement Project, Tuzigoot Monument. Staff Resource: Mayor Gioia

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

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.** Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible approval of Resolution 2008-740, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the Preliminary Plat 2007-02 for the purpose of developing Verde Highland Plaza, a commercial business condominium plaza on parcels 404-28-026E & 404-28-025B consisting of approximately 3.16 acres.** This site is located on the northwest corner of the intersection of Cliffs Parkway and SR 260. Staff Resource: Michael Jenkins

- **Call for STAFF PRESENTATION**
- **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**

- **Call for COUNCIL DISCUSSION**
8. **Public Hearing, discussion, consideration, and possible approval of Resolution 2008-739, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, vacating a portion of the right-of-way of Pheasant Run Circle to the owner of Lot 1 of Jordon Meadows within the Town limits, as initiated by petition and submitted by Joann Sawyer, owner of parcel 404-03-026A adjacent to the proposed abandonment (vacation.)** Staff Resource: Michael Jenkins
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
 9. **Discussion, consideration, and possible approval of Ordinance 2008A-354, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section 118 of the Zoning Ordinance to define A-Frame Signs, add exception for A-Frame Signs under Prohibited Signs in the right-of-way and define the criteria under which A-Frame signs may be used under the Temporary Signs.** Staff Resource: Michael Jenkins
 10. **Discussion, consideration, and possible approval of Ordinance 2008A-348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section ~~118-D~~ 108D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the Use Permit process for youth livestock activity on parcels smaller than 1/2 acre and to add language for setback requirements for livestock activity as was previously stated in Section 109.** Staff Resource: Nancy Buckel
 11. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

12. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
13. **Manager/Staff Report**
14. **Adjournment**

Posted by:

Virginia Gomez

Date/Time:

5-27-08 1:15 p.m.

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

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

Tavasci Marsh Riparian Enhancement Project

Tuzigoot National Monument,
Tavasci Marsh Unit

DRAFT
AWPF Application Package

Submitted by:
Natural Channel Design, Inc.
206 S. Elden St
Flagstaff, Az. 86001

EXECUTIVE SUMMARY

The goals of the project are to restore and protect wetland marsh vegetation and wildlife habitat; restore proper hydrologic conditions/function; and to decrease the negative impacts of monotypic vegetation on eight acres of Tavasci Marsh. Accomplishing stated goals will also create diverse, high quality wildlife habitat for several species, including the Southwest river otter, a federally listed species of concern. The project will act as a pilot project to jumpstart additional restoration efforts at Tavasci Marsh.

The National Park Service (NPS) recently acquired ownership of the 83 acre Tavasci Marsh from Phelps Dodge. Since being acquired, the marsh has been managed through Tuzigoot National Monument. The NPS is interested in managing a monotypic stand of cattails to create high quality wildlife habitat by increasing plant diversity and reintroducing native marsh plant communities. The NPS will work in collaboration with Natural Channel Design (NCD) to develop a plan to achieve project goals and objectives.

An empirical design approach will be used to develop design alternatives for restoration efforts at Tavasci Marsh. This approach aims to improve ecosystem function, pattern, habitat, and conditions using a design that imitates "natural conditions." An empirical design approach seeks to identify and compare the potential of the system (through local reference sites) and the existing conditions to develop a plan to move the existing conditions to the desired reference conditions. The approach does not use a set design, but develops a plan based on site specific morphology and adaptive management.

Past management activities have led to Tavasci Marsh becoming a dense monotypic community of cattails with little open water area. This monotypic stand of cattails has devoured native cottonwood/willow habitat, shoreline habitat, and important transitional ecotone habitat. Native riparian vegetation will be planted throughout the project area to create a gradual habitat transition from open water to upland mesquite bosque. Additional alteration to the outlet channel of the marsh may be required for stabilization and creation of a "riparian zone" back to the river.

PROJECT OVERVIEW

Background

Freshwater marshes act to purify waters, as well as provide important habitat for a variety of plant and animal species. Marshes are heavily influenced by the surrounding environment, and are a function of the type and deposition rate of sediment, supply of nutrients, and movement of water. These characteristics determine plant composition, species richness, and overall health and productivity of the marsh. Typical ecosystems associated with freshwater marshes include deep open water, wetted shoreline, sedge/rush, cattail/bulrush, cottonwood/willow, grasslands, and mesquite bosques. Usually, these ecosystem types gradually transition from one to the next. The zone between each ecosystem type is a transition zone (or ecotone). Ecotones include characteristics of each zone to create a unique ecosystem that is vital to many wildlife species.

Tavasci Marsh is a natural wetland directly downstream of Pecks Lake near the Verde River in Clarkdale, Arizona. It was named for a pioneer family who leased land from the mining company for a dairy operation. The marsh was drained to provide more land for grazing and farming. Waters have since been returned to the marsh. The marsh was owned by Phelps Dodge, and managed by Arizona Game and Fish Department. Recently, eighty-three acres of Tavasci Marsh was obtained by the National Parks Service and is being managed as part of Tuzigoot National Monument.

Thousands of years ago Tavasci Marsh and Pecks Lake were directly connected to the Verde River, but the river slowly changed course, and abandoned the meander that connected the river to the marsh and lake. Prior to its failure in a January 2008 flood, a diversion from the Verde River supplied water to Pecks Lake, with excess flows from the lake routed through the marsh and back to the Verde River. These excess flows were somewhat beneficial to the marsh, but not considered essential to maintaining the marsh and frequently created difficulties in conveying different volumes of water through the marsh. Currently, the marsh is fed primarily by Shea Springs located along the northwest side of the marsh. The flows are estimated to be 1.2 to 1.6 cubic feet per second (cfs) and are deemed sufficient for maintaining the freshwater marsh.

The vegetation at Tavasci Marsh has been compromised from historic management practices. Today, the marsh is dominated almost exclusively by cattail, with little to no open water habitat/conditions. Tavasci Marsh is also lacking the gradual transition from ecotone to the next. Vegetation at Tavasci marsh moves directly from cattail habitat to mesquite bosque habitat. Cattails generally part of marsh ecosystems. However, they usually occur as scattered sterile plants. The marsh is lacking several natural habitat types including cottonwood/willow, shallow water, and shoreline habitats. In the early 1990's, an Arizona Game and Fish (AZGF) project created a small area of open water habitat in the downstream section of the marsh.

The purpose of the project is to 1) restore and enhance native wetland plant communities, 2) manage invasive plant species, 3) create diverse high quality wildlife habitat that is associated with freshwater marsh ecosystems, and 4) provide for educational opportunities for visitors regarding the importance of wetland vegetation and the wildlife habitats associated with them. Project objectives include the management of invasive plant species; the revegetation of plant communities associated with wetland marsh habitat; enhance the diversity of wildlife habitat; creation of trails, signs, and other educational and interpretive infrastructure for visitors to Tuzigoot National Monument and Tavasci Marsh.

The project area includes eight acres near the downstream end of the marsh; in the vicinity of the previous AZGF project. Design components may include changes in depth, slopes, or other

topography for different sections of the marsh to optimize and diversify wildlife habitat, such as wetted shorelines, deep open water, and willow-cottonwood habitats.

Goals

The purpose of the project is to 1) restore and enhance native wetland plant communities, 2) create diverse high quality wildlife habitat that is associated with freshwater marsh ecosystems, and 3) provide for educational opportunities for visitors regarding the importance of wetland vegetation and the wildlife habitats associated with them.

Objectives

1. Create and diversify marsh ecosystems and habitats. The project shall design and implement an enhancement plan that will convert the existing monotypic cattail stand to a landscape that is more diverse, having representative plants and animals from several marsh ecosystem types. These ecosystem types include deep open water, wetted shoreline, sedge/rush, cattail/bulrush, cottonwood/willow, grassland, and mesquite bosque.
2. Establish a management plan that optimizes ecosystem function for desired habitats.
3. Enhance public educational opportunities for Monument visitors through restoration efforts and interpretive infrastructure.

Statement of Problems/Causes

1. The marsh was drained and topography likely altered to allow for farming and grazing activities. When waters were returned to the marsh, a monotypic stand of cattails dominated the landscape.
2. The monotypic cattail stand replaced important vegetative communities, including cottonwood/willow, sedge/rush, and grasslands communities. Wetted shoreline and deep water habitats have also been replaced by cattails.
3. Although the area is currently open to the public, the dominant weedy species reduce the aesthetics of the area and the lack of a native riparian plant community limits the potential for education and interpretive opportunities.

Statement of Solutions

1. Assess the topography of the marsh to determine if resloping, dredging, or topography changes are necessary or desired.
 2. The project will convert the monotypic stand of cattail to a diverse selection of plant communities that gradually transition from one eco-type to the next. This transition will be accomplished through physical and mechanical removal of a portion of the cattail stand. The project will aggressively re-vegetate with native plant species through seeding and planting to increase diversity. Re-vegetation is expected to benefit wildlife by creating desired diverse habitats, including edge habitat that many wildlife species depend on for survival. The primary tool to manage invasive vegetation long-term is to establish vigorous and healthy native plant communities.
 3. A public outreach plan will improve social benefits to Tuzigoot National Monument, Tavaschi Marsh by increasing opportunities for recreation and education, and improving aesthetic beauty and other environmental services. Once established, the created and enhanced habitats will be maintained through a revised management plan that optimizes
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environment and educational opportunities. The outreach plan may include: interpretive signs, public workshops, newspaper articles, and/or volunteer workdays.

Statement of Project Years of Benefit

The project area, its high quality habitats, and educational opportunities will become an important and integral part of the Tuzigoot National Monument, Tavasci Marsh. The project will provide benefits for a period greater than 20 years. One of the primary objectives of NPS is the protection of native ecosystems and the education of visitors. Tavasci Marsh will be part of the Verde Valley far into the future and will become increasingly visited as the regional population rises. After project implementation has been completed, operation and maintenance will be transferred to Tuzigoot National Monument.

**STAKE HOLDER
STAKE HOLDER ADDRESS**

Arizona Water Protection Fund Commission
Arizona Department of Water Resources
3550 N. Central Avenue
Phoenix, Arizona 85012

Month, Day 2008

Re: Tavasci Marsh Restoration Project, Tuzigoot National Monument

Dear Arizona Water Protection Fund Commissioners:

The [your organization, name, company, agency here] would like to express its support for the Tavasci Marsh – Wetland Restoration Project at Tuzigoot National Monument, National Park Service. We understand that the purposes of the project are to develop a conceptual design to restore native plant communities and wildlife habitat diversity and to implement a pilot project. As a stakeholder, we appreciate the opportunity the project provides to restore and enhance aquatic and wetland community diversity and wildlife habitat in this unique desert wetland, which have been lost due to artificial manipulation of the flow of Pecks Lake’s water through the marsh and a hundred years of farming, grazing, burning, and ditching.

The National Park Service has begun public scoping to restore Tavasci Marsh. The conceptual design and pilot project to re-establish a native plant community, such as a cottonwood-willow association, will be incorporated into the final plan and environmental assessment.

Over the past decade there has been an increase in cattail communities that resulted in a loss of cottonwood/willow forests, sedge/rush herbaceous plant communities, and other aquatic/riparian habitats. This restoration effort will help the National Park Service manage invasive plant species by reintroducing native, non-invasive vegetation. The project will provide educational opportunities through the establishment of interpretive plots and trails for visitors and public outreach opportunities.

[Your organization here] recognizes the investment in this project requested of the Arizona Water Protection Fund and is enthusiastic about the opportunity to provide support and assistance for restoring the Tavasci Marsh – Wetland Restoration Project. We agree to work closely with the National Park Service and other stakeholders to see this project to completion and to help with its success into the future.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Stakeholder
Address
Contact info

**ACTIONS TAKEN
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MAY 21, 2008
6:30 P.M.**

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) May 7, 2008 – Regular Session
 - 2) May 7, 2008 – Special Session
 - 3) May 7, 2008 – Executive Session (taped)
 - b) **Set Next Meeting, Date and Time:**
 - 1) Budget Work Session – May 22, 2008 at 4:00 p.m.
 - 2) Budget Work Session – May 27, 2008 at 5:00 p.m.
 - 3) Council Hears Planning & Zoning – May 28, 2008 at 6:30 p.m.
 - 4) Budget Work Session – May 29, 2008 at 5:00 p.m.
 - 5) Regular Session – June 4, 2008 at 6:30 p.m.
 - 6) Regular Session – June 18, 2008 at 6:30 p.m.
 - 7) Council Hears Planning & Zoning – June 25, 2008 at 6:30 p.m.
 - c) **Possible approval of FY 2007-2008 Budget adjustments to reallocate funding appropriations to include transferring the budget amount and all related expenditures for Organizational Donations from the Capital Improvements Fund to the Non-Departmental accounts in the General Fund and transfer the 2007-2008 fiscal year budgeted amount and all the related expenditures for the Public Works Office Remodel from the Streets/HURF Fund to the Capital Improvements Fund.**
 - d) **Possible approval of FY 2007-2008 Park & Recreation Summer Program Funding Allocation in the amount of \$6,000 from monies received from the Yavapai-Apache Nation designated for the Parks & Recreation Youth Programs to be used to purchase supplies for the 2008 Summer Program.**

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, noting that the meeting time set for May 22nd is changed to 3:00 p.m., and it will be a Special Session.

5. **Call to the Public for Items not on the Agenda.**
(Comments from the following individuals are summarized.)

Stan Bullard, Camp Verde Water System, reported that the application to ADWR for determination of adequate water supply for Camp Verde Water System has been approved; that means that future development will not have to go through a hydrological study, if water is to be supplied by Camp Verde Water System. Bullard submitted the letter of approval for filing with the Clerk's Office.

Latahna Short announced that the Relay for Life celebration will be held Friday, May 30th at 6:00 a.m. at the Camp Verde High School football field. The main event will be an opportunity to tape Mayor Gioia's body to a wall with duct tape, with proceeds from the sales of duct tape to benefit the American Cancer Society. Smith immediately tendered \$100, and additional cash and checks were donated by the other Councilors, for the purchase of duct tape. The speakers also outlined plans for cancer survivors, including a Lap of Victory, starting at 6:00 p.m.

Gerry Tobish expressed his opinion, based on his experience as a local business owner, that the Camp Verde Chamber of Commerce is totally worthless for the businesses in Town. Roy Gugliotta deliberately discriminated against him at the recent Channel 3 event; for the Executive Director of a Chamber of Commerce to do something like that is reprehensible and not acceptable. Tobish said he hopes the Council will keep that in mind during the budget process; the Executive Director needs to be let go. Many businesses have withdrawn their memberships in the last two years.

Dave Freeman displayed a flyer that was sponsored by the Chamber of Commerce that clearly indicated that the ad for the business owned by Mr. Tobish had been airbrushed out. The other ads are for those who are current members of the Chamber, which represent less than 25% of all the businesses in Camp Verde. The Town receives sales tax revenues from all the businesses; the Chamber receives funding from that public money to support the Town, the history, and the businesses. Mr. Freeman said that it is wrong, and possibly illegal, that public money generated by an entire town is being used for the exclusive benefit of a small number of people.

There was no further public input.

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

German said he attended the special strategy session with the Sanitary District; when he receives the information that was to be e-mailed back, he will share that with the Council. German feels that steps are being taken to perhaps shore some things up.

Hauser reported that she had been in water meetings today, and included in all the good information available were water use and drought figures affecting the Colorado River. Gioia added that the climatologist presented a data-driven prediction of a decrease of 20 to 50 percent of the runoff going to the Colorado River in two to three decades; Arizona survives on Colorado River water.

Smith said there is enough snow pack in Colorado that normal outflow will fill up Lake Powell this year; he also announced that the mayoral race in Sedona had been decided by only 2 votes. Smith expressed appreciation for the new budget format that makes it very readable and understandable.

Garrison congratulated Paul Clawson's family on his being admitted to the graduate law program; she also advised citizens to call the Sanitary District office directly with any complaints. There will be a Camp Verde Sanitary District special meeting tomorrow at 4:00 at the Chamber; Garrison detailed upcoming plans for a tourism bus event that will take place October 23rd in Camp Verde from 8:00. to 10:00, called A Step Back in Time.

Garrison apologized for not being able to attend the Sanitary District special meeting Monday; she will also not be able to make the meeting tomorrow, nor will her substitute be able to attend.

Kovacovich thanked the maintenance staff for a good job well done on the railings and sidewalks around the public restroom.

Gioia commented on the improvements in Rooms 206-207 done by staff; he also reminded everyone about the Relay for Life event scheduled for May 30 and 31. Gioia reported on the presentation at the water meeting from the Salt River Project with issues with their reservoirs. Gioia commented on the excellent new finance system.

Note: Item 8 was heard prior to Item 7.

7. **Clarification as to whether Council as a whole agreed at the May 7th Regular Session to simplify the Non-Profit Funding Program Policies and Procedures that were adopted by Council on February 6, 2008, followed by discussion, consideration, and direction to staff as to what changes Council would like to make to the Non-Profit Funding Program**

Policies & Procedures. *Staff Resource: Debbie Barber*

Staff was directed to revise the application to be submitted by a non-profit group for funding, as follows: Eliminate Question No. 8; eliminate No. 10 by adding language to No. 9 as follows, in part: ".....and/or event; how will you evaluate your success?"; and to correct the numbering which reflects two No. 9's, in order to simplify the subject Policies and Procedures that were adopted by Council on February 6, 2008.

There was no public input.

Mayor Gioia requested item #8

8. **Discussion, consideration, and possible appointment to the Committee for Non-Profit Funding. This Committee will consist of 3 to 5 people, consisting of at least one council member and one staff member, to evaluate the applications and to make a recommendation to the Town Council.**

On a motion by Gioia, seconded by Smith, the Council voted unanimously to accept those who have stepped forward to volunteer for the subject Committee; namely, three from the public: Howard Parrish, Robin Whatley and Mark Ware; Council member German and Staff member Barber .

There was no public input.

9. **Discussion, consideration and possible direction to staff regarding a three-year agreement with Dr. Betty Chester and Dowling Campbell for Joint Use of Athletic Facilities and Recreational Easement of Sunnyside Park with the stipulations requested by Betty Chester.** *Staff Resource: Lynda Moore*

Staff was directed to offer some better policing of the park area, trimming of the trees as requested, a continued relationship for the present standard of maintenance and equipment, with the upgrade of the goals, for a three-year contract with the inclusion of some of the finalizing concerns Council discussed regarding a possible sale of the property, the lease terms, with these stipulations in the contract, and bring back to Council for review and possible approval.

There was no public input.

A recess was called at 7:57; the meeting was called back to order at 8:04 p.m.

10. **Presentation by Parry Haddon, Trails & Pathways Commission Chairman, followed by discussion on the mandate of the Trails & Pathways Commission and the issues and ramification of motorized use of trails.**

The Trails & Pathways Commission was authorized to include motorized use of trails in the mandate to the Commission.

PUBLIC INPUT

(Comments by the following individual are summarized in the Minutes.)

Dave Freeman

There was no further public input.

11. **Presentation and discussion of the April 2008 Financial Update Report.** *Staff Resource : Lisa Elliott*

There was no action taken.

There was no public input.

12. **Discussion, consideration and possible direction to staff to prepare a Request for Proposal (RFP) or Request for Qualifications (RFQ) to hire a consultant to prepare a Master Plan for the 118 acre Community Park Site located off McCracken Road.** *Staff*

Resource: Lynda Moore

Staff was directed to go out for an RFP as soon as possible with inclusion of requests for qualification.

There was no public input.

13. **Discussion, consideration and possible approval to discontinue use of alcohol for all facility rentals, allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis.**

Staff Resource: Lynda Moore

A motion by Gioia, seconded by German, to approve the entire subject request was withdrawn following a request by Garrison to split the motion.

On a motion by Gioia, seconded by Garrison, the Council voted 5-2 to approve discontinuation of use of alcohol for all facility rentals; **with 'no' votes by Smith and Elmer.**

On a motion by Gioia, seconded by Kovacovich, the Council voted 6-1 to allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis; **with a 'no' vote by Garrison.**

PUBLIC INPUT

(Comments from the following individual are summarized in the Minutes.)

Howard Parrish

Dave Freeman

There was no further public input.

14. **Discussion, consideration, and possible direction to staff relative to the remaining balance of approximately \$11,000 in the LTAF II account that currently funds the Voucher Transit System. Discussion and/or direction may include alternate projects such as the Verde Valley Veteran's Van. This is a budgeted item. Staff Resource: Debbie Barber**
Staff was directed to negotiate and renew the contract with NACOG with the stipulations that \$2,500 be paid to the Veterans' Van for this year from the \$11,000 rollover of LTAF II funds on hand; an additional \$2,500 goes to the Veterans' Van for next year's budget, with the balance of the rollover in the amount of \$6,000 to be utilized to improve service to the Camp Verde Voucher Program, and bring back the contract for review and approval.

There was no public input.

Councilor German requested Item #15:

15. **Discussion, consideration, and possible approval of Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions. Staff Resource: Councilor German and Debbie Barber**

On a motion by Gioia, seconded by Greg, the Council voted unanimously to approve Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions, adding the following changes as directed by Council at the meeting of March 5, 2008.

Management of Meetings

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting or following a meeting.
- B. Meetings will conclude at 10:00 p.m. with planned recesses during the meetings.

- C. Council member discussion is limited to three (3) minutes per member. If an item is opened for public input, the public may address the item ONE time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. shall be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items, do not require further Council approval and will not be placed on an agenda.
- F. Consent Agenda items, excluding all Ordinance and Resolution titles, will not be read aloud.
- G. All presentations will be limited to 10 minutes for the presentation and discussion period.

There was no public input.

16. **Call to the Public for Items not on the Agenda.**
(Comments from the following individuals are summarized in the Minutes.)
Robin Whatley
Howard Parrish

There was no further public input.

17. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
There were no advanced approvals.

18. **Manager/Staff Report**
There was no Manager/Staff report.

19. **Adjournment**
On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 9:34 p.m.

AGENDA



**COUNCIL HEARS PLANNING & ZONING
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
473 S. Main Street, Room #106
WEDNESDAY, MAY 28, 2008
at 6:30 P.M.**

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b) **Set Next Meeting, Date and Time:**

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c) **Possible approval of a Proclamation declaring May 24 through May 26, 2008 at Memorial Poppy Weekend.** Staff Resource: Mayor Gioia

d) **Possible approval of Resolution 2008-747, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Town of Camp Verde Housing Rehabilitation Program Guidelines as revised.** Staff Resource: Matt Morris

e) **Possible authorization for the Mayor to draft a letter of support for the Tavasci Marsh Riparian Enhancement Project, Tuzigoot Monument.** Staff Resource: Mayor Gioia

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

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.** Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible approval of Resolution 2008-740, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the Preliminary Plat 2007-02 for the purpose of developing Verde Highland Plaza, a commercial business condominium plaza on parcels 404-28-026E & 404-28-025B consisting of approximately 3.16 acres.** This site is located on the northwest corner of the intersection of Cliffs Parkway and SR 260. Staff Resource: Michael Jenkins

- **Call for STAFF PRESENTATION**
- **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**
- **Call for COUNCIL DISCUSSION**

8. **Public Hearing, discussion, consideration, and possible approval of Resolution 2008-739, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, vacating a portion of the right-of-way of Pheasant Run Circle to the owner of Lot 1 of Jordon Meadows within the Town limits, as initiated by petition and submitted by Joann Sawyer, owner of parcel 404-03-026A adjacent to the proposed abandonment (vacation.) Staff Resource: Michael Jenkins**
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**

 9. **Discussion, consideration, and possible approval of Ordinance 2008A-354, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section 118 of the Zoning Ordinance to define A-Frame Signs, add exception for A-Frame Signs under Prohibited Signs in the right-of-way and define the criteria under which A-Frame signs may be used under the Temporary Signs. Staff Resource: Michael Jenkins**

 10. **Discussion, consideration, and possible approval of Ordinance 2008A-348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section 118 D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the Use Permit process for youth livestock activity on parcels smaller than 1/2 acre and to add language for setback requirements for livestock activity as was previously stated in Section 109. Staff Resource: Nancy Buckel**

 11. **Call to the Public for Items not on the Agenda.**
- There will be no Public Input on the following items:**
12. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.

 13. **Manager/Staff Report**

 14. **Adjournment**

Posted by: Suzanne McCormick

Date/Time: 5-23-08 9:30 AM

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.

**MINUTES
WORK SESSION
MAYOR and COMMON COUNCIL
Of the
TOWN OF CAMP VERDE
CAMP VERDE MARSHAL'S OFFICE
TRAINING ROOM
646 South First Street
Tuesday, May 20, 2008
4:00 p.m.**

1. Call to Order

Mayor Gioia called the meeting to order at 4:00 p.m.

2. Roll Call

Mayor Gioia, Vice Mayor Hauser, and Councilors Elmer, Garrison, German, and Smith were present. Councilor Kovacovich was absent.

Also Present:

Town Manager Scannell; Community Development Director Buckel; Library Director Laurito; Parks & Recreation Director Moore; Public Works Director Long; Public Works Admin Asst Ranney; Receptionist/Assistant Clerk McCormick, Accountant Elliott, and Town Clerk Barber

3. Pledge of Allegiance

There was no pledge of allegiance.

4. Presentation followed by discussion regarding an overview of the current Towns accounting practices, and the new budget format.

Accountant Lisa Elliott went through a PowerPoint presentation that explained fund accounting and how monies are designated for various and certain purposes. A copy of the presentation is attached and becomes a permanent part of this record. Elliott offered definitions and explanations of HURF, General Fund, CIP, and operating transfers.

Scannell explained the new budget format and credited Elliott for accomplishing many of the changes. He advised that many items in the budget were value judgments. He explained that we respect our role as staff members and that it was Council's decision to determine where we are going. He explained that there was a shortfall of approximately \$170,000 in the FY2008/09 budget. He noted that State Shared Revenue figures were not yet firm and that he had appropriated \$200,000 for upgrading the zoning codes. He advised that this was entirely Council's decision and that they would have the opportunity to critique and make adjustments according to their policy. He also noted that staff would be able to make 'real-time' adjustments so that Council would have a clear picture of just where we are.

Scannell advised that the revenue forecast through the end of this budget year is much worse than anticipated, showing a decline in sales tax revenue of \$430,000. He noted that the Department Heads did a wonderful job in holding down expenses.

He closed the opening remarks with stating that he hoped Council supported the reallocation because without it, there would be a radical reduction in services.

5. Discussion of FY 2008/09 Budget, which may include General Fund Operating Budget, HURF (Highway User Revenue Fund), Capital Improvement Fund, Yavapai-Apache Gaming Compact Fund, and Parks Fund.

Council reviewed the following departmental budgets, with few comments, General Purpose Revenues; Capital Improvement Projects Fund; Parks Fund; Streets/HURF Fund; Public Works ; Parks & Recreation; Pool; Special Events; Maintenance; and the Yavapai-Apache Gaming Compact Fund.

Council members expressed their pleasure and appreciation for the new format and advised the public that they can acquire copies at the Clerk's Office. They thanked staff for their work.

6. Adjournment

On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 7:03 p.m.

Deborah Barber, Town Clerk

CERTIFICATION

I HEREBY CERTIFY THAT THE FOREGOING, minutes are a true and accurate accounting of the discussion 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 the 20th day of May 2008. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____ 2008

Deborah Barber, Town Clerk



A Proclamation

WHEREAS, America is the land of freedom, preserved and protected willingly and freely by citizen soldiers; and

WHEREAS, millions who have answered the call to arms have died on the field of battle; and

WHEREAS, a nation at peace must be reminded of the price of war and the debt owed to those who have died in war; and

WHEREAS, the Red Poppy has been designated as a symbol of sacrifice of lives in all wars; and

WHEREAS, the American Legion Auxiliary has pledged to remind American annually of this debt through the distribution of the memorial flower;

NOW THEREFORE, the Mayor and Common Council of the Town of Camp Verde do hereby proclaim May 24 through 26, 2008 as *Memorial Poppy Weekend*, and ask that all citizens pay tribute to those who have made the ultimate sacrifice in the name of freedom by wearing the Memorial Poppy on these days.

IN WITNESS WHEREOF, I have hereunto set my hand and caused to be affixed the official seal of Camp Verde on this 28th day of May 2008.

Tony Gioia, Mayor

Attest:

Deborah Barber, Town Clerk

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: May 28, 2008

Meeting Type: Regular Session

Type of Presentation: Other

REFERENCE DOCUMENT: Town of Camp Verde Housing Rehabilitation Program Guidelines (Draft: May 2008)

AGENDA TITLE: (Be Exact):

Discussion, consideration, and possible approval of Resolution 2008-747, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Town of Camp Verde Housing Rehabilitation Guidelines as revised.

PURPOSE AND BACKGROUND INFORMATION:

The Housing Commission, at their regular meeting on May 20, 2008, reviewed and recommended changes to the Town of Camp Verde Housing Rehabilitation Program Guidelines (Approved & Adopted by Town Council December 13, 2006). While there is a general desire by both staff and the Housing Commission to conduct a complete update of the document, we are recommending the attached changes for this grant cycle. The draft document is attached to this report, and includes track changes which outline the recommended changes. In addition, we have added brief notations to explain the suggested revisions.

STAFF RECOMMENDATION(S): (Suggested Motion)

To approve Resolution 2008-747, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Town of Camp Verde Housing Rehabilitation Guidelines as revised.

Type of Document Needing Approval:

Finance Director Review

Budgeted/Amount

N/A

Comments:

Fund:

Line Item:

Submitting Department: Housing

Contact Person: Matt Morris

Town Manager/Designee:

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.



RESOLUTION 2008-747

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
APPROVING AND ADOPTING THE TOWN OF CAMP VERDE
HOUSING REHABILITATION PROGRAM GUIDELINES AS REVISED.**

Whereas, the Mayor and Common Council of the Town of Camp Verde is desirous of undertaking attainable housing development activities; and

Whereas, the Mayor and Common Council of the Town of Camp Verde approved and adopted the amended Housing Rehabilitation Program Guidelines (guidelines) on December 13, 2006; and

Whereas, 2006 guidelines met the requirements of the State of Arizona Department of Housing; and

Whereas, the State of Arizona Department of Housing administers the State Housing Fund Program and the Town has applied for and plans to continue to apply for State Housing Funds to develop attainable housing projects; and

Whereas, the State Housing Fund requires that State Housing Funds benefit low-income households; and

Whereas, a recipient of State Housing Funds is required to comply with program guidelines, State and Federal Statutes and regulations; and

Whereas, the Town of Camp Verde Housing Commission has reviewed and approved the revised guidelines,

NOW THEREFORE, BE IT RESOLVED THAT THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE approves and adopts the Housing Rehabilitation Program Guidelines as Revised 05/08, and that the Mayor and Common Council of the Town of Camp Verde will comply with all State Housing Fund Program Guidelines, State and Federal Statutes and regulations applicable to the State Housing Fund Program (HOME program and/or State Housing Trust Fund).

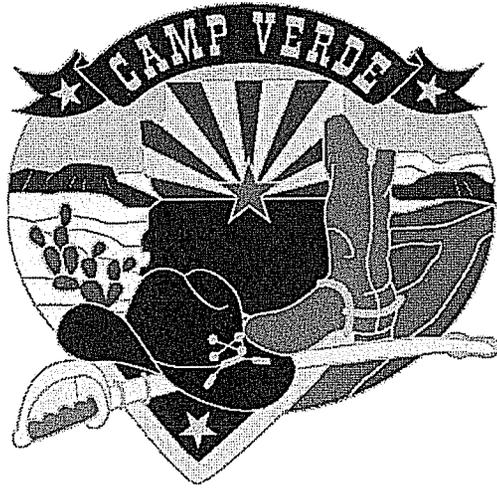
Tony Gioia, Mayor

Attest:

Deborah Barber, Town Clerk

Approved as to form:

Town Attorney



Town of Camp Verde
Housing Rehabilitation Program
Guidelines

Draft: May 2008

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Introduction

As implied by its title, the Housing Rehabilitation Program provides for one of our most basic human needs, housing. The preservation and development of adequate and affordable housing are fundamental concerns of Camp Verde elected, and appointed public officials and our residents. The Camp Verde Housing Strategy identifies housing quality and affordability as two of Camp Verde's most compelling housing needs.

Historically, Camp Verde has provided housing rehabilitation projects through Community Development Block Grants (CDBG), HOME Investment Partnerships Program (HOME), and Housing Trust Funds (HTF). These projects have resulted in improvements to approximately 50 owner-occupied homes located within the Town limits of Camp Verde. Funding awards also permitted the development of innovative projects such as the Mobile Home Replacement Program that replaced twenty substandard units throughout Camp Verde.

In 1998, the Mayor and Council of the Camp Verde used \$295,750 of CDBG funds as seed money to fund a Revolving Loan Fund Program. The Revolving Loan Fund (RLF) provides a means in which the Rehabilitation Program could continue to provide housing-related services on an on-going basis.

To ensure the success of this program Camp Verde approached the Arizona Department of Housing for assistance to develop RLF Program Guidelines and to prepare a strategy that addressed current and future housing needs.

Mission

The decision to develop guidelines for the Housing Rehabilitation Program (Program) is a culmination of prior programs, as well as current and future housing needs of the Town of Camp Verde. The mission of the Housing Rehabilitation Program is to provide continuing assistance in the areas of housing, housing maintenance, and financial management through various avenues such as funding, technical assistance, and educational opportunities. The mission will assist Camp Verde's low to moderate-income families regardless of race, color, religion, sex, handicap, familial status, or national origin to improve their standard of living by acquiring housing that is safe, decent and affordable.

A proactive approach involving continuing research and establishing a source of various funding sources will ensure the success of this mission.

Need

Incorporated in 1986, Camp Verde is a small rural community located in the scenic Verde Valley of Yavapai County, Arizona. Community involvement with the development of the General Plan gives credence to the residents' desire to retain Camp Verde's "small town", western rural character. Residents hope to direct future growth in such a manner as to avoid many of the larger metropolitan concerns such as high crime rates, pollution, etc., through the development of comprehensive plans and programs to ensure open space and to maintain our identity.

Substantial growth occurred with an astonishing 63.26% increase in population between 1980 and 1990, and another 51.4% between 1990 and 2000. The growth rate has remained high at an estimated 14% through 2005. The most recent 2005 Department of Economic Security (DES) Population Technical Advisory Committee (POPTAC) figure estimates a Camp Verde population of 10,730, well above prior population projections. Camp Verde currently represents 5.6% of the population of Yavapai County.

Camp Verde and Yavapai County have a significantly higher percentage of households earning under \$15,000 per year than the state as a whole. The state has 15% of its households in this income range, while Camp Verde is at 18.2% and Yavapai County is at 17.1%. People within this income range are often challenged to find adequate housing due to the lack of housing choices and availability. The persons most likely to live in poverty in Camp Verde are those between the ages of 25 and 34. Within this segment of the population, 14.0% of persons live below the poverty level. Perhaps the most remarkable in regards to this age group is that this segment of the population is the most likely to be gainfully employed. This segment is also the most likely to have children under five years of age. More than one in four children in Camp Verde live below the poverty level.

A survey conducted by Town staff in September 1998 indicated that 27% of the housing stock is substandard and in need of either rehabilitation or replacement. This condition is due primarily to the fact that the majority of the housing stock was constructed before the adoption of the Uniform Building Code (UBC) in 1994. Within the Town Site Area, 32% or 162 structures of the 508 structures surveyed need rehabilitation and 13% or 66 structures need complete replacement. The cost of new home construction is often less than the cost to purchase existing housing and make required improvements. It is evident that the availability of safe, decent and affordable housing for the Camp Verde low to moderate-income population is critically deficient and continuing to decline. ~~(The Town plans to conduct a town-wide survey in 2007 to update the Housing Inventory.)~~

Comment [1]: While we need to continue to reevaluate the condition of Camp Verde's housing inventory, we do not think this text is necessary.

Goals

The goals on which the Housing Rehabilitation Program (Program) should focus have been identified as the following:

- 1) The primary goal of the Program is to assist very low, low, and moderate-income homeowners in improving their standard of living through housing rehabilitation. The Program will provide the opportunity for safe, decent and affordable housing.
- 2) Improve and preserve the quality and appearance of the housing stock and the overall environment in the community.
- 3) Make accessible various funding sources such as repayable loans, conditional deferred payment loans, forgivable loans, or a combination of loans.

Objectives

The following objectives will ensure that Program goals are met, as well as provide benchmarks in which to determine the progress of the Program.

- 1) Secure a variety of funding sources to allow the implementation of a comprehensive housing rehabilitation program to bring all eligible properties into compliance with all adopted Town codes.
- 2) Provide technical assistance that shall encompass the following:
 - a. Home ownership responsibilities
 - b. Financial management to include budgeting to provide for items such as home maintenance, property taxes and insurance, as well as address savings needs for the client's long term goals
 - c. Energy conservation
 - d. Home and property maintenance
 - e. Counseling services to include coordination of and referrals to various sources and agencies that will address issues such as loan funding, job skill training, credit counseling, etc.
- 3) Encourage collaboration between the Town, Camp Verde Unified School District, Yavapai College, Yavapai-Apache Tribe and the Camp Verde Adult Reading Program, as well as suggesting the use of alternative learning sites.
- 4) Bring code enforcement activities in conjunction with rehabilitation services as an educational process to remove health and environmental hazards, and promote cleanliness and pride of ownership.
- 5) Develop and offer continually revolving funding resources and programs that facilitate the means to rehabilitate homes that will maintain their value and preserve neighborhoods that are safe, pleasant and attractive.

- 6) Develop partnerships with local builders, businesses, Habit for Humanity, manufactured housing dealers and/or industry representatives to create incentives for participation in the Housing Rehabilitation and Replacements Programs.
- 7) Provide referral services to various agencies offering assistance in the area of housing for those who do not qualify for assistance within the program guidelines.

Tools

Goals and objectives can be properly implemented and accomplished by having the following available:

- 1) Properly trained rehabilitation services personnel to provide assistance from initial contact through completion of the work and loan services.
- 2) Properly trained code enforcement officials to serve as a liaison for all available programs, as well as beautification/environmental tasks.
- 3) Funds from a variety of sources, primarily: Housing and Urban Development (HUD), CDBG, HOME, Camp Verde Revolving Loan Fund, Rural Development Administration (RDA), etc. Any rehabilitation project may have one or any combination of funds/components to accomplish the goal of providing safe, decent, and affordable housing. Note: Any and all funds are subject to availability and conditions described by the funding source. Additional funds not described may become available from time-to-time and will be disbursed as prescribed by the funding source.

SECTION I - PROGRAM ELEMENTS

Eligible Beneficiaries

- ✓ Beneficiaries will have an annual household income that does not exceed 80% of the area median income adjusted by family size. The household must be income eligible at the time the rehabilitation commitment is made to the homeowner. Income will be determined and verified per CDBG/HOME guidelines.
- ✓ The Program shall assist any income-qualified person, elderly, handicap, single head of household, families with children, within the designated area regardless of race, color, religion, sex, handicap, familial status or national origin.
- ✓ The property must be owner-occupied for at least twelve (12) months prior to rehabilitation and the owners must certify that the property is their primary and only residence.
- ✓ The successful applicant will have the ability to repay the mortgage(s) and maintain property insurance and taxes at all times. This will be verified through a credit report and direct contact with the mortgage holder, utility companies, banks, etc.
- ✓ In cases where there is no repayment capacity due to limited income, the applicant may be eligible to receive a conditional deferred payment or forgivable loan. However, the applicant must continue to demonstrate the capacity to keep current property taxes, which will likely increase due to improvements, and maintain insurance at all times.
- ✓ The personal assets of the applicant, ~~including~~ excluding furnishings and two automobiles, may not exceed \$15,000 (home is not included in personal asset total). If this amount is exceeded, the applicant shall contribute the surplus to the rehabilitation project thus reducing the Town's contribution dollar for dollar. The asset value will be determined and verified per CDBG/HOME guidelines.

Comment [2]: People should not be penalized for having necessary assets such as an automobile or home furnishings; therefore these items should not be counted towards the \$15k limit.

Ineligible Beneficiaries

- ✓ Applicants whose loan-to-value and or debt ratio exceed Program limits are not eligible until those issues are brought into compliance. Every effort will be made to provide referrals and assistance to the applicant to bring ratios into compliance. Once loan-to-value and or debt ratio meet program limits, the applicant may then reapply for acceptance into the Program.
- ✓ Applicants who have excessive derogatory credit history may be ineligible. Every effort will be made to provide referrals and assistance to the applicant to mitigate credit problems. An applicant may reapply after one year of showing that he or she has made timely payments in an attempt to mitigate derogatory credit or other issues.

Prior Denial

Before submitting a Housing Rehabilitation Loan Application to the Town of Camp Verde Housing Director, applicants must first make application to and be denied a loan by a lending institution. Evidence of loan denial, within six months, must be submitted with the loan application.

Eligible Activities

- ✓ **Reconstruction:** when the cost to rehabilitate the existing housing unit is in excess of the unit's resale value, including proposed improvements, then reconstruction is eligible. [For example, a unit worth \$50,000 that requires \$30,000 to rehabilitate results in an \$80,000 mortgage. However, the \$30,000 investment to bring the home to minimum standards did not increase the home's value, resulting in an \$80,000 mortgage on a home that can be sold for \$50,000.]

Reconstruction is eligible to the extent that the replacement unit will be situated on the same property as the existing unit and the replacement unit is substantially the same as the existing unit, except when a larger or smaller unit is necessary to comply with property standards, zoning, or ordinances. Reconstruction includes replacement of existing manufactured housing. The unit being replaced must be demolished and removed from the property receiving assistance.

- ✓ **Refinancing:** is eligible only IF the refinancing will result in a lower overall housing cost than would result from any other combination of loans. Refinancing will be considered only in conjunction with a rehabilitation project and if funding is available.

Eligible Properties

- ✓ Eligible properties must be located within the incorporated limits of the Town of Camp Verde.
- ✓ Properties must be located outside of floodway and floodplain areas that require hydrology studies and additional construction to mitigate potential flooding.
- ✓ The property must be owner-occupied for at least 12 months, and beneficiary must certify that the property is and will continue to be occupied as their principal and only residence throughout the loan period.
- ✓ The home must be suitable for rehabilitation under the time and monetary constraints of the Program.
- ✓ The maximum level of Rehabilitation Assistance shall not exceed the Federal Housing Administration (FHA) 203(b) insuring limits for Yavapai County. The post rehabilitation value will be determined by taking the assessed value of the property prior to rehabilitation and adding the amount of rehabilitation funds contributed to the project for a total post-rehabilitation value. Each case file will document the basis for value estimates.

- ✓ Funds will not be granted for a property with the potential for repossession, pending judgments or bankruptcy. Eligibility will be based solely on the ability of the homeowner to pay, rather than the current balance on the first mortgage.

Eligible Property Types

The following property types are eligible:

- 1) Single-family housing units
- 2) Condominium housing units
- 3) Manufactured Housing only if the completed unit will be:
 - a. Placed on a permanent foundation and connected to permanent utility hookups.
 - b. Is located on land that is held in a fee-simple title, or a long-term ground lease with a term of at least 99 years.
 - c. Meets construction standards in Federal Manufacture Home Construction and Safety Standards (24 CFR 3280), if manufactured after June 15, 1976.

Ineligible Properties

Ineligible properties are those that do not meet the aforementioned eligibility requirements.

Eligible Forms of Ownership

- ✓ Fee Simple title to the subject property, or
- ✓ A 99-year leasehold on the property

Income Limits

Income eligibility for loans, grants or Conditional Deferred Payment Loans (CDPL) is as follows:

CDBG: up to 80% of Area Median Income

HOME: up to 80% of Area Median Income

Types of Resources

One of the goals of the Program is to achieve a continual source of financial resources and programs as a means to rehabilitate homes. To achieve this goal, Camp Verde provides the following loan resources:

✓ **Repayable Loans**

Repayable loans are made available to applicants with repayment ability. Repayment ability is determined through underwriting. (See Section II) All loans must be repaid over a period of twenty (20) years and will bear simple interest ranging from 0% to 3% at an annual rate. There is no pre-payment penalty. Loan repayment terms are specified in the promissory note. Loan funds are secured by a deed of trust.

Interest rates shall be based on the HUD Low and Moderate Income Limits for Yavapai County, adjusted per family size as follows:

- 70% to 80% of Area Median Income (AMI) shall pay not less than 3%
- 60% to 69% of AMI shall pay not less than 2%
- ~~40% to 50% of AMI shall pay not less than 1%~~
- ~~Less than 30% of AMI shall receive zero % interest rate loans~~

Comment [3]: Given the general limited repayment ability of persons below 50%, which is considered "very-low income", we are proposing zero percent interest for this category.

✓ **Conditional Deferred Payment and Forgivable Loans (CDPL)**

CDPL are made available to applicants with no repayment ability. Repayment ability is determined through underwriting. (See Section II.) CDPL are secured by a deed of trust and promissory note, both of which are released at the end of fifteen (15) years and one month, provided the loan recipient has satisfied all loan conditions. The CDPL bears no interest.

✓ **Combinations of Loan Resources**

In the event limited repayment ability is evidenced by loan underwriting (See Section II), a combination of amortizing and CDPL resources may be made available.

✓ **Minimum & Maximum Loan Amounts**

The minimum loan amount is \$5,000 and the maximum loan amount is \$100,000. When less than \$5,000 in rehabilitation is needed, Camp Verde will utilize the CDPL option.

✓ **Conflicts of Interest**

In accordance with Town policy and State and Federal guidelines, employees at all levels shall be free from any interest, influence, or relationship that might conflict or appear to conflict with the best interest of the Town. The existence of an actual or potential conflict of interest depends on specific facts applied to either Town policy and or state laws governing conflicts of interest. In any uncertain situation, the employee should protect him or herself by immediately discussing the matter fully and frankly with the appropriate supervisor. Where there is any further doubt concerning conflict, the specific facts should be noted in writing and sent to the Town Manager for resolution. The continuing requirement to disclose serves to inform the Town, and at the same time, protects the employee from the harmful effects of any subsequent revelation of activities, associations or interests that might constitute a prohibited conflict of interest.

SECTION II - APPLICATION PROCESSING

Briefing

Briefing meetings are held at times and locations convenient and accessible to the general public. Potential applicants that have conflicts with scheduled briefings may request an individual briefing. Individual briefings will be scheduled only for those with work schedule conflicts, or those requesting a reasonable accommodation. Less than 10% of Camp Verde's population is non-English speaking. Thus, briefings, advertisements, etc. are unavailable in a language other than English. An interpreter may be made available if the applicant so requests. When a potential applicant is married or will otherwise have a co-applicant, both the applicant and co-applicant are encouraged to attend the briefing. Potential applicants are requested not to bring children to the briefing. Childcare is not provided.

Prior Denial

Prior to submitting a housing rehabilitation loan application to the Town, applicants must first make application to and be denied a loan by a lending institution. Evidence of recent loan denial, within six (6) months, must be submitted with the loan application.

Assistance with Completion of Application

The Housing Director will review each application for completeness and provide additional guidance as necessary. Incomplete applications will be placed in a pending file, and will not be further processed until the applicant provides required information and or documentation.

Applicants with disabilities or those requiring assistance with application completion must contact the Housing Director at least five (5) days in advance of scheduled meetings or briefings.

Acceptance of Application

Applications are accepted on a periodical basis, as advertised. The Housing Director, with assistance from support staff, mails or makes available program applications to eligible beneficiaries. Potential Applicants are required to attend a briefing meeting that explains the parameters of the Program, prior to receiving a program application.

The program application is accompanied by a brief explanation of the program and a list of materials and supporting documentation that must be brought to the Housing Director for application submittal. During the briefing meeting, the applicant may schedule an appointment with the Housing Director for application submittal or to review the application for completeness and to receive additional guidance if needed.

Incomplete applications will be placed in a pending file, and will not be further processed until the applicant provides required information and or documentation.

Eligibility Determination

The Housing Director will review each application to determine eligibility.

Program Eligibility

Program Eligibility is based on the following:

- 1) Owner-occupant of residential unit located within Town limits. Evidence will include a limited title search, Motor Vehicle Department (MVD) Title (for manufactured housing), and certification of principal residency.
- 2) The applicant must earn no more than 80% of the AMI.
- 3) The property must be located within the Camp Verde Town limits or within a targeted area.
- 4) Property must be capable of rehabilitation within the parameters of the Program. Evidence will be based on preliminary inspection by Community Development staff.
- 5) Ability to repay (see Loan Underwriting) and loan qualification:
 - a. 70 to 80% of AMI, capable of repaying 100% of the loan amount at 3% interest.
 - b. 60 to 69% of AMI, capable of repaying 100% of the loan amount at 2% interest.
 - c. 40-50 to 59% of AMI, capable of repaying 100% of the loan amount at 1% interest.
 - d. Less than 40%50% of AMI, capable of repaying 100% of the loan amount at 0% interest.

Debt Counseling with Derogatory Credit

Once selected for participation in the Program (deemed program eligible), the applicant and co-applicant must attend debt counseling provided by a qualified agency. The qualified debt counseling agency provides counseling at times and locations convenient to the general public. The debt-counseling agency will provide the applicant and co-applicant with a certificate of completion that must be delivered to the Housing Director for inclusion in the loan application package if there is derogatory credit.

Comment [4]: We would like to see all applicants participate in the personal finance course.

Loan Underwriting

Upon receipt of a completed loan application, including the Debt Counseling Certificate and all supporting documentation, the Housing Director will complete project underwriting.

Prior to obtaining credit reports, the Housing Director will analyze the ability of the applicant to repay the requested loan amount. This analysis will be performed utilizing the individual loan underwriting report that reflects the Program's established "debt-to-income" and "monthly housing cost-to-income" ratios. (The Arizona Department of Housing maximum "debt-to-income" ratio is 41% of gross income, and the maximum monthly housing cost-to-income ratio is 33% of gross income, as per FY 2008 Program Summary and Application Guide.)

Comment [1.5]: Our application forms use the stated ratios; therefore, we wanted to reference them in this document.

The loan-to-value ratio should not exceed 100% of the after rehabilitation value of the home and property for amortizing loans. (For more information on how to calculate the post rehabilitation value, please see Section I – Program Elements under Eligible Properties, page 6.)

Once repayment ability is evidenced, the Housing Director will obtain credit reports. Credit reports will be analyzed by the Housing Director and reviewed against the acceptability criteria of the Town. While the acceptability criteria of the Rehabilitation Program are more flexible than those of private lending institutions, the criteria reflect the necessity of establishing a continuing source of housing rehabilitation funding.

Basic underwriting concepts will be explained during the applicant briefing. Potential applicants will be asked to self-evaluate their ability to participate in the Program before requesting an application package. A self-evaluation worksheet will be provided to each briefing participant. Each participant will have the opportunity to prepare the self-evaluation at the direction of the briefing presenter.

If an applicant does not meet underwriting criteria, a loan committee package, including negative recommendation, will be prepared for presentation at the next scheduled Loan Committee meeting. The package will follow a proscribed format and will be provided to the Loan Committee at least three days in advance of the next Loan Committee meeting. The Housing Director will make package presentation to the Loan Committee.

Loan Committee Membership

The Loan Committee Membership shall be comprised of no less than nor more than three (3) members of the Housing Commission. Commission members may either volunteer or be appointed by the Housing Commission to serve on the Loan Committee on a case-by-case basis.

Presentation to the Loan Committee

All applications, whether resulting in positive or negative recommendation, will be presented to the Loan Committee.

Loan committee meetings will follow a standard agenda and will take place as needed when loan applications are pending. It is the responsibility of the loan committee to review each loan package, attend loan committee meetings, and request additional information, when appropriate.

The Housing Director will submit a loan committee package that includes an identification number, rehabilitation items, estimated cost of rehabilitation, the underwriting worksheet, which includes all relevant financial information, and a recommendation for loan classification. The loan committee may also review the supporting documentation.

In the event, the loan committee requires additional information, the Housing Director will follow up to ensure information and or documentation is made available. A special meeting may be held or loan approval and classification may be delayed until the next regularly scheduled loan committee meeting.

Loan Approval or Denial

Final decision for approval or disapproval of each loan application, as well as approval of loan classification, interest rate and type, rests with the Loan Committee. In the event an application is approved by the Loan Committee with a classification other than that recommended by the Housing Director, the loan application will be delayed until all other loans appropriately classified have been made. This policy will apply only when the Town has limited loan fund parameters (i.e. 100% repayment ability at a specified interest rate). Applications delayed due to loan classification will be re-presented, with priority, when the fund is accepting loans with the applicable classification.

Notification to Applicant

It is the responsibility of the Housing Director to inform the applicant of the loan committee decision. The Housing Director will notify the applicant within five (5) business days with written correspondence that explains the loan committee decision and the next steps.

Loan Closing

Upon approval of a loan application and classification, and applicant notification and acceptance, the Housing Director will prepare instructions to the selected Title Company. The Title Company will draft loan documents based on the instructions of the Housing Director and will schedule a loan closing with the applicant.

The Title Company will handle all aspects of the closing process, including closing scheduling, document preparation and document recordation. The closing will follow a standardized process that complies with Town requirements. The Town will provide a closing checklist to the Title Company to ensure compliance.

Ranking System

In the event that no pending applicants have repayment ability and available resources are limited, the Town will utilize a ranking system to ensure the neediest of Camp Verde residents are served.

Applications will be taken during specified periods only and applicants will be ranked according to the following schedule. An eligibility list will be maintained. The highest scoring applicants will be served first with the Conditional Deferred Payment Loan.

The ranking system is as follows:

- 25 points Equal to or below very, very low-income level (30% of AMI)
- 20 points Equal to or below very low-income level (50% of AMI)
- 20 points Single head of household with dependent children
- 15 points Pre-1970 mobile home
- ~~10 points Pre-1976 mobile home~~
- 10 points Handicapped family member
- 10 points Frail ~~e~~Elderly applicant or spouse
- Maximum 100 points available

Comment [6]: 1976 is the break between mobile homes and manufacture homes; therefore we have specified this date. We left the 1970 date as well, in order to give greater weight to older mobile homes which typically are in desperate need of repair.

Reapplication

Applicants who have been deemed program ineligible are eligible to reapply at any time they can show that the circumstance(s), which resulted in the ineligible status, have been mitigated.

Grievance Procedure

In the event of a disagreement between any of the parties involved in the Housing Rehabilitation Program, namely, contractor, homeowner, housing staff, suppliers, or other interested parties, regarding any process of the Program including, but not limited to the Procurement, Bid Process, Bid Award, Payment Schedule, Change Orders, Workmanship, and Warranties, a formal grievance procedure must be followed. Steps and periods are described as follows:

- 1) Informal verbal complaints may be addressed to the Housing Director. The Housing Director will attempt an immediate resolution.
- 2) If the resolution is not satisfactory, the complaint shall be submitted to the Housing Director in writing. The Housing Director will contact the complainant and attempt to resolve the problem. The Housing Director will provide a written response to the complainant within 15 working days.
- 3) If this resolution is not satisfactory, the complainant shall prepare and submit the complaint to the Town Manager, who will schedule a meeting with the Housing Director to review the findings. The Town Manager shall provide a written response to the complainant within 10 working days. The Town Manager's decision is to be considered FINAL.
- 4) The Housing Director will assist in providing the proper 504 or Americans with Disabilities Act (ADA) procedure(s) for all complaints regarding alleged discrimination.
- 5) The approval or rejection by the Loan Committee on all loan applications is final. Loan Committee decisions are NOT subject to appeal.

These guidelines do not preclude the complainant from appealing to other parties they deem necessary, i.e., Town Council, the funding agency, Arizona Registrar of Contractors, or Trade/Licensing.

SECTION III - REHABILITATION PROCESS

Property Insurance and Taxes

The homeowner must provide proof that the home is insured and that property tax payments are current. When repayment is required, taxes and insurance payments shall be impounded and included in the mortgage payment. These payments will be also included in the debt assessment and determination of ability to repay the loan amount.

Work Write-Up

Town staff prepares the work write-up. Staff is experienced in the construction, drafting and inspection fields and is required to keep abreast of the latest code requirements, construction methods, materials, and preservation. The finished product shall complement the surrounding area. Although a standard set of forms is used to complete the Work Write-Up, the work and materials will be individually tailored for each dwelling unit.

The Housing Director is responsible for reviewing the accuracy of the Work Write-Up as it applies to Program guidelines. The Work Write-Up will call for items that meet code as per the Rehabilitation Standards, but may specify quality, sizes, location, etc. Materials specifications in the Work Write-Up may not be changed or altered without prior written approval by the Building Inspector and Housing Director.

Compliance with Codes and Ordinances

In addition to loan qualification, borrowers must agree pursuant to the Town Code, to rid their property of junk, debris, weeds and other exterior conditions as identified by Town staff to be in non-compliance. To facilitate the removal of these items, the Town may provide dumpsters using available resources such as CDBG, or local civic, faith-based and charitable organizations. Conditions must be satisfactorily corrected prior to acceptance into the Program.

Cost Estimates

The Building Inspector is responsible for the preparation of a cost estimate for each job. In addition to the experience and training previously mentioned under Work Write-Up, staff must also keep abreast of the economic conditions in our area with regard to the construction trade including the availability of qualified contractors, and materials and labor costs.

The Building Inspector shall prepare a cost estimate for each individual dwelling based on scope of work and technical specifications as determined in the Work Write-Up. The cost estimate will include all costs for materials and labor as well as costs for permits, clean up, overhead and profit.

Contractor Selection and Communication

The Town of Camp Verde has a formal bid process for the Housing Rehabilitation Program. During the initial interview, the homeowner(s) is made aware of each step of the process, the details for each step and the approximate period between such steps. Example below:

- Approximately two weeks from approval of application, the Building Inspector and Zoning Inspector will schedule an appointment for a detailed inspection.
- Two weeks from inspection, consultation with homeowner to approve specifications and plans and discussion of allowable and non-allowable items, warranties, etc.
- Upon approval of specifications and plans from homeowner, bid and advertisement in newspapers and journals.
- Contractors from a pre-qualified list may be used if permitted in requirements of applicable funding program(s).
- During the Request For Proposals (RFP) period, the contractor(s) inspects the home before bid submission.
- Formal sealed bids will be opened within thirty days from initial advertisement for RFP. Staff, contractor, homeowners and any other interested persons may attend. Attendance is documented.
- Conference with homeowner for bid award. The homeowner will select the contractor. However in most cases, staff will recommend the lowest, most responsive bid. The homeowner may award a higher bid if the dollar difference between the low bid and the selected contractor is paid for by the homeowner and deposited in the program account prior to the start of construction.
- The Housing Director verifies that contractors are not on the HUD de-barred list, and are licensed and or bonded with the Registrar of Contractors. All information submitted by the contractor will be verified by the Housing Director before the award.
- The Program may advertise more than one dwelling for bid at a time, depending on the project description. The sealed bid process will remain the same for the individual homes.
- The Program has adopted the procurement and grievance procedures as outlined in the CDBG Administration Handbook, and any amendments or additions to the same. The Handbook is available to all contractors, homeowners, or any interested persons.

- The Program does not normally permit the homeowner to perform any scope of the work. The intent of this restriction is to avoid any question or misinterpretations of warranty items and workmanship warranty in future "call-back" notices. The Contractor is responsible for any damages, theft or materials, etc. at the subject property until the project is completed. Therefore, any labor provided by other than those for which the contractor is responsible may not be allowed. There may be exceptions to this section, i.e. volunteer work that is to be supplied as leverage. The Housing Director must approve these exceptions.
- The homeowner is required to bring the subject property into compliance with all applicable Town codes and ordinances prior to acceptance into the Program. Any property found to be in violation of all applicable codes and ordinances would be deemed Program ineligible. Funds may be provided to supply bins or to assist with debris removal. Refer to the Rehabilitation Contract for additional conditions or restrictions for homeowner and contractor.

Agreements, Construction Contracts and Other Documents

Please see exhibits for sample forms of agreements, contracts and other documents. These include the Application, Privacy Act Statement, Bid Proposal, Bid Advertisement, Bid Opening Form, Contract, Notice to Proceed, Lead Based Paint Notification, Promissory Note, Notice of Opportunity to Rescind Transaction, Authorization to Disburse Funds, Inspection and disbursement orders, Certification of Final Inspection and Disposition of Funds. These forms apply to all government-funded projects. Additional forms may be necessary depending on what other sources of funds may require for documentation.

A check list is maintained in each individual file noting all documents and additional documentation such as income verification, property tax statement, title report, title insurance, affidavit of Affixture, etc. This checklist will reflect the type of documents included in each file and will note those that do not apply as "N/A". Each file will contain a Deed of Trust and Promissory Note.

Pre-construction Conference

A pre-bid conference with the homeowner will take place before bid advertisements. Once the homeowner agrees and understands the scope of work to be performed, the work that will NOT be done, period for construction, temporary housing, etc., the project will be let for bid.

The Housing Director will hold a pre-construction conference at the property with the Building Inspector, Zoning Inspector, successful contractor and homeowner present. This provides an opportunity to answer questions regarding the work and perhaps prevent misunderstandings between the parties involved.

Property Inspections

The Building Inspector shall ensure that all work complies with the applicable building codes and will perform inspections during the course of construction. The Building Inspector is required to be certified in his/her field and additional training is provided on a continuing basis.

The Housing Director will also conduct inspections to monitor progress, identify problems that may need to be addressed, and to ensure compliance with HUD requirements and non-code items. All staff is experienced in their respective inspection fields.

Change Orders

A change order may be requested by the contractor for circumstances that were not included in the original work write-up due to unforeseen safety or code violations. The contractor must have written approval from the Building Inspector and Housing Director before undertaking any change order work. The homeowner(s) must be informed of any changes to the contract or other problems encountered during the rehabilitation work.

Payments and Warranties

The Building Inspector will inspect the job to determine percentage of work in place and certify the same.

The Administrator will determine the amount of draw eligible to ensure the minimum ten-percent (10%) retention and approve payment. The Housing Director will submit a check request to the Finance Director, with attached documentation. The Finance Director will approve payment and instruct Finance Department staff to issue a check for the requested amount. The check will be given to the Housing Director for disbursement. The Administrator will copy the check for file documentation and will release it to the contractor.

Final payment including retained funds will not be released until the Building Inspector has certified completion of the work and the Town is in receipt of all required lien waivers and warranties.

Case Management and Tracking

The Housing Director is responsible for reporting procedures and for the maintenance of all case files. The Administrator is also responsible for all performance reports to Arizona Department of Housing including contractor profiles (minority, handicap, etc.) and for the maintenance of a current log of all properties that have participated in the Rehabilitation Program.

The Housing Director is responsible for the contact and counseling of families regarding violations of conditions of the RLF or CDPL. The Housing Director may, upon review of the violation(s) find that the family's situation merits close consideration. In situations where the family's income has been drastically reduced due to death or serious illness in the

family, the Housing Director may, with Town Manager's approval, grant a moratorium on the RLF or CDPL for a period not to exceed 90 days per calendar year. Payments will be deferred until the end of the contract/affordability period. See Loan Servicing, Section V, for additional information.

SECTION IV - MARKETING

General

It is recommended that a comprehensive housing study/marketing plan be conducted at least every five to ten years to determine and physically locate and evaluate each dwelling unit in targeted areas. The results of the study will provide the Town with the information necessary to assess existing programs and services and implement new programs as needed.

Camp Verde's Housing Rehabilitation Program is founded on the premise of helping those who wish to help themselves. Thus, participants in the program are voluntary. The Housing Director will make every possible effort to inform and promote program awareness to every segment of the community. Flyers shall be developed and placed in strategic places throughout the community, i.e. Town bulletin boards, the post office, local businesses, the Senior Center and the Head Start Center. Local newspaper advertisements, notices and/or articles will also be utilized.

In an effort to control costs, staff will develop all promotional materials and perform other marketing tasks. The Housing Director will be responsible for ensuring that all marketing costs are within the approved budgeted amount. The Housing Director is also responsible for the translation and review for accuracy and clearness of the contents of any marketing materials. All marketing material will include fair housing and non-discrimination statements.

Program Partners

Program Partners, such as the debt-counseling agency will provide basic information regarding the program during debt counseling sessions. The loan committee will assist with program marketing through word-of-mouth. Local lending institutions may provide referrals to the Program when loan applications are deemed ineligible.

Contractors

The Housing Program follows the procedures for procurement and contracting as established in the Procurement and Contracting handbook distributed by the Arizona Department of Housing, CDBG Program. This handbook and any updating information/additions to the same are kept by the Housing Director and are available for review and reference by any interested persons.

It is standard procedure to advertise for rehabilitation bids in the local newspaper(s) and other contractors' journals that are distributed to the surrounding areas. Contractors are also notified by mail, telephone or in person of any jobs that may be let out for bid. It is also common to refer to the yellow pages to invite companies to submit proposals.

Every effort is made to obtain a minimum of three bids for each project. Minority, small business, and women owned firms (using MBE, WBE, etc.) are encouraged to bid on all projects.

The successful contractor must provide insurance and/or bonds, be appropriately licensed by the State for each specified project, and hold a current Town business license.

General Public

The Town of Camp Verde makes every effort to promote program awareness to the general public by distributing flyers, contacting agencies that serve the low to moderate income population, and contacting the media. The Program is also available for review and public comments at scheduled public hearings held before application intake.

SECTION V - LOAN SERVICING

The Town will contract with a loan-servicing agency (Title Company) to provide services on behalf of the Town.

Payments

All loan payments shall be made to the loan-servicing agency selected by the Town. Loan payments are due on the first day of each month, regardless of loan closing date.

Statements & Lien Release

The servicing agency will prepare and mail monthly payment coupons and or invoices, send payments to the Town, send IRS interest and loan forgiveness information, calculate late payments and send late payment statements and collection notices, and notify major credit reporting agencies of late payments, delinquencies and defaults.

Upon receipt of the final payment, the Title Company shall prepare lien release documents for signing and forward the documents to the Housing Director. The Housing Director shall secure the necessary signatures and prepare any related project close out reports and forward the release to the client for filing. The lien release shall meet statutory requirements regarding timelines, etc.

Late Charges

Late charges are applied to all payments received by the loan-servicing agency after the 15th of the month. A standard late charge equal to four percent (4%) of the monthly payment amount will be assessed on all late payments.

Collections

The Arizona Revised Statutes will govern all collection activities. The Town Attorney will oversee and approve all actions relating to collection.

All payments will be due and payable on the first day of each month. Notices will be sent to clients whose payments are more than ten (10) days delinquent. Follow-up notices will be sent every ten (10) days until payment is received. If the client becomes two payments due, the Housing Director will initiate personal contact to ascertain the reason for the delinquency. After attempting resolution, the Housing Director will schedule a meeting with the Town Manager to discuss the reasons for the late payments. The Administrator may recommend a resolution, however the Manager will make the final determination.

When an account becomes 90 days past due and the client has refused or neglected to cooperate in a resolution, foreclosure proceedings as defined by Title 33, Chapter 6 of the Arizona Revised Statutes will begin.

Reports

The loan-servicing agency provides reports to the Housing Director regarding the status of individual loans and the status of all loans serviced on behalf of the Town. Town staff reviews these reports. Additional reports are prepared to track the status of the rehabilitation loan program.

Annual Certifications by Homeowner

The Housing Director will also prepare and mail a certification to each borrower on an annual basis. The certification will include statements regarding continued occupancy as a principal residence, evidence that taxes and insurance remain current, and a statement regarding any new lien filings. The certification must be returned to the Town within 30 days.

Recapture

In the event a property is no longer owner-occupied, taxes and insurance are not current or additional lien filings have occurred, the Town must take action to recapture the outstanding loan amount. The Housing Director will contact the borrower regarding any compliance concerns and will provide guidance to the borrower regarding steps the borrower must take to remedy non-compliance. Foreclosure proceedings may result from any violation of program requirements.

Deferrals

Borrowers are responsible for contacting the Housing Director to obtain a formal deferral of any loan payments. Initial contact may be made by phone, but must be followed up with written documentation supporting the request for deferral. Loan deferral shall be made only in the event of catastrophic illness, involuntary loss of employment, or death of the applicant, co-applicant, applicant spouse or primary household wage earner. There are no exceptions to this deferral policy. During the deferral period, the outstanding balance shall continue to accrue interest at the rate specified in the promissory note. Depending upon the circumstances leading to the borrower's request for deferral, the Town may offer to renegotiate the terms of the loan.

Consistently Late

When borrowers make late payments more than three times, the borrower will be considered consistently late and the Housing Director will contact the borrower and recommend the borrower attend additional debt counseling. In the event the borrower makes a fourth late payment, the Housing Director will instruct the Title Company to begin reporting subsequent late payments to credit reporting agency.

Delinquent

When borrowers are more than 30-days late and have not contacted the Housing Director regarding a deferral, they are considered delinquent. In the case of delinquency, the Housing Director will contact the borrower to assess the personal situation of the borrower. Initial contact will be made via phone and followed up with written correspondence prepared by the Housing Director and signed by the Town Attorney. Written correspondence will specify the steps the borrower must take to bring the loan current and explain other options available to the borrower and the Town. Based on available options, the Housing Director will work with the borrower to establish a plan to bring the payments current. The Housing Director may also require the borrower obtain individual credit counseling to establish a plan or to further ensure the payment plan is followed. Loan terms may be renegotiated as part of a payment plan. The Title Company shall report all delinquencies to the credit reporting agencies.

Default

When borrowers are more than 60-days late, have not contacted the Housing Director regarding a deferral, and have not taken steps to implement a payment plan, they are considered in default. In the case of default, the Housing Director will begin the process of renegotiating loan terms. Initial contact will be made via phone and followed up with written correspondence prepared by the Housing Director and signed by the Town Attorney. Written correspondence will specify the steps the borrower must take to bring the loan current and explain other options available to the borrower and the Town. Based on available options, the Housing Director will work with the borrower to establish a repayment plan to bring payments current. If the borrower fails to provide information necessary to renegotiate loan terms or is otherwise uncooperative, the Town Attorney will begin foreclosure proceedings. All borrowers classified as delinquent must attend additional debt counseling in order to renegotiate the terms of their loan.

Renegotiation and Reclassification

When renegotiation and/or reclassification are required, the application processing, underwriting, approval and closing processes shall be followed. The borrower must provide supporting documentation and additional information that enables the Housing Director to underwrite the loan to current loan fund standards and borrower conditions. Renegotiated loan terms and classification will be brought to the loan committee for approval or denial in accordance with current loan committee processes and fund requirements. The renegotiation and reclassification process will be undertaken within ten (10) days of the request of referral and completed not later than 45 days from request or referral. During the renegotiation and reclassification process, the borrower is responsible for all payments unless a deferral has been granted.

Refinancing of First Mortgage (Loan Subordination)

The Town will allow refinancing of first mortgages after acceptance of a rehabilitation loan only if the refinancing will result in a lower monthly housing payment. There is no penalty for pre-payment of housing rehabilitation loans; therefore homeowners are encouraged to repay the full amount of the rehabilitation loan if refinancing will not meet this condition.

Home Equity Loans and Lines of Credit

The Town will not subordinate the rehabilitation loan to any Home Equity Loan or Line of Credit.

Program Income Policies and Procedures

A. Program Income Procedures

Receipt of Funds:

The Town maintains an interest bearing account into which all repayments are deposited. The client sends their monthly payments to the Title Company. The Title Company prepares a monthly statement related to the client that shows the principal payment and the interest and escrow payments, and forwards the check to the Town. To meet statutory requirements with regard to interest-bearing accounts, the Finance Department receives the check, receipts the funds and deposits them into the Town's General Fund Account, and then prepares a separate check to deposit into the interest-bearing Revolving Loan Fund account.

Expenditures:

All receipts are tracked and reports are prepared to submit to Council on a monthly basis. All expenditures must be made pursuant to the Town Code and the Town's financial policies and procedures (i.e. purchase orders, check requests, Manager/Council approval, etc.) in addition to funding source requirements.

When expenditures are required from the account, authorized staff prepares a withdrawal request and submits it to the bank. The bank then prepares a cashier's check made out to the Town. The check is deposited then into the Town's General Fund account and the associated expenditure is paid from the General Fund account.

Copies of receipts and expenditures documentation is filed in the associated client file in addition to that which is kept in the Finance Department.

B. Return of Program Income:

At various times, as grant funding cycles permit, the Town may receive monies from sources that do not permit program income, such as HOME monies. In cases where the funding source(s) do not permit the Town to retain program income in the Revolving Loan Fund Program and the assisted unit cannot or does not continue to serve an income/program-qualified family, the funds will be returned to the appropriate funding source. The Deed of Trust documents prepared by the Title Company will indicate recapture requirements.

The Town requires the Title Company to prepare the payout check in the name of the funding source (i.e. State of Arizona Department of Housing). The Housing Director will prepare associated close out reports and forward the check and any other project-related documents to the funding source upon receipt of a payout.

SECTION VI - ORGANIZATION & PROGRAM PARTNERS

Administrative Structure

To ensure the Program is successfully implemented, the Town utilizes a variety of staff and contracted expertise. Staff and subcontractors are experienced in their respective fields and have varied roles and responsibilities throughout Program implementation.

Town Council

The Town Council is responsible for approving Program parameters and amendments, and applications for funding to granting agencies.

Housing Commission

The Housing Commission is responsible for making recommendations to the Council regarding housing related issues, Program parameters, and amendments, and applications for funding to granting agencies. In addition, members of the Housing Commission may serve from time-to-time on the Loan Committee.

Town Staff

The Town Manager, Housing Director, Community Development staff and clerical staff have the following responsibilities:

Town Manager has ultimate responsibility for Town-related activities, including the housing rehabilitation loan program and all Town staff. Consequently, the Town Manager works closely with staff to ensure implementation of the housing rehabilitation program in accordance with Town and Program guidelines.

Housing Director reviews monthly servicing agency reports and prepares a monthly report that states total dollars outstanding, remaining cash balance, undrawn obligations, expected repayments, and amount available for new loans. This monthly report serves as the basis for program operation. The Housing Director also serves as the Program Administrator and is responsible for the application process, verification and presentation to the loan committee, as well as reporting to funding agencies and file documentation.

Building Inspector/Rehab Specialist is responsible for all work write-ups, development of the scope of work description; cost estimates; on site inspections to ensure compliance with all applicable laws; direct supervision of construction work; and final approval of completed construction work.

Code Enforcement Officer is responsible for ensuring compliance with all applicable codes with initial and on-site inspections. Inspections shall also be conducted on an "as-needed basis", but no less than on an annual basis.

Loan Committee

In order to ensure equitable lending, the Town utilizes a three-member loan committee. The membership of the loan committee includes three members of the Housing Commission.

The Housing Director will prepare an application package for the loan committee's consideration. It is the responsibility of the loan committee to review each loan package, attend loan committee meetings, and request additional information, when appropriate. Final decision for approval or disapproval of each loan application, as well as approval of loan classification (interest rate, deferred) rests with the loan committee.

The loan committee follows standard operating policies and procedures. These policies and procedures govern meeting agendas and the conduct of loan committee members.

Lending Institutions

Because the Town accepts rehabilitation loan applications only from homeowners recently (within six months) denied a loan by a lending institution, the role of lending institutions is critical to the operation of the Program. The Housing Director will work with lending institutions and homeowners to determine the reason(s) for loan denial. The Housing Director may also refer creditworthy applicants to lending institutions.

Title Company

The Title Company will ensure all loan documentation is appropriately processed and recorded. The Town may utilize multiple title companies. The Title Company drafts loan documents based on the instructions by the Housing Director and schedules loan closing with the applicants.

The Title Company also handles all aspects of the closing process, including closing scheduling, document preparation and document recordation. Each closing follows a standardized process that complies with Town requirements.

Loan Servicing Agency

The loan servicing agency prepares and mails monthly payment coupons and or invoices, deposits payments into the Town Local Revolving Fund account, sends Internal Revenue Service (IRS) interest and loan forgiveness statements to borrowers, provides the IRS with required interest and loan forgiveness information, calculates late payments and sends late payment statements and collection notices, and notifies major credit reporting agencies of late payments, delinquencies and defaults.

The servicing agency also prepares and submits to the Housing Director the reports necessary to ensure continued operation of the Program within the Program guidelines.

Debt Counseling Agency

Debt counseling will ensure that loan applicants understand the obligations they assume by participating in the housing rehabilitation program. The debt-counseling agency explains basic budgeting and loan concepts and provides additional guidance to loan applicants as may be necessary.

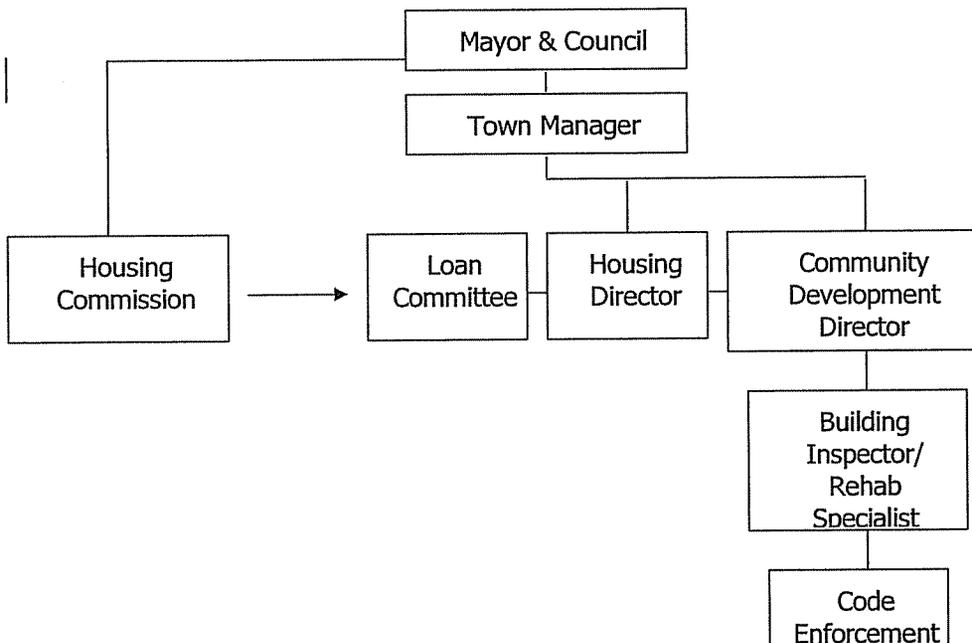
Contractors

The Program adheres to the procurement procedures as established by the Town and or the Procurement and Contracting Handbook distributed by the Arizona Department of Housing, CDBG Program. The Housing Director will verify contractor status with the HUD debarred list and the Arizona Registrar of Contractors. Contractors must be licensed in appropriate fields and hold a current Town business license.

The Town of Camp Verde has a formal bid process for the Program. During the initial interview, the participant is made aware of each step of this process and the approximately timeline involved. The homeowner will select the contractor; however, in most cases Town staff will recommend the lowest, most responsive bid. The homeowner may award a higher bid if the dollar difference between the low bid and the selected contractor is deposited by the homeowner into the Program account before the start of construction.

Administrative Organizational Chart

The following diagram illustrates the relationship between the various staff, commissions, and committees with regard to the Housing Program:



Applicants and Loan Recipients

The success of the Housing Rehabilitation Program is dependent upon applicants and loan recipients undertaking their responsibilities at each stage of the Program.

Application

Prior to requesting a loan application, the applicant must attend a briefing that is structured to provide an overview of the program and its requirements. If the applicant does not understand the Program and its requirements, it is the applicant's responsibility to ask questions or request clarification.

The applicant must complete the application and submit the required documentation. If the applicant is not able to complete the application or submit the required documentation, it is the responsibility of the applicant to request assistance or withdraw the application, as appropriate. If the Town requires additional information at any time during the application or loan process, the applicant must provide the requested information.

Debt Counseling

Upon acceptance into the Program, the applicant and co-applicant must attend debt-counseling classes structured to ensure an understanding of the obligations that the applicant is assuming. The applicant and co-applicant must submit the debt-counseling certificate of completion to the Housing Director for inclusion into the loan application.

Loan Closing

The applicant and co-applicant must attend the loan closing and provide all information required prior to and at the time of loan closing. The applicant and co-applicant must sign all documents requiring signature and pay any closing costs due at the time of closing.

Loan Payments

The loan recipient(s) are responsible for loan payments, late charges, and filing of appropriate tax documents. If the loan recipient(s) are unable to make payments and wish to request deferral, they must contact the Housing Director within the specified time period.

Compliance with Program Requirements

The applicant and co-applicant must certify on an annual basis that they continue to occupy the rehabilitated unit as their primary and only residence and that all taxes and homeowners insurance are current.

SECTION VII

REHABILITATION STANDARDS AND SPECIFICATIONS

- 1) The Town of Camp Verde has adopted all of its Town Codes as the Rehabilitation Standards. The scope of work must comply with all adopted International Code Council codes (ICC), as well as Town Zoning and Fire Department regulations, particularly if additions to the home are necessary.
- 2) Also included in the Rehabilitation Standards are Town adopted ordinances and codes including:
 - a. Zoning Ordinances - Setback requirements, illegal business operation, etc.
 - b. Health and Sanitation Codes, Article 10 of the Town Code - No violations of these codes will be allowed on rehabilitated property, i.e. junk cars, litter, fire hazards, etc.
- 3) Rehabilitation Standards may include exterior aesthetic work which is not necessary to the structural integrity of the home, but which will provide for curb appeal, increase value of the property and surrounding properties, and will benefit the community as a whole. These may include items such as small porches for energy conservation, overhangs, and paint.
- 4) In addition, the State's Housing Rehabilitation Standards, energy conservation measures and abatement of hazardous materials (i.e. lead based paint) as prescribed by HUD are also included in the definition of minimum rehabilitation standards.
- 5) The following are examples of work that cannot be accomplished with program funds:
 - a. Items that exceed the quality of products as specified, i.e. upgraded carpet/tile
 - b. Luxury items not considered a necessity, i.e. fireplaces, swimming pools, connection to cable television, etc. However, many Camp Verde residents, particularly low to moderate-income families use wood burners to provide winter heat. This is primarily due to the lack of affordable energy sources available in our rural area. In a rehabilitation project in which a wood burner is already present, the wood burner will not be determined a "luxury fireplace". The existing wood burner must meet minimum safety and environmental standards. Thus, it is possible that wood burner repair or replacement will be considered in rehabilitation costs. A wood burner will NOT be added to a rehabilitation project where one is not present.
 - c. Additions for family rooms, recreation rooms, etc. (Bedroom additions will be considered based on family structure and over-crowding in existing house.)

SECTION VIII

Definitions

- 1) **Income:** All wages, financial assistance, SS, VA, DES, spousal support, child support, unemployment, and any other income from any source. Food stamps will not be considered as income. Income will be verified with the most recent tax returns, the last two paycheck stubs (four, if paid on a weekly basis) and a copy of bank statements covering the previous three months. If the applicant is retired or receives disability income, he/she will provide DES, SS or SSI verification forms. All court-ordered spousal and/or child support payments will be verified through the court.
- 2) **Family/Household:** All persons occupying the house including permanent extended family, i.e. elderly parents, single or minor/dependent children with children. In the case of more than one family per unit, every effort will be made to refer the non-owner to another agency to decrease overcrowding. If this is not possible, the property may become ineligible due to monetary constraints in providing the proper number of sleeping rooms. In any event, the income of all household members will be included.
- 3) **Homeownership:** means ownership in fee simple title or a 99-year leasehold interest in a one to four unit dwelling or in a condominium unit, ownership or membership in a cooperative or equivalent form of ownership approved by HUD. The ownership interest may be subject only to the restrictions on resale required under CFR 92.254(a); mortgages, deeds of trust, or other liens or instruments securing debt on the property as approved by the Town and/or Arizona Department of Housing; or any other restrictions or encumbrances that do not impair the good and marketable nature of title to the ownership interest.
- 4) **Housing:** includes stick-built homes, mobile and manufactured housing and manufactured housing lots.
- 5) **Decent, Safe and Sanitary Housing:** means housing which relates to the general health and safety of all occupants. Minimum standards include the following which must be adequate, or be repaired or replaced before consideration of any other work:
 - a. Removal of hazardous materials,
 - b. Health and safety hazards;
 - c. Stable and weather tight roof;
 - d. 100-amp electrical service with no unsafe conditions;
 - e. Plumbing (including hot water) must be in good working order and be safe and sanitary;

- f. Heating and cooling system must be adequate and safe with a reasonable (3-year) useful life; and
 - g. Egress in accordance with local health and safety codes.
- 6) **Very Low-income families:** means families whose annual incomes do not exceed 50 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low incomes.
- 7) **Low-income neighborhoods:** means a neighborhood that has at least 51% of its households at or below 80 percent of median income for the area.
- 8) **Low-income families:** means families whose annual incomes do not exceed 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low incomes.
- 9) **Moderate-income families:** means families whose incomes are 80 percent of the median income for the area, as determined by HUD with adjustments for smaller and larger families, except that HUD may establish income ceilings higher or lower than 80 percent of median for the area on the basis of HUD findings that such variations are necessary because of prevailing levels of construction costs or fair market rents, or unusually high or low incomes.
- 10) **Frail Elderly:** means that person(s) of 65-62 years of age or older, whose health is in a fragile condition which may result in substantial limitations and results in at least one of the following areas of major life activity: substantial limitations in mobility, self-care, self-direction, or capacity for independent living.
- 11) **Person with disabilities:** means a household composed of one or more persons (at least one of whom is an adult), who has a severe disability. A person is considered to have a severe disability if the person:
- a. uses a wheelchair, or has used another special aid for six (6) months or longer;
 - b. is unable to perform one or more functional activities or needs assistance with an activity of daily living (ADL) or instrumental activity of daily living;
 - c. is prevented from working at a job or doing housework; or

Comment [17]: The age was lowered to 62, to be consistent with retirement and social security requirements. From an administration perspective, it is less subjective to qualify a person as elderly, 62 year of age or older, than as "frail elderly", as previously defined.

d. has a selected condition including autism, cerebral palsy, Alzheimer's disease, senility or dementia, or mental retardation. Those persons less than 65-62 years of age and whom Medicare or SSI covers are also considered to have a severe disability.

Comment [1.8]: We changed this from 65 to 62 to be consistent with retirement and social security eligibility requirements.

- Functional activities include seeing, hearing, having one's speech understood, lifting and carrying, walking up a flight of stairs and walking.
- Activities of Daily Living (ADL) includes getting around inside the home, getting in or out of bed or a chair, bathing, dressing, eating and toileting.
- Instrumental Activities of Daily Living (IADL) include going outside the home, keeping track of money or bills, preparing meals, doing light housework, and using the telephone.

12) Program Income: is income that is the direct result of a CDBG or HOME funded activity. The Revolving Loan Fund was established for the sole purpose of providing a continuing housing rehabilitation funding resource. All monies repaid to the RLF will be used only for housing-related purposes stated herein. All RLF monies will be deposited into a fund that is separate and independent from the Town's general fund, and will be used to continue the same activity(ies) which generated these resources.

- Program Income generated from HOME funded activities must be returned to the Arizona Department of Housing HOME program.

13) Program Income Records: Records of all program income received will include the source of the program income: CDBG/HOME contract number, activity number and other identifying information; amount and date of receipt; date of deposit and location of depository; date, amount and purpose of each expenditure; and interest earned (if any) records which include the date and amount of such interest earned, interest rate and the depository of such interest.

14) Project: means a site or an entire building (including a manufactured housing unit) that is to be assisted with CDBG or HOME funds. Project includes all the activities associated with the site and the building.

15) Project Completion: means that all necessary title transfer requirements and construction work have been performed and the project complies with the requirement; the final drawdown has been disbursed for the project; and a Project Completion Report has been submitted and processed in the Cash and Management Information System (CMI) as prescribed by HUD.

- 16) Reconstruction:** means the rebuilding, on the same lot, of housing standing on a site at the time of project commitment. The number of housing units on the lot may not be increased or decreased as a part of the reconstruction project, but the number of rooms per unit may be increased or decreased. The reconstructed housing must be substantially similar (i.e. single- or multi-family housing) to the original housing. Reconstruction also includes replacing an existing substandard unit of manufactured housing with a new or standard unit of manufactured housing. Reconstruction is rehabilitation for purposes of this part.
- 17) Revolving Loan Fund:** is defined as a separate and independent set of accounts, established for the specific purpose of funding housing rehabilitation loans.
- 18) Single parent/head of household:** means an individual who is unmarried or legally separated from a spouse; and a) has one or more minor children for whom the individual has custody or joint custody; or b) is pregnant.
- 19) Single family residence:** means a dwelling that is used to house no more than two adults and their children.

**STAKE HOLDER
STAKE HOLDER ADDRESS**

Arizona Water Protection Fund Commission
Arizona Department of Water Resources
3550 N. Central Avenue
Phoenix, Arizona 85012

Month, Day 2008

Re: Tavaszi Marsh Restoration Project, Tuzigoot National Monument

Dear Arizona Water Protection Fund Commissioners:

The [your organization, name, company, agency here] would like to express its support for the Tavaszi Marsh – Wetland Restoration Project at Tuzigoot National Monument, National Park Service. We understand that the purposes of the project are to develop a conceptual design to restore native plant communities and wildlife habitat diversity and to implement a pilot project. As a stakeholder, we appreciate the opportunity the project provides to restore and enhance aquatic and wetland community diversity and wildlife habitat in this unique desert wetland, which have been lost due to artificial manipulation of the flow of Pecks Lake's water through the marsh and a hundred years of farming, grazing, burning, and ditching.

The National Park Service has begun public scoping to restore Tavaszi Marsh. The conceptual design and pilot project to re-establish a native plant community, such as a cottonwood-willow association, will be incorporated into the final plan and environmental assessment.

Over the past decade there has been an increase in cattail communities that resulted in a loss of cottonwood/willow forests, sedge/rush herbaceous plant communities, and other aquatic/riparian habitats. This restoration effort will help the National Park Service manage invasive plant species by reintroducing native, non-invasive vegetation. The project will provide educational opportunities through the establishment of interpretive plots and trails for visitors and public outreach opportunities.

[Your organization here] recognizes the investment in this project requested of the Arizona Water Protection Fund and is enthusiastic about the opportunity to provide support and assistance for restoring the Tavaszi Marsh – Wetland Restoration Project. We agree to work closely with the National Park Service and other stakeholders to see this project to completion and to help with its success into the future.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Stakeholder
Address
Contact info

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: May 28, 2008

Meeting Type: Regular

Type of Presentation: PowerPoint

REFERENCE DOCUMENT: Resolution 2008-740

AGENDA TITLE: (Be Exact): A Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Approving the Preliminary Plat 2007-02 for the purpose of developing Verde Highland Plaza, a Commercial Business Condominium Plaza on Parcels 404-28-026E & 404-28-025B consisting of approximately 3.16 Acres.

PURPOSE AND BACKGROUND INFORMATION: The proposed Verde Highland Plaza consists of 4 building lot pads with common areas providing for 175 parking spaces, 5 storm water retention basins, landscaping and driveway access ways to Cliffs Parkway and State Route 260. The proposed parking and landscaping meet the requirements of the Town of Camp Verde Planning & Zoning Ordinances. Staff has reviewed the Preliminary Grading, Drainage and Utility Plans for the project and found all to be in order.

At the Design Review Board hearing of May 8, 2007, a stipulation to approval for the Verde Highland Plaza was that an ADOT approved access permit to Highway 260 would need to be issued to the Developer and a copy submitted to the Community Development Department or the Developer would need to return to the Design Review Board for re-review and approval. As explained by Krista Cline, Planner for S.E.C., ADOT will not issue an access permit until an approval of the Preliminary Plat has been received by the Developer by the Town of Camp Verde. Krista Cline asked to continue with the Preliminary Plat approval process with the understanding that the Developer would be at risk with an approval of the Preliminary Plat, Preliminary Grading and Utility Plans should ADOT not approve the access permit. Also, staff explained to Krista Cline that any requirements from ADOT for the said access easement from Highway 260 into the Verde Highland Plaza Project would need to be addressed in the Final Plat process for the project.

Agency responses were received with the following comments:

- * ADOT: Bruce Cooper is the Permits Supervisor for required access permits.
- * Yavapai County Flood Control: The Flood Control District has reviewed the Phase II Drainage report and had no objection to the project.
- * Camp Verde Water System, Inc.: Is recommending approval and has issued a letter of serviceability.
- * Town of Camp Verde Chief Building Official: No comment
- * Town of Camp Verde Town Engineer: The Town Engineer performed a review of the Preliminary Plat, Traffic Impact Analysis, Phase II Drainage Report, Preliminary Grading and Utility Plans and required certain revisions to the first submittal by the Engineer of Record. These revisions have taken place and the Town Engineer is recommending approval of the Preliminary Plat and the Preliminary Grading & Utility Plans.
- * Camp Verde Sanitary District has issued a letter of serviceability.

The proposed form of assurances, as provided on the Preliminary Plat, are to be thru an Escrow Account.

On April 21, 2008, Staff received a letter of opposition to two story buildings being allowed on the subject parcels with single story structures being the preferred option. An attached petition, with 36 signatures, was provided with the said letter. Staff explained to the submitter of the letter that with the subject parcels 404-28-26E & 404-28-25B having a designated zoning of C2-2, the Density District 2, as provided for in Section 108, item G of the Town of Camp Verde Planning & Zoning Ordinances, allows for 3 story buildings. Also, the Design Review Board has already approved the structures for the project.

On May 01, 2008, the Town of Camp Verde Planning & Zoning Commission voted to recommend approval of Preliminary Plat 2007-02 for the Verde Highlands Plaza. The vote of the Commission was 4 in favor and one abstention. In the comments from the public there were two individuals that expressed a concern that the proposed two story buildings for the project would block views from their lot locations. Additional concerns from the two individuals were that the proposed buildings would create a surplus of office spaces that may not be needed or used for years and that the traffic might be a problem.

STAFF RECOMMENDATION(S): (Suggested Motion) Motion to approve Resolution 2008-740, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the Preliminary Plat 2007-02 for the purpose of developing Verde Highland Plaza, A commercial Business Condominium Plaza on parcels 404-28-026E & 404-28-025B consisting of approximately 3.16 acres with the added stipulation as follows:

- * The Developer, prior to moving forward with the Final Plat process for this project, must have an approval from ADOT for the Driveway access from Highway 260 on to the project.

Type of Document Needing Approval: Resolution 2008-740, Preliminary Plat for Verde Highland Plaza

Finance Director Review

Budgeted/Amount NA

Comments:

Fund:

Line Item:

Submitting Department: Planning Zoning

Contact Person: Michael Jenkins

Town Manager/Designee:

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.



RESOLUTION 2008-740

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING THE PRELIMINARY PLAT 2007-02 FOR THE PURPOSE OF DEVELOPING VERDE HIGHLAND PLAZA, A COMMERCIAL BUSINESS CONDOMINIUM PLAZA ON PARCELS 404-28-026E & 404-28-025B CONSISTING OF APPROXIMATELY 3.16 ACRES

SITE LOCATION: The intersection of Cliffs Parkway and Highway 260, the Northwest Corner.

WHEREAS, a request for approval of Preliminary Plat 2007-02 was filed by Krista Cline, S.E.C., Inc., agent for David Meier, owner of parcels 404-28-026E & 404-28-025B and

WHEREAS, a preliminary plat was recommended for approval by the Town of Camp Verde Planning & Zoning Commission on May 01, 2008 in public hearings that were advertised and posted according to state law, and

WHEREAS, the purpose of the Preliminary Plat is to allow for the development of a Commercial Business Condominium Plaza with 4 building lot pads with common areas for a parking lot containing 175 parking spaces, landscaping, drainage retention & detention and Driveway access to Cliffs Parkway and Highway 260 and

WHEREAS, the site construction improvement plans have been reviewed and approved by the Town Engineer, Ron Long and

WHEREAS, the proposed Commercial Business Condominium Plaza Subdivision will not constitute a threat to the health, safety, or welfare to the general public and should be approved;

NOW, THEREFORE, THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE RESOLVE, TO ADOPT PRELIMINARY PLAT 2007-02 FOR VERDE HIGHLAND PLAZA WITH AN ADDITIONAL STIPULATION AS FOLLOWS:

1. The Developer, prior to moving forward with the Final Plat process for this project, must have an approval from ADOT for the Driveway access from Highway 260 on to the project.

PASSED AND APPROVED by a majority vote of the Town Council of Camp Verde, Arizona, this 28th day of May 2008.

Tony Gioia, Mayor

Date: _____

Approved as to Form:

Town Attorney

Attest: _____
Deborah Barber, Town Clerk

Preliminary Plat Check List

- *Subdivision Plat Application**
- Notarized Permission to Enter Property – Original Document
- *Directions to Property**
- Notarized Special Power of Attorney – Original Document
- Legal Description
- *Letter of Intent**
- *Letter of exception (if needed)**
- Serviceability letters from utilities including Sewage Disposal
- Preliminary title report or policy of title insurance
- Traffic Impact Analysis (if applicable)
- Phase II Drainage Report
- Type or form of assurance made for completion of improvements
- *Site Plan**
- *Preliminary Plat**
- * Staff Report**
Will include summary of: agency & citizen's comments, Traffic Impact Analysis (if applicable), Phase II Drainage Report, Type or form of assurance made for completion of improvements, Serviceability letters from utilities including Sewage Disposal, Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).
- *Resolution**
- Advertising & Posting has been completed & meet State Law Requirements.

NOTE: * Indicates included in packet

CASE NO. 2007-62

PROJECT NO. PP 2607-02

TOWN OF CAMP VERDE
COMMUNITY DEVELOPMENT DEPARTMENT
473 S. MAIN STREET, SUITE 108
CAMP VERDE, ARIZONA 86322
(928) 567-8513 • FAX (928) 567-7401
SUBDIVISION PLAT APPLICATION

12-24-07P01:35 RCVD
MS

REQUEST:	APPLICATION DATE <u>12/07/07</u>
PRELIMINARY PLAT <input checked="" type="checkbox"/>	ASSESSOR'S PARCEL NO. <u>40425-05B+026E</u>
FINAL PLAT <input type="checkbox"/>	PRESENT ZONING <u>C2-2 + RZ</u>
CONCEPTUAL PLAN <input type="checkbox"/>	TAKEN BY _____
AMENDED PLAT <input type="checkbox"/>	FEES _____
RESUBDIVISION <input type="checkbox"/>	HEARING DATE _____
REVERSION TO ACREAGE <input type="checkbox"/>	
SUBDIVISION NAME <u>VERDE HIGHLANDS</u>	
TRACT _____	

OWNER/DEVELOPER David Meier PHONE 300-8582 FAX 567-2817
 ADDRESS 2177 Salt Mine Rd CITY Camp Verde STATE AZ ZIP 86322
 CONTACT PERSON David Meier

 ENGINEER SEC, INC. PHONE 282-7787 FAX 282-0731
 ADDRESS 20 STUTZ BEARCAT # CITY SEDONA STATE AZ ZIP 86336
 CONTACT PERSON KRISTA CLINE kcline@sec-landmgt.com

PROPOSED LAND USE	NET ACREAGE (SQ FT.)	NO. LOTS OR TRACTS	MINIMUM LOT SIZE	MINIMUM LOT WIDTH	OTHER
SINGLE FAMILY					
MULTIPLE FAMILY					
MANUFACTURED HOME					
COMMERCIAL	<u>137,600</u>	<u>4</u>			
INDUSTRIAL					

RESIDENTIAL DENSITY (SEE REVERSE SIDE) N/A LINEAR FT OF STREETS N/A



SOUTHWESTERN
ENVIRONMENTAL
CONSULTANTS, INC.

E-mail: info@sec-landmgt.com
www.sec-landmgt.com

December 24, 2007

12-24-07P01:36 RCVD

Staff, Planning and Zoning Commission, and Council
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322

RE: Letter of Intent - Verde Highlands Preliminary Plat
APN: 404-28-025B and 026E

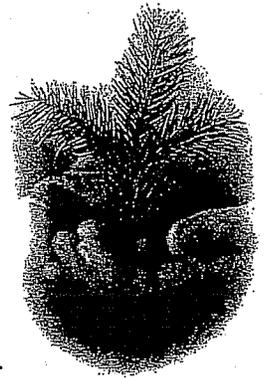
To Whom It May Concern:

Historically, commercial ownership opportunities have been no where near as available as residential. Perspective business owners would have to purchase a vacant lot, then design and build, or purchase an existing structure and significantly remodel in order to own the building and business location. Individual vacant, commercial lots or existing individual structures are difficult to find. In addition it is nearly impossible to control architectural design and site maintenance with an individual development. A commercial development with individual ownership of buildings can provide another alternative for ownership. The Verde Highlands Development is intended to provide a commercial opportunity for ownership and investment within the Town of Camp Verde.

Verde Highlands is located on the northwest corner of Hwy 260 (General Crook Trail) and Cliffs Parkway, currently, on two individual parcels. This project will combine these two parcels in order to create a project area of approximately 3.2 acres. The combination of these two parcels is a requirement to this proposal as the individual parcels would be significantly more difficult to develop. Together, they provide enough area to create a commercial development with approximately 42,328 square feet of available space. The square footage is located in 4 commercial buildings located for maximum visibility at the southeast corner of the site. The required parking is located along the west and north sides of the building campus.

The project location has been graded previously to create a large terrace existing grade. This project proposes to soften and stabilize the existing grade by including a retaining wall along the north and east property boundary. There will also be a retaining wall located on the southeast corner of the project.

Currently, drainage flows between the proposed development and Cliffs Parkway and between the development and Hwy 260. This drainage is located outside of the project boundary. No alteration to these drainage channels is proposed. The individual site drainage requirements have been provided for by providing on-site retention basins. All of the required utilities are currently located at the periphery of the project. Extension of these utilities to provide services to the commercial buildings



Growth is inevitable...it's planning that makes the difference.

has been included in the Preliminary Civil Construction Plans. Final alignment and service connections will be coordinated with the individual service providers.

The campus layout and architectural design will certainly create an attractive corner for the very busy Hwy 260 corridor as already approved by the Design Review Board. Required Conditions, Covenants, and Restrictions and landscaping maintenance will ensure the quality of the development over time. The key to this project is the proposed individual form of ownership. The individual buildings range in size from 2,000 to 17,423 square feet in single and two-story structures. Each building, while being distinct structures, also functions as a key element of the overall complex.

This form of ownership also provides an investment and growth opportunities for the future owners. For example, a business owner currently needs 1,000 square feet of space. They would have the option of purchasing buildings with 2,000 square feet. This will provide room for growth and in the mean time could provide an excellent rental situation at the same time. In order to accomplish this, a Preliminary Plat approval is necessary.

We believe that this project is an asset to the Town of Camp Verde and offers an opportunity not currently found in the area. We initially designed the site to meet all of the requirements as stated in the Zoning Ordinance and Subdivision Requirements. Also, there are no exceptions being requested with this application. Considering the intent of this project, a full application for Preliminary Plat has been submitted with this Letter of Intent.

Obviously, we sincerely hope that this development creates excitement and further interest in this area. If you have any questions or suggestions, please feel free to call me at (928) 282-7787, ext 2017. Again, we thank you for your consideration.

Sincerely,

A large, fluid handwritten signature in black ink, appearing to read 'Krista Clirge', spans across the width of the page below the 'Sincerely,' text.

Krista Clirge
Land Planner

12-24-07P01:36 RCVD

April 21, 2008

Re: Development of parcels (404-28-025B and 404-28-026E) adjacent to the Views of Camp Verde residential area.

To: Town of Camp Verde Planning & Zoning Commission:

We do not oppose the proposed development of office suites on the parcels (404-25-025B and 404-25-026E) before the council. The proposed building *height* of the complex is cause for this letter.

As residents of the Views of Camp Verde we paid lot premiums specifically to obtain the views/values that these particular lots offered. When we purchased our lots, it was common knowledge that the parcels behind our houses would eventually be developed.

What we did not anticipate is a two-story development (24 feet or higher).

Growth is necessary to sustain any community and we support growth. We suggest a single level business complex of the same nature and feel this would be more beneficial to the residents of Camp Verde.

We support a single level complex for the following reasons:

- A. In a struggling economy a single level complex would be more likely to sustain full occupancy and therefore be more desirous than a possibly uncompleted or vacant building.
- B. Historically, business developments in Camp Verde have been predominately single, not multi-level, near residential areas. The panoramic views of the valley would not be compromised.
- C. Resale value of our homes would not be diminished.
- D. Privacy would be maintained for residents.
- E. The community as a whole would receive aesthetic benefits.

Please consider these parcels as single story only. We thank the Town of Camp Verde for this opportunity to express our concerns and needs.

Sincerely,



Eli Amett

and



Brandon Stockbridge

and



Jared Westover

The undersigned as residents of the Verde Cliffs and The Views of Camp Verde oppose the plan to build a two level office complex (Verde Highlands) on parcels 404-25-025B & 404-25-026E. However we would support a single level office complex.

Signature	Date	Printed Name	Address
El. AA	4/19/08	ELI ARNETT	757 W. AZURE DR., CAMP VERDE AZ 86322
Andrea Wrubel	4/19/08	ANDREA WRUBEL	695 S. CLIFFS PKWY, CV 86322
Elisha A. Phillips	4/19/08	ELISHA A. PHILLIPS	695 S. CLIFFS PKWY, CV 86322
Edouard Laurent	4/19/08	Edouard Laurent	703 S. Cliffs Parkway
Connie Laurent	4/19/08	Connie Laurent	703 S. Cliffs Parkway
Robert Neblett	4/19/08	ROBERT NEBLETT	780 W. AZURE DR
David Hanson	4/19/08	DAVID HANSON	765 W AZURE DR.
Laurie Hanson	4/19/08	LAURIE HANSON	"
James Westhouse	4/19/08	JAMES WESTHOUSE	901 W AZURE DR.
Brandon Stewart	4/19/08	Brandon Stewart	763 W AZURE DR
William R. Lett	4/19/08	William R. Lett	833 W AZURE DR
Margarita Lett	4/19/08	MARGARITA LETT	833 W AZURE DR.
Nancy Page	4/19/08	Nancy Page	947 W. AZURE DR.
Sharon Wynn	4/19/08	Sharon Wynn	891 W. Azure Dr.
Josh Ortega	4/19/08	Josh Ortega	901 W. Azure Dr.
ANTHONY DE... (signature)	4/19/08	(signature)	880 W Azure Dr.
Cynthia Peterson	4/19	CYNTHIA PETERSON	880 W AZURE DR
Marquez Elby	4/19	MARQUEZ ELBY	670 S Hitching post Dr
North L Green	4/19	NORTH L GREEN	747 Azure CV AZ 86322
Jordan Lewis		Jordan Lewis	735 S AZURE DR.
Mary Green	4/19	MARY GREEN	747 AZURE DR
James Palstra	4/19	James Palstra	704 Highline Ln
Nick Lower	4/19	NICK LOWER	698 Highline Ln
AMMIL... (signature)	4/19	AMMIL... (signature)	680 S Highline Ln 86322
LuVaughn Johnson	4/19	LuVaughn Johnson	607 S. AZURE DR. Camp Verde
NAROLD J JOHNSON	4/19	NAROLD J JOHNSON	607. S. Azure Dr. Camp Verde

DIRECTIONS TO PROPERTY

12-24-07P01:36 RCVD

Assessor's Parcel Number 404-25-025B+026E

Applicants Name David Meier

Property Address 738 W Hwy 260

Directions To

Property Hwy 260 intersects Cliffs
Pkwy, Northwest corner of the intersection.

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: May 28, 2008

Meeting Type: Regular

Type of Presentation: PowerPoint

REFERENCE DOCUMENT: Resolution 2008-739

AGENDA TITLE: (Be Exact): : Public Hearing, Discussion and possible Council approval of Resolution 2008-739, a Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle located in the Jordan Meadows Subdivision, Unit 1 as initiated by petition and submitted by Joanne Sawyer, owner of parcel 404-03-026A adjacent to the proposed Abandonment (Vacation).

PURPOSE AND BACKGROUND INFORMATION: Council approved by a unanimous vote, the Roadway Abandonment (Vacation), STABNDMT 2007-02, for a portion of Pheasant Run Circle on 2-27-08. The petitioner has taken the necessary steps to complete this process by obtaining, at her cost, a current title search, legal description and has had a mylar prepared by a Registered Land Surveyor to the size and scale required by the Yavapai County Recorder. The Abandonment Plat has been submitted and approved by Town Staff. Joanne Sawyer, petitioner, has been maintaining this property for the last five years and would like to improve on it and make it an asset to the community.

STAFF RECOMMENDATION(S): (Suggested Motion) Motion to approve Resolution 2008-739, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, vacating a portion of the right-of-way of Pheasant Run Circle to the owner of Lot 1 of Jordan Meadows within the Town Limits.

Type of Document Needing Approval: Other Resolution 2008-739, Vacation of a portion of Pheasant Run Circle in Jordan Meadows Subdivision, Unit 1

Finance Director Review

Budgeted/Amount N/A

Comments: Documents attached: Application, Resolution, Legal description of vacated roadway, Staff Report, Petition from adjacent property owners, survey map of property involved in the petitions with identification of roadway to be discontinued and all affected properties listing current owners of record, and signed Abandonment Agreement.

Fund:

Line Item:

Submitting Department: Planning Zoning

Contact Person: Michael Jenkins

Town Manager/Designee:

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.

Street Abandonment Check List

- Pre-Application Conference with Community Development Director
- *Petition from the adjacent property owner(s) at least 51% of owners abutting a portion of roadway for abandonment.**
- Legal Description of parcel proposed to be abandoned
- *Map of property involved in the petition, with identification of the roadway to be discontinued and all affected properties listing current owners of record, including the petition.**

IF APPROVED BY COUNCIL:

- Agency notification for any utilities that may be in place.
- Current Title Search, legal description of the roadway to be abandoned.
- An Abandonment plat reflecting the division of the abandoned roadway pursuant to law, prepared on mylar by a Registered Land Surveyor or Professional Engineer (Civil) to size and scale required by the Yavapai County Recorder.
- *Abandonment Agreement**
- *Staff Report**
Will include summary of agency & citizen's comments, Agency notification for any utilities that may be in place, Town requirements, applicant's narrative as it addresses requirements for application and recommended stipulations if approved (if any).
- Advertising & Posting has been completed & meet State Law Requirements.

NOTE: * Indicates included in packet



RESOLUTION 2008-739

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
VACATING A PORTION OF THE RIGHT-OF-WAY OF PHEASANT RUN
CIRCLE TO THE OWNER OF LOT 1
OF JORDON MEADOWS WITHIN THE TOWN LIMITS**

RECITALS:

- A. The Town council previously approved a Final Plat for JORDON MEADOWS that contained a street identified as Pheasant Run Circle a portion which was dedicated from Lot 1.
- B. As originally platted, Pheasant Run Circle was to continue into un-subdivided parcels to the east now terminates at Lot 1.
- C. The owner of Lot 1 ("Owner") has petitioned the Town for vacation of a portion of Pheasant Run Circle adjacent to Lot 1 and the Town agrees that best use of this portion of Pheasant Run Circle is for landscaping and beautification.
- D. The Town finds that it is in best interest of the public that a portion of Pheasant Run Circle be vacated by the Town to the Owners pursuant to A.R.S. 28-7205.

**BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF
CAMP VERDE AS FOLLOWS:**

1. That that portion of Pheasant Run Circle, legally described on Exhibit A attached hereto is vacated and title shall revert to the Owners of record of Lot 1 Jordon Meadows recorded at BK 16, of Maps and Plats, PG 19 records of Yavapai County.
2. All currently existing utility easements are reserved pursuant to A.R.S. 28- 7210.
3. Owners shall submit to the Town an executed agreement for receipt of the vacated property containing terms for landscaping, utility procedures, and release of the Town that shall be recorded with this Resolution,

4. The vacation of the property herein shall be conditioned upon the execution and recordation of the agreement by Owners set forth in 3 above and recordation of this Resolution.

PASSED AND APPROVED by a majority vote of the Common Council at the regular meeting of May 28th, 2008.

Approved: _____
Tony Gioia, Mayor

Date: _____

9/07/07

Case # 2007-53
STABNDMT 2007-02

Town of Camp Verde
Community Development
Planning & Zoning Division
473 S. Main Street Suite 109
Camp Verde, AZ 86322
(928) 567-8513 Fax (928) 567-7401

12-04-07P12:05 RCVD

STREET ABANDONMENT Fee: \$110.00

Applicant Mailing Address:	
Name: <u>To ANN Sawyer</u>	Date: <u>12-4-07</u>
Address: <u>320 Pheasant Run Circle</u>	Taken By: <u>J. Paulsen</u>
City: <u>Camp Verde</u> State: <u>AZ</u> Zip: <u>86322</u>	Fee: <u>110⁰⁰</u>
Phone: <u>928-567-3600</u>	Subdivision: <u>Jordan Meadows</u>
	Book & Page: <u>404-03-026A</u>
	Date of Recordation: _____

Reason:
The unused, unimproved extension of Pheasant Run Circle Road is adjacent to my parcel (404-03-026A) has never been developed, improved or maintained by the Town.
I am requesting the abandonment of the road, and title to this parcel (road) adjoining my property.

If the applicant is not the property owner, the owner shall complete and sign the following statement. I hereby authorize _____ (name of applicant) to act as my agent in this application.

By: _____ Date: _____
(Signature of applicant)

I hereby file the above request and declare that all of the 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 delay in its normal scheduling.

By: To Ann Sawyer Date: 11/19/07
(Signature of applicant)

Planning & Zoning Commission	
Hearing Date: _____	Granted: _____
	Granted with Stipulations: _____
	Denied: _____
Town Council	
Hearing Date: _____	Granted: _____
Ordinance/Resolution Number: _____	Granted with Stipulations: _____
Effective Date: _____	Denied: _____

9-07-07

Petition for Roadway Abandonment

We, the undersigned adjacent property owners, hereby petition the Town Council of the Town of Camp Verde, Arizona, to abandon the public roadway right-of-way described as follows:

Attached is the legal description of the roadway prepared by Tim Hammes, Surveyor dated November 15, 2007. Also included is a map showing the location of my property and the roadway I am requesting to be abandoned prepared by Tim Hammes, Surveyor dated November 15, 2007.

12-04-07P12:05 RCVD

We request this abandonment for the following reasons:

The road is not improved
I have maintained weed control
The right away will never be expanded due to parcel development to the east.
It will provide additional area for agricultural activities

Print Name	Assessor's Parcel Number	Mailing Address	Signature	Date
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Jo ANN Sawyer	404-03-026A-1	320 Pheasant Run Circle, Camp Verde, AZ 86322	Jo Ann Sawyer	12/3/07
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CHRIS PIPER	404-03-018M	2709 CANDA VISTA DR. C.V. AZ.	Chris Piper	12-3-07
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AGREEMENT FOR RECEIPT OF PROPERTY FROM THE TOWN OF CAMP VERDE

The parties of this agreement are the Town of Camp Verde, Arizona, a municipal corporation (hereinafter referred to as "Town") and Jo Ann Sawyer, owner, (hereinafter referred to as "Owner") of certain Property adjacent to right-of-way property which has been abandoned by the Town pursuant to Resolution 2008-

THE PARTIES AGREE AS FOLLOWS:

1. **Abandonment:** The Town of Camp Verde has abandoned or will abandon a certain portion of the right-of-way off of Pheasant Run Circle between lot 1 of Jordan Meadows Subdivision and Lot 13 of Jordan Meadows Unit 3 and more particularly described in the legal description attached as Exhibit "A" hereto and incorporated herein by reference. The Town has abandoned this property to Owner, and Owner shall from the date of the signing of this Agreement own the Property in fee simple title subject to the easements and rights described herein. This easement shall run with the land and exist in perpetuity and forever.
2. **Easements:** The parties agree that Owner shall own the Property subject to the following easements and rights of the Town of Camp Verde, and utility companies which have existing utility lines, pipes or other utility facilities within the boundaries of the Property.
 - a. An easement shall be reserved to any utility company which presently has utility lines, pipes or other utility facilities located within the boundaries of the Property for the purpose of maintenance, repair or reconstruction, and the right of ingress and egress for same. This easement shall run with the land and exist in perpetuity and forever.
3. **Landscaping:** Owner shall landscape or otherwise improve the Property within ninety (90) days of the signing of this Agreement, weather permitting. At least thirty (30) days prior to any landscaping or construction upon the Property, Owner shall submit to Town working drawings or plans. In addition, Owner shall:
 - a. Be solely responsible for locating any existing utility lines, pipes or other utility facilities prior to any landscaping or construction upon the Property. "Blue Staking" shall be performed unless waived in writing by the Town of Camp Verde Zoning Administrator.
 - b. Maintain the irrigation system or method of irrigation to maintain the landscaping on the Property.
 - c. Maintain any improvements placed upon the Property. This maintenance shall be the sole responsibility of the Owner or any future Owner(s) of the Property.
 - d. Comply with the other requirements and procedures for abandonment of the public right-of-way in accordance with the Town Community Development Department.
4. **Permits:** Owner shall be responsible for obtaining all sign permits, building permits, or other permits required by the Town or other governmental agency before beginning landscaping or other construction upon the Property.
5. **Notice to Utilities:** At least five (5) days prior to any additional landscaping or other construction of improvements upon the Property, the Owner shall notify any and all utility companies and the Town of Camp Verde of the proposed date for the start of construction.

6. **Release:** OWNER ACKNOWLEDGES AND AGREES THAT OWNERSHIP OF THE PROPERTY IS SUBJECT TO THE TOWN'S AND ANY EXISTING UTILITY COMPANY'S EASEMENT RIGHT FOR THE PURPOSES OF CONSTRUCTION, INSTALLAION, MAINTENANCE, REPAIR OR EXPLORATION OF EXISTING OR FUTURE UTILITIES, SIDEWALKS OR OTHER PEDESTRIAN-TYPE EASEMENTS OR THE LIKE. OWNER HEREBY RELEASES TOWN FROM ANY AND ALL LIABILITY OR RESPONSIBILITY FOR DAMAGE OR INJURY TO PERSONS OR PROPERTY UPON THE PROPERTY EXCEPT SUCH DAMAGE OR INJURY AS IS CAUSED BY THE ACTS OR OMISSIONS OF THE TOWN.

7. **Reversion:** In the event that Owner or any future Owner violates the conditions of this Agreement, fee simple title to the property shall revert to the Town of Camp Verde; however, the Town shall first have to file a lawsuit in a court of competent jurisdiction within Yavapai County to enforce this Agreement. In any such lawsuit filed by the Town, the Town shall have the right to reversion of fee simple title to the Property in addition to any other remedies the Town may have of law or in equity. Nothing in this paragraph shall limit the remedies Owner may have against the Town at law or in equity.

8. **Other Documents:** The parties agree to make and execute any other documents reasonable necessary to effectuate the promises and covenants in this Agreement, including, but not limited to executing formal easement documents which are in recordable form.

9. **Recorded:** This Agreement and Resolution 2008-_____ shall be recorded in the Office of the Yavapai County Recorder, Prescott, Arizona, as an easement and covenant, which shall run with the land in perpetuity. This Agreement and Resolution 2008-_____ is intended to bind the Owner(s) and any future Owner of the Property with respect to the use and maintenance of the Property.

DATED this 25th day of March, 2008.

Jo Ann Sawyer
 OWNER

STATE OF ARIZONA)
) ss.
 County of Yavapai)

SUBSCRIBED AND SWORN to before me this 25th day of March
 2008 by Jo Ann Sawyer, the property owner.

Elissa Jewell
 Notary Public

My Commission expires:
Feb 24, 2011

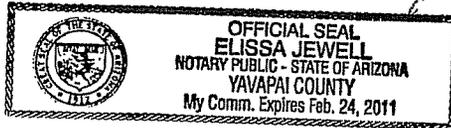


EXHIBIT A
(Legal description of vacated roadway)

Exhibit A

Description for a parcel of land being a portion of Pheasant Run Circle located in Jordan Meadows Subdivision as recorded in Book 16 of Maps and Plats, page 19 of the Yavapai County Records, being a subdivision of a portion of Lot 11 of Section 6 and a portion of Lot 3 and 4 and a portion of the Northwest quarter of the Northeast quarter of Section 7, Township 13 North, Range 5 East of the Gila and Salt River Base and Meridian, Yavapai County, Arizona, being more particularly described as follows:

BEGINNING at the Southeast corner of Lot 1 of said Jordan Meadows being a one-half inch rebar with plastic cap stamped #29263;

Thence North $89^{\circ}56'30''$ West (R&M and basis of bearings for this description), a distance of 137.59 feet (M) along the South line and said Lot 1 and the Northerly right of way of said Pheasant Run circle to a set one-half inch rebar with a plastic cap stamped #29263;

Thence South $0^{\circ}03'30''$ West (R&M), a distance of 49.71 feet (M), 50.00 feet (R) a point on the Southerly line of Pine Street as recorded per Book 16 of Maps and Plats, Page 19, being a set one-half inch rebar with a plastic cap stamped #29263;

Thence South $89^{\circ}56'30''$ East (R&M) along said Southerly line of Pine Street as recorded in Book 16 of Maps and plats, page 19 a distance of 173.40 feet (M), to the South East Subdivision corner of Jordan Meadows per recorded Plat Book 16 of Maps and Plats, page 19, Yavapai County Recorder, being a set one-half inch rebar with a plastic cap stamped #29263 added, also being a point on the Westerly line of said parcel recorded in Book 4132, page 856 of the Yavapai County records;

Thence North $35^{\circ}42'45''$ West (R&M), a distance of 61.27 feet (M) along said Westerly line of parcel recorded in Book 4132, page 856 and the Easterly right of way line of said Pheasant Run Circle to the PLACE OF BEGINNING.

**TOWN OF CAMP VERDE
Council Agenda Action Form**

Meeting Date: May 28, 2008

Meeting Type: Regular

Type of Presentation: PowerPoint

REFERENCE DOCUMENT: Ordinance 2008A 354

AGENDA TITLE: (Be Exact): An Ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Amending Section 118 of the Zoning Ordinance to define A Frame Signs, Add exception for A-Frame Signs under prohibited signs in the Right of Way and define the criteria under which A-Frame Signs may be used under temporary signs.

PURPOSE AND BACKGROUND INFORMATION: At the regularly scheduled hearing of the Town of Camp Verde Planning & Zoning Commission on April 10, 2008, the Commission recommended approval of AMD 07-05, to Amend Section 118, Sign Ordinance, of the Planning & Zoning Ordinances to allow for Temporary A-Frame Signs by amending the following portions of Section 118: III Definitions - adding a definition of Temporary "A" Frame Signs and VII.A10 Temporary Signs - adding criteria for "A" Frame Signs.

The Commission voted 6 in favor and one opposed to the Amendment.

STAFF RECOMMENDATION(S): (Suggested Motion) Motion to approve Ordinance 2008A 354 of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona Amending Section 118 of the Zoning Ordinance to define A Frame Signs, Add exception for A-Frame Signs under prohibited signs in the Right of Way and define the criteria under which A- Frame Signs may be used under temporary signs.

Type of Document Needing Approval: Other Ordinance 2008A 354

Finance Director Review

Budgeted/Amount

Comments:

Fund:

Line Item:

**Submitting Department: Community Development
Jenkins - Senior Planner**

Contact Person: Michael

Town Manager/Designee:

Please Note: You are responsible for checking out, setting up, and returning all special equipment to the Clerk's Office.



ORDINANCE 2008A 354

AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA AMENDING SECTION 118 OF THE ZONING ORDINANCE TO DEFINE A-FRAME SIGNS, ADD EXCEPTION FOR A-FRAME SIGNS UNDER PROHIBITED SIGNS IN THE RIGHT OF WAY AND DEFINE THE CRITERIA UNDER WHICH A-FRAME SIGNS MAY BE USED UNDER TEMPORARY SIGNS.

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987, and

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and 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 and Zoning Ordinance by including definitions.

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

Section 1. Section 118 of the Zoning Code is hereby amended as the following:

SECTION 118
SIGN ORDINANCE

III. DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“A-Frame sign” describes a portable sign, also referred to as a “sandwich board” sign, comprised of two separate panels or faces

typically joined at the top with a hinge and widened at the bottom to form a shape similar to the letter "A".

IV PROHIBITED SIGNS

- A. Notwithstanding any other provisions of this ordinance, the types of signs listed below are prohibited in the Town of Camp Verde.
1. Unlawful to park a vehicle for the purpose of advertising.
 2. Signs located within, on or projecting over any public right-of-way except permitted temporary "A" frame signs as allowed under this section 118, VII, A(10).

VII TEMPORARY SIGNS

- A. The following temporary signs shall be permitted in conformance with the provisions identified.

10. Temporary signs – "A" frame signs are allowed in the "Town Site Area" starting at Arnold Street to the North and running South along Main Street to General Crook Trial and being bounded on the East and West sides by the Main Street Right – of – Way.
 - (a) A right-of-way permit from the Town of Camp Verde Public Works Department will be required.
 - (b) The maximum size of any "A" frame sign shall be 2-foot Wide by 3-foot high.
 - (c) Only one "A" frame sign is allowed per business with the exception of those businesses that already have existing monument signs.
 - (a) An "A" frame sign cannot be placed in any vehicular circulation area including parking lots, parking stalls, drive aisles, driveways, crosswalks & roadways.
 - (b) "A" frame signs cannot be placed on fences, boulders, raised landscape planters, on other signs, on vehicles or utility boxes or structures.
 - (c) All "A" frame signs are to be displayed during posted business hours only and are to be removed at the end of each business day.
 - (d) The applicant shall sign an Indemnity Agreement as provided by the Town of Camp Verde, indemnifying the Town of Camp Verde from any and all claims

arising from the placement of the A-Frame sign and releasing the Town of Camp Verde from any liability arising from the placement of the A-Frame sign.

- (e) All "A" frame signs shall be composed of weather resistant materials with a protective water resistant coating and of sufficient weight to withstand wind gusts and storms and maintained to be free from chipping paint & gouges. Any damaged "A" frame sign must be removed by the applicant and restored to like new or replaced before returning to use.
- (f) An administrative design review for all "A" frame signs shall be required per section 124 of the Planning and Zoning Ordinance.
- (g) All "A" frame signs must have a western appearance that has a comfortable simplicity and meet the criteria as set forth in the Town of Camp Verde Design Review Section of the Planning & Zoning Ordinance, section 124. Corporate logos are allowed.
- (h) The applicant shall provide their contact phone number and address on the inside face of one of the "A" frame panels in case of any incident or violation concerning said sign. This contact number and address needs to be painted or affixed in a permanent manner with a protective water resistant coating.
- (i) All "A" frame signs shall require a temporary "A" frame sign permit that will run for a period of 8 months from the date of issue. With the issuance of this permit, the applicant will receive a weather resistant permit sticker as provided by the Town of Camp Verde. This permit sticker shall be placed at the bottom right corner of one of the outside panel faces for easy observation. If the applicant wishes to renew the "A" frame sign permit then a renewal permit should be applied for within two weeks before the expiration date of the previous temporary sign permit if they do not want to go through an administrative design review process again. If the applicant fails to renew within this time frame then a complete new submittal process will be required. This would entail an administrative design review a right-of-way permit and a temporary sign permit with associated fees as required. The temporary sign permit, right-of-way

permit and the administrative design review fees will be based on the current permit fee schedule for the Town of Camp Verde. The actual sign shall be brought to the Community Development Department for inspection and verification when the applicant applies for the renewal permits.

- (j) An "A" frame temporary sign permit and right-of-way permit are a license that allows the applicant to use the Town of Camp Verde's right-of-way. Any violation of this code will result in the immediate removal of an "A" frame sign by the Town of Camp Verde code enforcement officer.

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. 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 4. This ordinance is effective upon 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 28TH day of May 2008.

_____ Date _____
Tony Gioia, Mayor

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney

TOWN OF CAMP VERDE
Council Agenda Action Form
Meeting Type: Regular
Type(s) of Presentation: Visual

Meeting Date: 5-28-08
Contact Person: Nancy Buckel

AGENDA TITLE: Public Hearing, Discussion and possible approval of Ordinance 2008 A348 amending the Planning and Zoning Ordinance Section 108D: Animals, to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, both requiring a Use Permit approved by Council, change the use permit process now required for youth livestock activity on parcel smaller than 1/2 acre and add language for setback requirements for livestock activity as was previously stated in Section 109.

PURPOSE AND BACKGROUND INFORMATION: On February 27, 2008 Council held their second public hearing on the amendment to Section 108 D concerning livestock activity within Camp Verde and could not reach a decision on how many swine were acceptable for youth activity without going through the Use Permit process. Council requested that the FFA Advisor, Cody Carter and the Community Development Director meet to discuss this issue and bring back to Council a recommendation.

Staff had one meeting with Mr. Carter in which we were in agreement with the language in the current draft brought to you tonight except for activity on larger parcels where Mr. Carter feels he can determine to number of swine that could be allowed on property. This would be determined by the type of facilities in place and the proximity to the neighbors. Because of the amended language already in place, staff cannot recommend this to Council. It seems the intent of the amendments to this section of the Zoning Ordinance is to clearly limit the number of swine raised in Town. Swine are now to be considered as prohibited livestock and only through specific criteria may they be kept for a short period of time.

Understanding the desire of the Council to continue support of the youth livestock activity in our Town, staff is recommending approval of the amended language before you now and any additional activity desired on the part of the youth must go through the Use Permit process to obtain the neighbors input with either support or opposition determining to acceptability of the specific activity. This process could be completed during the summer months before the next year's program begins. The current youth advisor has the experience to monitor and conduct a good livestock program. However, if the advisor position should be filled by another candidate, the quality of the program could degrade and the Town would be placed in the monitoring and enforcement position without sufficient controls in our code and a revision will be required again.

Staff recommends that Council visit the language changes in the following areas for final determination:

- 3.c.2) Does more than one swine, and all breeding or reproduction stock require a (UP)?
- 3.2.4) Should Additional 4-H or FFA swine require a Temporary Youth Organization (UP)?
- 4.a. Would any Commercial Livestock activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one letter, or more than ten animals in one year, other than horses and cattle require a (UP)?
- 5.a. Should projects in lots smaller than 1/2 acre be limited to one market animal and should swine projects on lots less than one acre be limited to one or should the advisor be allowed to determine the number of animals that can be raised on the property?

RECOMMENDED MOTION: Approve Ordinance 2008 A348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona amending Section 108D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the use permit process for youth livestock activity on parcels smaller than 1/2 acre and to add language for setback requirements for livestock activity as was previously stated in Section 109

Type of Document Needing Approval (Check all that apply):

- | | | |
|---|---|--|
| <input type="checkbox"/> Acceptance/Approval | <input type="checkbox"/> Agreement/Contract | <input type="checkbox"/> Emergency Clause |
| <input type="checkbox"/> Final Plat | <input type="checkbox"/> Grant Submission | <input type="checkbox"/> Intergovernmental Agreement |
| <input type="checkbox"/> Liquor/Bingo Application | <input checked="" type="checkbox"/> Ordinance | <input type="checkbox"/> Preliminary Plat |
| <input type="checkbox"/> Public Hearing | <input type="checkbox"/> Resolution | <input type="checkbox"/> Special Consideration |
| <input type="checkbox"/> Special/Temp Use Permit | <input type="checkbox"/> Other: | <input type="checkbox"/> Presentation/Report Only |

Submitting Department: P&Z

Contact Person: Nancy Buckel



ORDINANCE 2008A 348

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA
AMENDING SECTION 108 D OF THE ZONING ORDINANCE TO DEFINE THE CRITERIA FOR
RAISING SWINE WITHIN THE TOWN, TO ADD DEFINITIONS FOR COMMERCIAL LIVESTOCK
ACTIVITY AND LIVESTOCK BREEDING ACTIVITY, TO CHANGE THE USE PERMIT PROCESS FOR
YOUTH LIVESTOCK ACTIVITY ON PARCELS SMALLER THAN ½ ACRE AND TO ADD LANGUAGE
FOR SETBACK REQUIREMENTS FOR LIVESTOCK ACTIVITY AS WAS PREVIOUSLY STATED IN
SECTION 109.**

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987, and

WHEREAS, Section 108 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and 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 and Zoning Ordinance by including definitions.

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

Section 1. Section 108 of the Zoning Code is hereby amended as the following:

D. ANIMALS: (Revised 4/26/2000 5-28-08)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft)

- 1. Allowed Livestock: Any of the species listed on the Species Table below which are cared for by the property owner or occupant and are permitted on lots of one-half acre or larger according to the following Animal Points Chart. All livestock activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.**

ANIMAL POINTS CHART-ALLOWED PER ACREAGE

One-half acre through one acre:	24 ANIMAL POINTS
One acre plus through two acres:	48 ANIMAL POINTS <u>each additional contiguous ¼ acre allows for the increase of points by an increment of 6 points.</u>
Over Two acres:	24 ANIMAL POINTS per additional acre

SPECIES

SPECIES (or associated types)	POINTS PER ADULT ANIMAL
Alpacas:	3 POINTS
Emus:	3 POINTS
Pygmy goats:	3 POINTS
Sheep, Goats:	4 POINTS
Llamas:	6 POINTS
Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Ostriches:	6 POINTS
Swine:	6 POINTS
Cattle:	12 POINTS
Domestic deer:	12 POINTS
Horses, Mules, and Donkeys:	12 POINTS

~~(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)~~

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**
3. **Exceptions:**
 - a. ~~Young nursing~~ **Young nursing** ~~Animals under one year of age or not weaned; whichever comes first are not counted in the number of animals allowed.~~
 - b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
 - c. **Swine may only be raised on property of an acre or more under the following conditions:**
 - 1) **1 pet or butcher pig per parcel.**
 - 2) **Additional Swine, breeding or reproduction stock requires a (UP)**
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit.**

4. A Use Permit: A use permit is required for any of the following:

- a. **Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.**
- b. **Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle, (Swine breeding is addressed in paragraph 3c.)**

5. Temporary Youth Organization Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity, using reasonable discretion:

- a. **Supervised youth livestock market project of one market animal conducted on property less than ½ acre, or for one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.**
- b. **Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size.**
- c. **An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.**
- d. **An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.**
- e. **If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required.**
 - 1) **In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.**
 - 2) **The Youth Advisor will provide the following documentation to the Community Development Department by December 1st:**
 - i. **A roster with the name, address and project type for all active members under their supervision.**
 - ii. **Property owner's permission to conduct livestock activity on the subject parcel.**
 - iii. **Parents' statement of responsibility.**
 - iv. **Contact information for the Youth Advisor.**
 - 3) **A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the**

- Youth Livestock Organization, the year in which the project is conducted, and number of livestock.
- 4) If complaints are received and compliance cannot be met, the advisor will notify the Code Enforcement Official and will support any action taken by the Town.
- 5) The ultimate decision on whether the activity is in compliance with this Section 108 will be made by the Community Development Director or designee.
- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).
- e. ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock raising program (4-H, FFA and the like) only for the life of the program *regardless of the lot size* with the following stipulations:~~
- 1) ~~Any youth raising livestock on a lot of less than one-half acre must obtain a Use Permit (for which all fees shall be waived) AND obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
- g 2) The market projects shall be of a limited duration **specified by a start and stop date** not to exceeding seven ~~(7)~~ **10** months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
- h 3) ~~In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.~~

3.6. Nuisance: Maintenance of Livestock Facilities

- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
- c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector **Code Enforcement Official** shall have the authority **to determine a reduction in the number and removal of the animals is necessary to comply with Section 108** to require a reduction in the number and/or removal of the animals.
- b. A ten-day grace period will be allowed for compliance with the Ordinance after a warning is given by the Enforcement Officer.
- e.d. The **Code Enforcement Officer** Official has the authority **to determine that** require immediate removal of the animals **in circumstances where they constitute a health or safety hazard to human beings** in question in exceptional cases. **is necessary to comply with Section 108**
- d. ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which~~

~~constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. 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 4. This ordinance is effective upon 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 28th day of May 2008.

Tony Gioia, Mayor

Date _____

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney

3rd COUNCIL DRAFT

D. ANIMALS: (Revised 4/26/2000)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft)

1. **Allowed Livestock:** Any of the species listed on the Species Table below which are cared for by the property owner or occupant and are permitted on lots of one-half acre or larger according to the following Animal Points Chart. All livestock activity within the town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.

ANIMAL POINTS CHART-ALLOWED PER ACREAGE

One-half acre through one acre:	24 ANIMAL POINTS
One acre plus through two acres:	48 ANIMAL POINTS <u>each</u>
<u>additional contiguous ¼ acre allows for the increase of points by an increment of 6 points.</u>	
Over Two acres:	24 ANIMAL POINTS per additional acre

<u>SPECIES</u> (or associated types)	<u>POINTS</u>
Alpacas:	3 POINTS
Emus:	3 POINTS
Pygmy goats:	3 POINTS
Sheep, Goats:	4 POINTS
Llamas:	6 POINTS
Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Ostriches:	6 POINTS
Swine:	6 POINTS
Cattle:	12 POINTS
Domestic deer:	12 POINTS
Horses, Mules, and Donkeys:	12 POINTS

3rd COUNCIL DRAFT

(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**
3. **Exceptions:**
 - a. **Young nursing** ~~A~~ animals under one year of age or not weaned; whichever comes first are not counted ~~in the number of animals~~ allowed.
 - b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, ~~Pot Bellied pigs~~ and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
 - c. **Swine may only be raised on property of an acre or more under the following conditions:**
 - 1) **1 pet or butcher pig per parcel.**
 - 2) **No Additional Swine, breeding or reproduction stock allowed except with requires a (UP)** *(Council wants to revisit)*
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary 4-H, FFA, or School Youth Livestock Use Permit.** *(Council wants to revisit)*
4. **A Use Permit: A use permit is required for any of the following:**
 - a. **Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.** *(Council wants to revisit)*
 - b. **Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle. (Swine breeding is addressed in paragraph 3c).**
5. **Temporary 4-H, FFA, or School Youth Organization Livestock Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity using reasonable discretion:**
 - a. **Supervised youth livestock market project of one (Look at) market animal conducted on property less than ½ acre, or for**

3rd COUNCIL DRAFT

- one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.
- b. Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size, except swine.
- c. An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.
- d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.
- e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required.
- 1) In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.
 - 2) The Youth Advisor will provide the following documentation to the Community Development Department by December 1st:
 - o A roster with the name, address and project type for all active members under their supervision.
 - o Property owner's permission to conduct livestock activity on the subject parcel.
 - o Parents' statement of responsibility.
 - o Contact information for the Youth Advisor.
 - 3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock, the year in which the project is conducted, and number of livestock.
 - 4) If complaints are received and compliance cannot be met, the advisor will notify the Code Enforcement Official and will support any action taken by the Town.
 - 5) The ultimate decision on whether the activity is considered a nuisance in compliance with this Section 108 will be made by the Community Development Director or designee.
- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).
- c. ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock-raising program (4-H, FAA~~

3rd COUNCIL DRAFT

and the like) only for the life of the program ~~regardless of the lot size~~ with the following stipulations:

- ~~1) Any youth raising livestock on a lot of less than one half acre must obtain a Use Permit (for which all fees shall be waived) AND obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
- 2) **g** The **market** projects shall be of a limited duration specified by a start and stop date not to exceeding **ten seven (710)** months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
- 3**h** In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.
- ~~**h.** No special circumstances for additional swine on less than one acre will be considered.~~

3.6. Nuisance: Maintenance of Livestock Facilities

- a.** All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b.** **Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.**
- c.** Where the keeping of such animals becomes a nuisance, **as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to determine a reduction in the number and removal of the animals is necessary to comply with Section 108.**~~to require a reduction in the number and/or removal of the animals.~~
- b** A ten-day grace period will be allowed for compliance with the Ordinance after a **written** warning is given by the **Code Enforcement Officer.**
- e.d.** The **Code Enforcement Officer Official** has the authority to **require determine that immediate removal of the animals in under circumstances where they constitute a health or safety hazard to human beings is necessary to comply with Section 108.**~~in question in exceptional cases.~~
- d.** ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

5. a. 1), 2)
FFA ADVISOR CHANGES

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FFA ADVISOR CHANGES

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3. **Exceptions:**

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b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, ~~Pot Bellied pigs~~ and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.

c. **Swine may only be raised on property of an acre or more under the following conditions:**

1) 1 pet or butcher pig per parcel.

2) No Additional Swine, breeding or reproduction stock allowed except with requires a (UP) (Council wants to revisit)

3) All pens containing swine must meet the setback requirements for the zoning district.

4) Additional 4-H or FFA swine will require a Temporary 4-H, FFA, or School Youth Livestock Use Permit. (Council wants to revisit)

4 A Use Permit: A use permit is required for any of the following:

a. **Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle. (Council wants to revisit)**

b. **Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle. (Swine breeding is addressed in paragraph 3c).**

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a. **Supervised youth livestock market project of one (Look at) market animal conducted on property less than 1/2 acre, or for**

FFA ADVISOR CHANGES

one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.

- 1) One additional market swine project will be allowed with each additional ½ acre, not to exceed 5 per parcel.
- 2) Swine will be restricted to one market swine project per member.
- b. Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size, except swine.
- c. An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.
- d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.
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 - 5) The ultimate decision on whether the activity is considered a nuisance in compliance with this Section 108 will be made by the Community Development Director or designee.
- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).

5. a. 1), 2)
FFA ADVISOR CHANGES

- c. ~~Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock-raising program (4-H, FAA and the like) only for the life of the program **regardless of the lot size** with the following stipulations:~~
- ~~1) Any youth raising livestock on a lot of less than one-half acre must obtain a Use Permit (for which all fees shall be waived) **AND** obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
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 - 3h** In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.
 - h.** ~~No special circumstances for additional swine on less than one acre will be considered.~~

3.6. Nuisance: Maintenance of Livestock Facilities

- a.** All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.
- b.** Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
- c.** Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to determine a reduction in the number and removal of the animals is necessary to comply with Section 108 to require a reduction in the number and/or removal of the animals.
- b** A ten-day grace period will be allowed for compliance with the Ordinance after a written warning is given by the Code Enforcement Officer.
- c.d.** The Code Enforcement Officer Official has the authority to require determine that immediate removal of the animals in under circumstances where they constitute a health or safety hazard to human beings is necessary to comply with Section 108 in question in exceptional cases.
- d.** ~~The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

**Council Hears Planning & Zoning
May 28, 2008**

Additional Information

#8 New Resolution approved by Attorney

#9 New Ordinance approved by Attorney

#10 New Ordinance approved by Attorney



RESOLUTION 2008-739

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL
OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
VACATING A PORTION OF THE RIGHT-OF-WAY OF PHEASANT RUN
CIRCLE TO THE OWNER OF LOT 1
OF JORDON MEADOWS WITHIN THE TOWN LIMITS**

RECITALS:

A. The Town council previously approved a Final Plat for JORDON MEADOWS that contained a street identified as Pheasant Run Circle a portion which was dedicated from Lot 1.

B. As originally platted, Pheasant Run Circle was to continue into un-subdivided parcels to the east now terminates at Lot 1.

C. The owner of Lot 1 ("Owner") has petitioned the Town for vacation of a portion of Pheasant Run Circle adjacent to Lot 1 and the Town agrees that best use of this portion of Pheasant Run Circle is for landscaping and beautification.

D. The Town finds that it is in best interest of the public that a portion of Pheasant Run Circle be vacated by the Town to the Owners pursuant to A.R.S. 28-7205.

**BE IT RESOLVED BY THE MAYOR AND COMMON COUNCIL OF THE TOWN OF
CAMP VERDE AS FOLLOWS:**

1. That that portion of Pheasant Run Circle, legally described on Exhibit A attached hereto is vacated and title shall revert to the Owners of record of Lot 1 Jordon Meadows recorded at BK 16, of Maps and Plats, PG 19 records of Yavapai County.
2. All currently existing utility easements are reserved pursuant to A.R.S. 28- 7210.
3. Owners shall submit to the Town an executed Agreement for receipt of the vacated property containing terms acceptable to the Town for landscaping, beautification, utility procedures, maintenance and release of the Town that shall be recorded with this Resolution,

4. The vacation of the property herein shall be conditioned upon the execution and recordation of the Agreement signed by the Owners as set forth in 3 above and recordation of this Resolution.

PASSED AND APPROVED by a majority vote of the Common Council at the regular meeting of May 28th, 2008.

Approved: _____
Tony Gioia, Mayor

Date: _____

EXHIBIT A
(Legal description of vacated roadway)



ORDINANCE 2008A 354

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA
AMENDING SECTION 118 OF THE ZONING ORDINANCE TO DEFINE A-FRAME
SIGNS, ADD EXCEPTION FOR A-FRAME SIGNS UNDER PROHIBITED SIGNS
IN THE RIGHT OF WAY AND DEFINE THE CRITERIA UNDER WHICH A-FRAME
SIGNS MAY BE USED UNDER TEMPORARY SIGNS.**

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987, and

WHEREAS, Section 113 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and 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 and Zoning Ordinance by including definitions.

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

Section 1. Section 118 of the Zoning Code is hereby amended as the following:

**SECTION 118
SIGN ORDINANCE**

III. DEFINITIONS

The following words, terms, and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

“A-Frame sign” describes a portable sign, also referred to as a “sandwich board” sign, comprised of two separate panels or faces typically joined at the top with a hinge and widened at the bottom to form a shape similar to the letter “A”.

IV PROHIBITED SIGNS

- A. Notwithstanding any other provisions of this ordinance, the types of signs listed below are prohibited in the Town of Camp Verde.
1. Unlawful to park a vehicle for the purpose of advertising.
 2. Signs located within, on or projecting over any public right-of-way **except permitted temporary "A" frame signs as allowed under this section 118, VII, A(10).**

VII TEMPORARY SIGNS

- A. The following temporary signs shall be permitted in conformance with the provisions identified.
10. **Temporary signs – "A" frame signs are only allowed in the "Town Site Area" starting at Arnold Street to the North and running South along Main Street to General Crook Trail and being bounded on the East and West sides by the Main Street Right – of – Way.**
 - (a) **A right-of-way permit from the Town of Camp Verde Public Works Department will be required.**
 - (b) **The maximum size of any "A" frame sign shall be 2-foot wide by 3-foot high.**
 - (c) **Only those businesses without monument signage along Main Street will be allowed one "A" frame sign per business.**
 - (d) **An "A" frame sign cannot be placed in any vehicular circulation area including parking lots, parking stalls, drive aisles, driveways, crosswalks & roadways.**
 - (e) **"A" frame signs cannot be placed on fences, boulders, raised landscape planters, on other signs, on vehicles or utility boxes or structures.**
 - (f) **All "A" frame signs are to be displayed during posted business hours only and are to be removed at the end of each business day.**
 - (g) **The applicant shall sign an Indemnity Agreement as provided by the Town of Camp Verde, indemnifying the Town of Camp Verde from any and all claims arising from the placement of the "A"-Frame sign and releasing the Town of Camp Verde from any liability arising from the placement of the "A"-Frame sign.**

- (h) All "A" frame signs shall be composed of weather resistant materials with a protective water resistant coating and of sufficient weight to withstand wind gusts and storms and maintained to be free from chipping paint & gouges. Any damaged "A" frame sign must be removed by the applicant and restored to like new or replaced before returning to use.
- (i) All "A" frame signs shall be administratively reviewed pursuant to Section 124 of the Planning and Zoning Ordinance.
- (j) All "A" frame signs must have a western appearance that has a comfortable simplicity and meet the criteria as set forth in the Town of Camp Verde Design Review Section of the Planning & Zoning Ordinance, section 124. Corporate logos are allowed.
- (k) The applicant shall provide their contact phone number and address on the inside face of one of the "A" frame panels in case of any incident or violation concerning said sign. This contact number and address needs to be painted or affixed in a permanent manner with a protective water resistant coating.
- (l) All "A" frame signs shall require a temporary "A" frame sign permit issued by the Community Development Director or designee that will run for a period of 8 months from the date of issue. With the issuance of this permit, the applicant will receive a weather resistant permit sticker as provided by the Town of Camp Verde. This permit sticker shall be placed at the bottom right corner of one of the outside panel faces for easy observation. If the applicant wishes to renew the "A" frame sign permit then a renewal permit should be applied for within two weeks before the expiration date of the previous temporary sign permit if they do not want to go through an administrative design review process again. If the applicant fails to renew within this time frame then a complete new submittal process will be required. This would entail an administrative design review a right-of-way permit and a temporary sign permit with associated fees as required. The temporary sign permit, right-of-way permit and the administrative design review fees will be based on the current permit fee schedule for the Town of Camp Verde. The actual sign shall be brought to the

Community Development Department for inspection and verification when the applicant applies for the renewal permits.

- (m) **An "A" frame temporary sign permit and right-of-way permit are a license that allows the applicant to use the Town of Camp Verde's right-of-way. Any violation of this code will result in the immediate removal of an "A" frame sign by the Town of Camp Verde code enforcement officer.**

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. 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 4. This ordinance is effective upon 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 28TH day of May 2008.

_____ Date _____
Tony Gioia, Mayor

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney



ORDINANCE 2008A 348

**AN ORDINANCE OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA
AMENDING SECTION 108 D OF THE ZONING ORDINANCE TO DEFINE THE CRITERIA FOR
RAISING SWINE WITHIN THE TOWN, TO ADD DEFINITIONS FOR COMMERCIAL LIVESTOCK
ACTIVITY AND LIVESTOCK BREEDING ACTIVITY, TO CHANGE THE USE PERMIT PROCESS FOR
YOUTH LIVESTOCK ACTIVITY ON PARCELS SMALLER THAN ½ ACRE AND TO ADD LANGUAGE
FOR SETBACK REQUIREMENTS FOR LIVESTOCK ACTIVITY AS WAS PREVIOUSLY STATED IN
SECTION 109.**

WHEREAS, the Town of Camp Verde adopted the Planning and Zoning Ordinance in Ordinance 87 A23, approved July 9, 1987, and

WHEREAS, Section 108 of the Planning and Zoning Ordinance allows for the amendment, supplement or change of zoning text regulations of the Planning and 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 and Zoning Ordinance by including definitions.

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

Section 1. Section 108 of the Zoning Code is hereby amended as the following:

D. ANIMALS: (*Revised 4/26/2000 5-28-08*)

The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which impairs the enjoyment or use of nearby properties or violates other legal restrictions to which the properties are subject. Zoning where the animals are kept must be a density of not less than 25 and a calculated size of not less than ½ acre (21,780 sq ft)

- 1. Allowed Livestock: Any of the species listed on the Species Table below which are cared for by the property owner or occupant and are permitted on lots of one-half acre or larger according to the following Animal Points Chart. **All livestock activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.****

ANIMAL POINTS CHART ALLOWED PER ACREAGE

One-half acre through one acre:	24 ANIMAL POINTS
One acre plus through two acres:	48 ANIMAL POINTS <u>each additional contiguous ¼ acre allows for the increase of points by an increment of 6 points.</u>
Over Two acres:	24 ANIMAL POINTS per additional acre

SPECIES

SPECIES (or associated types)	POINTS PER ADULT ANIMAL
Alpacas:	3 POINTS
Emus:	3 POINTS
Pygmy goats:	3 POINTS
Sheep, Goats:	4 POINTS
Llamas:	6 POINTS
Miniature horses, Ponies and Sicilian donkeys:	6 POINTS
Ostriches:	6 POINTS
Swine:	6 POINTS
Cattle:	12 POINTS
Domestic deer:	12 POINTS
Horses, Mules, and Donkeys:	12 POINTS

~~(If the property owner wants to increase the number of livestock on their property, they must have the total number of points required for that species)~~

2. **Prohibited Livestock: Swine are prohibited within residential zones, unless excepted under paragraph 3c.**

3. **Exceptions:**

- a. ~~Young nursing~~ **Young nursing** ~~A~~ animals under one year of age or not weaned; whichever comes first are not counted in the number of animals allowed.
- b. Fowl (chickens, ducks, geese, turkeys and peacocks), Rabbits, and Guinea pigs which are cared for by the property owner or occupant are limited by management, husbandry, fly and odor situations, not by numbers.
- c. **Swine may only be raised on property of an acre or more under the following conditions:**
 - 1) **1 pet or butcher pig per parcel.**
 - 2) **Additional Swine, breeding or reproduction stock requires a (UP) in accordance to Section 108!**
 - 3) **All pens containing swine must meet the setback requirements for the zoning district.**
 - 4) **Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit as defined in D.5 below.**

- 4. A Use Permit: A use permit is required for any of the following:**
- a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter, or more than ten animals in one year, other than horses and cattle.**
 - b. Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses and cattle, (Swine breeding is addressed in paragraph 3c.)**
- 5. Temporary Youth Organization Use Permit: The Community Development Director may issue a temporary use permit allowing the following livestock activity, using reasonable discretion:**
- a. Supervised youth livestock market project of one market animal conducted on property less than ½ acre, or for one swine on less than 1 acre, for a period specified by a start and stop date not to exceed 10 months in duration.**
 - b. Supervised youth livestock market project that exceeds the number of animals allowed according to the animal points on property greater than ½ acre in size.**
 - c. An application for the temporary permit shall be submitted to the Community Development Director, or designee who shall determine that the application meets the criteria set forth in Section 108 I. There will be no charge for the permit.**
 - d. An application shall bear the signature of the local livestock youth advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.**
 - e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required by the Community Development Director.**
 - 1) In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.**
 - 2) The Youth Advisor will provide the following documentation to the Community Development Department by December 1st:**
 - i. A roster with the name, address and project type for all active members under their supervision.**
 - ii. Property owner's permission to conduct livestock activity on the subject parcel.**
 - iii. Parents' statement of responsibility.**
 - iv. Contact information for the Youth Advisor.**
 - 3) A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the**

- Youth Livestock Organization, the year in which the project is conducted, and number of livestock.**
- 4) If complaints are received and compliance cannot be met, the Youth Advisor will notify the Code Enforcement Official and will support any action taken by the Town.**
- 5) The ultimate decision on whether the activity is in compliance with this Section 108 will be made by the Community Development Director or designee.**
- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 108I (3) (i).**
- ~~e. Youth under the age of 21 may keep one livestock animal in conjunction with an approved stock raising program (4-H, FAA and the like) only for the life of the program **regardless of the lot size** with the following stipulations:~~
- ~~1) Any youth raising livestock on a lot of less than one half acre must obtain a Use Permit (for which all fees shall be waived) **AND** obtain the signatures of at least fifty percent (50%) of the property owners of parcels lying within 300 feet of the property.~~
- g 2) The livestock market projects shall be of a limited duration specified by a start and stop date not to exceeding seven (7) 10 months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.**
- h 3) In the instance that a prize-winning animal is to be entered into competition more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.**

3.6. Nuisance: Maintenance of Livestock Facilities

- a. All structures and pens for animals shall be maintained in a clean and sightly manner so as not to be a nuisance to their neighbors.**
- b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.**
- c. Where the keeping of such animals becomes a nuisance, as defined in Section 108A, the Zoning Inspector Code Enforcement Official shall have the authority to determine a reduction in the number and removal of the animals is necessary to comply with Section 108 to require a reduction in the number and/or removal of the animals.**
- b. A ten day grace period will be allowed for compliance with the Ordinance after a warning is given by the Enforcement Officer.**
- c.d. The Code Enforcement Officer Official has the authority to determine that require immediate removal of the animals in circumstances where they constitute a health or safety hazard to human beings, in question in exceptional cases, is necessary to comply with Section 108.**
- d. The provisions of the Ordinance are not intended to authorize the keeping of animals, regardless of number, size or type, in a manner which**

~~constitutes a nuisance and which impairs the enjoyment or use of nearby properties or violates other legal restrictions the properties are subject to.~~

Section 2. All ordinances or parts of ordinances in conflict with the provisions of this ordinance or any part of the code adopted herein by reference, are hereby repealed, effective as of the effective date of this ordinance.

Section 3. 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 4. This ordinance is effective upon 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 28th day of May 2008.

Tony Gioia, Mayor

Date _____

Approved as to form:

Attest: _____
Deborah Barber, Town Clerk

Town Attorney

**AMENDED AGENDA
MAY 28, 2008**

CORRECTING ITEM #10

AMENDING SECTION 108 NOT 118

**ADDITIONAL INFORMATION
FROM MAYOR GIOIA**

ITEM 4e

**AMENDED
AGENDA**



**COUNCIL HEARS PLANNING & ZONING
TOWN OF CAMP VERDE
COUNCIL CHAMBERS**

**473 S. Main Street, Room #106
WEDNESDAY, MAY 28, 2008
at 6:30 P.M.**

1. **Call to Order**

As a reminder, if you are carrying a cell phone, pager, computer, two-way radio, or other sound device, we ask that you turn it off at this time.

2. **Roll Call**

3. **Pledge of Allegiance** – *(Please remove your hat.)*

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) May 20, 2008 – Budget Work Session

b) Set Next Meeting, Date and Time:

- 1) Budget Work Session – May 29, 2008 at 3:00 p.m.
- 2) Special Session – June 4, 2008 at 5:00 p.m.
- 3) Regular Session – June 4, 2008 at 6:30 p.m.
- 4) Work Session – June 11, 2008 at 6:30 p.m.
- 5) Regular Session – June 18, 2008 at 6:30 p.m.
- 6) Council Hears Planning & Zoning – June 25, 2008 at 6:30 p.m.

c) Possible approval of a Proclamation declaring May 24 through May 26, 2008 at Memorial Poppy Weekend. Staff Resource: Mayor Gioia

d) Possible approval of Resolution 2008-747, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Town of Camp Verde Housing Rehabilitation Program Guidelines as revised. Staff Resource: Matt Morris

e) Possible authorization for the Mayor to draft a letter of support for the Tavasci Marsh Riparian Enhancement Project, Tuzigoot Monument. Staff Resource: Mayor Gioia

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

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.** Note: Requests may be identified, but no discussion of the item will occur at this time.

7. **Discussion, consideration, and possible approval of Resolution 2008-740, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving the Preliminary Plat 2007-02 for the purpose of developing Verde Highland Plaza, a commercial business condominium plaza on parcels 404-28-026E & 404-28-025B consisting of approximately 3.16 acres.** This site is located on the northwest corner of the intersection of Cliffs Parkway and SR 260. Staff Resource: Michael Jenkins

- **Call for STAFF PRESENTATION**
- **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
- **Declare PUBLIC HEARING CLOSED**

- **Call for COUNCIL DISCUSSION**
8. **Public Hearing, discussion, consideration, and possible approval of Resolution 2008-739, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, vacating a portion of the right-of-way of Pheasant Run Circle to the owner of Lot 1 of Jordon Meadows within the Town limits, as initiated by petition and submitted by Joann Sawyer, owner of parcel 404-03-026A adjacent to the proposed abandonment (vacation.)** Staff Resource: Michael Jenkins
 - **Call for STAFF PRESENTATION**
 - **Declare PUBLIC HEARING OPEN**
 - **Call for APPLICANT'S STATEMENT**
 - **Call for COMMENT FROM OTHER PERSONS (either in favor or against)**
 - **Call for APPLICANT'S REBUTTAL (if appropriate)**
 - **Declare PUBLIC HEARING CLOSED**
 - **Call for COUNCIL DISCUSSION**
 9. **Discussion, consideration, and possible approval of Ordinance 2008A-354, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section 118 of the Zoning Ordinance to define A-Frame Signs, add exception for A-Frame Signs under Prohibited Signs in the right-of-way and define the criteria under which A-Frame signs may be used under the Temporary Signs.** Staff Resource: Michael Jenkins
 10. **Discussion, consideration, and possible approval of Ordinance 2008A-348, an ordinance of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, amending Section ~~118-D~~ 108D of the Zoning Ordinance to define the criteria for raising swine within the Town, to add definitions for commercial livestock activity and livestock breeding activity, to change the Use Permit process for youth livestock activity on parcels smaller than 1/2 acre and to add language for setback requirements for livestock activity as was previously stated in Section 109.** Staff Resource: Nancy Buckel
 11. **Call to the Public for Items not on the Agenda.**

There will be no Public Input on the following items:

12. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
13. **Manager/Staff Report**
14. **Adjournment**

Posted by:

Virginia Gomez

Date/Time:

5-27-08 1:15 p.m.

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

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

Tavasci Marsh Riparian Enhancement Project

Tuzigoot National Monument,
Tavasci Marsh Unit

DRAFT
AWPF Application Package

Submitted by:
Natural Channel Design, Inc.
206 S. Elden St
Flagstaff, Az. 86001

EXECUTIVE SUMMARY

The goals of the project are to restore and protect wetland marsh vegetation and wildlife habitat; restore proper hydrologic conditions/function; and to decrease the negative impacts of monotypic vegetation on eight acres of Tavasci Marsh. Accomplishing stated goals will also create diverse, high quality wildlife habitat for several species, including the Southwest river otter, a federally listed species of concern. The project will act as a pilot project to jumpstart additional restoration efforts at Tavasci Marsh.

The National Park Service (NPS) recently acquired ownership of the 83 acre Tavasci Marsh from Phelps Dodge. Since being acquired, the marsh has been managed through Tuzigoot National Monument. The NPS is interested in managing a monotypic stand of cattails to create high quality wildlife habitat by increasing plant diversity and reintroducing native marsh plant communities. The NPS will work in collaboration with Natural Channel Design (NCD) to develop a plan to achieve project goals and objectives.

An empirical design approach will be used to develop design alternatives for restoration efforts at Tavasci Marsh. This approach aims to improve ecosystem function, pattern, habitat, and conditions using a design that imitates "natural conditions." An empirical design approach seeks to identify and compare the potential of the system (through local reference sites) and the existing conditions to develop a plan to move the existing conditions to the desired reference conditions. The approach does not use a set design, but develops a plan based on site specific morphology and adaptive management.

Past management activities have led to Tavasci Marsh becoming a dense monotypic community of cattails with little open water area. This monotypic stand of cattails has devoured native cottonwood/willow habitat, shoreline habitat, and important transitional ecotone habitat. Native riparian vegetation will be planted throughout the project area to create a gradual habitat transition from open water to upland mesquite bosque. Additional alteration to the outlet channel of the marsh may be required for stabilization and creation of a "riparian zone" back to the river.

PROJECT OVERVIEW

Background

Freshwater marshes act to purify waters, as well as provide important habitat for a variety of plant and animal species. Marshes are heavily influenced by the surrounding environment, and are a function of the type and deposition rate of sediment, supply of nutrients, and movement of water. These characteristics determine plant composition, species richness, and overall health and productivity of the marsh. Typical ecosystems associated with freshwater marshes include deep open water, wetted shoreline, sedge/rush, cattail/bulrush, cottonwood/willow, grasslands, and mesquite bosques. Usually, these ecosystem types gradually transition from one to the next. The zone between each ecosystem type is a transition zone (or ecotone). Ecotones include characteristics of each zone to create a unique ecosystem that is vital to many wildlife species.

Tavasci Marsh is a natural wetland directly downstream of Pecks Lake near the Verde River in Clarkdale, Arizona. It was named for a pioneer family who leased land from the mining company for a dairy operation. The marsh was drained to provide more land for grazing and farming. Waters have since been returned to the marsh. The marsh was owned by Phelps Dodge, and managed by Arizona Game and Fish Department. Recently, eighty-three acres of Tavasci Marsh was obtained by the National Parks Service and is being managed as part of Tuzigoot National Monument.

Thousands of years ago Tavasci Marsh and Pecks Lake were directly connected to the Verde River, but the river slowly changed course, and abandoned the meander that connected the river to the marsh and lake. Prior to its failure in a January 2008 flood, a diversion from the Verde River supplied water to Pecks Lake, with excess flows from the lake routed through the marsh and back to the Verde River. These excess flows were somewhat beneficial to the marsh, but not considered essential to maintaining the marsh and frequently created difficulties in conveying different volumes of water through the marsh. Currently, the marsh is fed primarily by Shea Springs located along the northwest side of the marsh. The flows are estimated to be 1.2 to 1.6 cubic feet per second (cfs) and are deemed sufficient for maintaining the freshwater marsh.

The vegetation at Tavasci Marsh has been compromised from historic management practices. Today, the marsh is dominated almost exclusively by cattail, with little to no open water habitat/conditions. Tavasci Marsh is also lacking the gradual transition from ecotone to the next. Vegetation at Tavasci marsh moves directly from cattail habitat to mesquite bosque habitat. Cattails generally part of marsh ecosystems. However, they usually occur as scattered sterile plants. The marsh is lacking several natural habitat types including cottonwood/willow, shallow water, and shoreline habitats. In the early 1990's, an Arizona Game and Fish (AZGF) project created a small area of open water habitat in the downstream section of the marsh.

The purpose of the project is to 1) restore and enhance native wetland plant communities, 2) manage invasive plant species, 3) create diverse high quality wildlife habitat that is associated with freshwater marsh ecosystems, and 4) provide for educational opportunities for visitors regarding the importance of wetland vegetation and the wildlife habitats associated with them. Project objectives include the management of invasive plant species; the revegetation of plant communities associated with wetland marsh habitat; enhance the diversity of wildlife habitat; creation of trails, signs, and other educational and interpretive infrastructure for visitors to Tuzigoot National Monument and Tavasci Marsh.

The project area includes eight acres near the downstream end of the marsh; in the vicinity of the previous AZGF project. Design components may include changes in depth, slopes, or other

topography for different sections of the marsh to optimize and diversify wildlife habitat, such as wetted shorelines, deep open water, and willow-cottonwood habitats.

Goals

The purpose of the project is to 1) restore and enhance native wetland plant communities, 2) create diverse high quality wildlife habitat that is associated with freshwater marsh ecosystems, and 3) provide for educational opportunities for visitors regarding the importance of wetland vegetation and the wildlife habitats associated with them.

Objectives

1. Create and diversify marsh ecosystems and habitats. The project shall design and implement an enhancement plan that will convert the existing monotypic cattail stand to a landscape that is more diverse, having representative plants and animals from several marsh ecosystem types. These ecosystem types include deep open water, wetted shoreline, sedge/rush, cattail/bulrush, cottonwood/willow, grassland, and mesquite bosque.
2. Establish a management plan that optimizes ecosystem function for desired habitats.
3. Enhance public educational opportunities for Monument visitors through restoration efforts and interpretive infrastructure.

Statement of Problems/Causes

1. The marsh was drained and topography likely altered to allow for farming and grazing activities. When waters were returned to the marsh, a monotypic stand of cattails dominated the landscape.
2. The monotypic cattail stand replaced important vegetative communities, including cottonwood/willow, sedge/rush, and grasslands communities. Wetted shoreline and deep water habitats have also been replaced by cattails.
3. Although the area is currently open to the public, the dominant weedy species reduce the aesthetics of the area and the lack of a native riparian plant community limits the potential for education and interpretive opportunities.

Statement of Solutions

1. Assess the topography of the marsh to determine if resloping, dredging, or topography changes are necessary or desired.
 2. The project will convert the monotypic stand of cattail to a diverse selection of plant communities that gradually transition from one eco-type to the next. This transition will be accomplished through physical and mechanical removal of a portion of the cattail stand. The project will aggressively re-vegetate with native plant species through seeding and planting to increase diversity. Re-vegetation is expected to benefit wildlife by creating desired diverse habitats, including edge habitat that many wildlife species depend on for survival. The primary tool to manage invasive vegetation long-term is to establish vigorous and healthy native plant communities.
 3. A public outreach plan will improve social benefits to Tuzigoot National Monument, Tavaschi Marsh by increasing opportunities for recreation and education, and improving aesthetic beauty and other environmental services. Once established, the created and enhanced habitats will be maintained through a revised management plan that optimizes
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environment and educational opportunities. The outreach plan may include: interpretive signs, public workshops, newspaper articles, and/or volunteer workdays.

Statement of Project Years of Benefit

The project area, its high quality habitats, and educational opportunities will become an important and integral part of the Tuzigoot National Monument, Tavasci Marsh. The project will provide benefits for a period greater than 20 years. One of the primary objectives of NPS is the protection of native ecosystems and the education of visitors. Tavasci Marsh will be part of the Verde Valley far into the future and will become increasingly visited as the regional population rises. After project implementation has been completed, operation and maintenance will be transferred to Tuzigoot National Monument.

**STAKE HOLDER
STAKE HOLDER ADDRESS**

Arizona Water Protection Fund Commission
Arizona Department of Water Resources
3550 N. Central Avenue
Phoenix, Arizona 85012

Month, Day 2008

Re: Tavasci Marsh Restoration Project, Tuzigoot National Monument

Dear Arizona Water Protection Fund Commissioners:

The [your organization, name, company, agency here] would like to express its support for the Tavasci Marsh – Wetland Restoration Project at Tuzigoot National Monument, National Park Service. We understand that the purposes of the project are to develop a conceptual design to restore native plant communities and wildlife habitat diversity and to implement a pilot project. As a stakeholder, we appreciate the opportunity the project provides to restore and enhance aquatic and wetland community diversity and wildlife habitat in this unique desert wetland, which have been lost due to artificial manipulation of the flow of Pecks Lake’s water through the marsh and a hundred years of farming, grazing, burning, and ditching.

The National Park Service has begun public scoping to restore Tavasci Marsh. The conceptual design and pilot project to re-establish a native plant community, such as a cottonwood-willow association, will be incorporated into the final plan and environmental assessment.

Over the past decade there has been an increase in cattail communities that resulted in a loss of cottonwood/willow forests, sedge/rush herbaceous plant communities, and other aquatic/riparian habitats. This restoration effort will help the National Park Service manage invasive plant species by reintroducing native, non-invasive vegetation. The project will provide educational opportunities through the establishment of interpretive plots and trails for visitors and public outreach opportunities.

[Your organization here] recognizes the investment in this project requested of the Arizona Water Protection Fund and is enthusiastic about the opportunity to provide support and assistance for restoring the Tavasci Marsh – Wetland Restoration Project. We agree to work closely with the National Park Service and other stakeholders to see this project to completion and to help with its success into the future.

If you have any questions or concerns, please do not hesitate to contact me.

Sincerely,

Stakeholder
Address
Contact info

**ACTIONS TAKEN
REGULAR SESSION
MAYOR AND COUNCIL
TOWN OF CAMP VERDE
COUNCIL CHAMBERS
WEDNESDAY, MAY 21, 2008
6:30 P.M.**

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) May 7, 2008 – Regular Session
 - 2) May 7, 2008 – Special Session
 - 3) May 7, 2008 – Executive Session (taped)
 - b) **Set Next Meeting, Date and Time:**
 - 1) Budget Work Session – May 22, 2008 at 4:00 p.m.
 - 2) Budget Work Session – May 27, 2008 at 5:00 p.m.
 - 3) Council Hears Planning & Zoning – May 28, 2008 at 6:30 p.m.
 - 4) Budget Work Session – May 29, 2008 at 5:00 p.m.
 - 5) Regular Session – June 4, 2008 at 6:30 p.m.
 - 6) Regular Session – June 18, 2008 at 6:30 p.m.
 - 7) Council Hears Planning & Zoning – June 25, 2008 at 6:30 p.m.
 - c) **Possible approval of FY 2007-2008 Budget adjustments to reallocate funding appropriations to include transferring the budget amount and all related expenditures for Organizational Donations from the Capital Improvements Fund to the Non-Departmental accounts in the General Fund and transfer the 2007-2008 fiscal year budgeted amount and all the related expenditures for the Public Works Office Remodel from the Streets/HURF Fund to the Capital Improvements Fund.**
 - d) **Possible approval of FY 2007-2008 Park & Recreation Summer Program Funding Allocation in the amount of \$6,000 from monies received from the Yavapai-Apache Nation designated for the Parks & Recreation Youth Programs to be used to purchase supplies for the 2008 Summer Program.**

On a motion by Hauser, seconded by Kovacovich, the Consent Agenda was unanimously approved as presented, noting that the meeting time set for May 22nd is changed to 3:00 p.m., and it will be a Special Session.

5. **Call to the Public for Items not on the Agenda.**
(Comments from the following individuals are summarized.)

Stan Bullard, Camp Verde Water System, reported that the application to ADWR for determination of adequate water supply for Camp Verde Water System has been approved; that means that future development will not have to go through a hydrological study, if water is to be supplied by Camp Verde Water System. Bullard submitted the letter of approval for filing with the Clerk's Office.

Latahna Short announced that the Relay for Life celebration will be held Friday, May 30th at 6:00 a.m. at the Camp Verde High School football field. The main event will be an opportunity to tape Mayor Gioia's body to a wall with duct tape, with proceeds from the sales of duct tape to benefit the American Cancer Society. Smith immediately tendered \$100, and additional cash and checks were donated by the other Councilors, for the purchase of duct tape. The speakers also outlined plans for cancer survivors, including a Lap of Victory, starting at 6:00 p.m.

Gerry Tobish expressed his opinion, based on his experience as a local business owner, that the Camp Verde Chamber of Commerce is totally worthless for the businesses in Town. Roy Gugliotta deliberately discriminated against him at the recent Channel 3 event; for the Executive Director of a Chamber of Commerce to do something like that is reprehensible and not acceptable. Tobish said he hopes the Council will keep that in mind during the budget process; the Executive Director needs to be let go. Many businesses have withdrawn their memberships in the last two years.

Dave Freeman displayed a flyer that was sponsored by the Chamber of Commerce that clearly indicated that the ad for the business owned by Mr. Tobish had been airbrushed out. The other ads are for those who are current members of the Chamber, which represent less than 25% of all the businesses in Camp Verde. The Town receives sales tax revenues from all the businesses; the Chamber receives funding from that public money to support the Town, the history, and the businesses. Mr. Freeman said that it is wrong, and possibly illegal, that public money generated by an entire town is being used for the exclusive benefit of a small number of people.

There was no further public input.

6. **Council Informational Reports** Individual members of the Council may provide brief summaries of current events and activities. These summaries are strictly for informing the 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.

- **Councilor Garrison's Liaison Report regarding Camp Verde Sanitary District (District) meetings and possible discussion and/or determination of requests for placement on the District's standard agenda item for Council Updates/Reports.**

German said he attended the special strategy session with the Sanitary District; when he receives the information that was to be e-mailed back, he will share that with the Council. German feels that steps are being taken to perhaps shore some things up.

Hauser reported that she had been in water meetings today, and included in all the good information available were water use and drought figures affecting the Colorado River. Gioia added that the climatologist presented a data-driven prediction of a decrease of 20 to 50 percent of the runoff going to the Colorado River in two to three decades; Arizona survives on Colorado River water.

Smith said there is enough snow pack in Colorado that normal outflow will fill up Lake Powell this year; he also announced that the mayoral race in Sedona had been decided by only 2 votes. Smith expressed appreciation for the new budget format that makes it very readable and understandable.

Garrison congratulated Paul Clawson's family on his being admitted to the graduate law program; she also advised citizens to call the Sanitary District office directly with any complaints. There will be a Camp Verde Sanitary District special meeting tomorrow at 4:00 at the Chamber; Garrison detailed upcoming plans for a tourism bus event that will take place October 23rd in Camp Verde from 8:00. to 10:00, called A Step Back in Time.

Garrison apologized for not being able to attend the Sanitary District special meeting Monday; she will also not be able to make the meeting tomorrow, nor will her substitute be able to attend.

Kovacovich thanked the maintenance staff for a good job well done on the railings and sidewalks around the public restroom.

Gioia commented on the improvements in Rooms 206-207 done by staff; he also reminded everyone about the Relay for Life event scheduled for May 30 and 31. Gioia reported on the presentation at the water meeting from the Salt River Project with issues with their reservoirs. Gioia commented on the excellent new finance system.

Note: Item 8 was heard prior to Item 7.

7. **Clarification as to whether Council as a whole agreed at the May 7th Regular Session to simplify the Non-Profit Funding Program Policies and Procedures that were adopted by Council on February 6, 2008, followed by discussion, consideration, and direction to staff as to what changes Council would like to make to the Non-Profit Funding Program**

Policies & Procedures. *Staff Resource: Debbie Barber*

Staff was directed to revise the application to be submitted by a non-profit group for funding, as follows: Eliminate Question No. 8; eliminate No. 10 by adding language to No. 9 as follows, in part: ".....and/or event; how will you evaluate your success?"; and to correct the numbering which reflects two No. 9's, in order to simplify the subject Policies and Procedures that were adopted by Council on February 6, 2008.

There was no public input.

Mayor Gioia requested item #8

8. **Discussion, consideration, and possible appointment to the Committee for Non-Profit Funding. This Committee will consist of 3 to 5 people, consisting of at least one council member and one staff member, to evaluate the applications and to make a recommendation to the Town Council.**

On a motion by Gioia, seconded by Smith, the Council voted unanimously to accept those who have stepped forward to volunteer for the subject Committee; namely, three from the public: Howard Parrish, Robin Whatley and Mark Ware; Council member German and Staff member Barber .

There was no public input.

9. **Discussion, consideration and possible direction to staff regarding a three-year agreement with Dr. Betty Chester and Dowling Campbell for Joint Use of Athletic Facilities and Recreational Easement of Sunnyside Park with the stipulations requested by Betty Chester.** *Staff Resource: Lynda Moore*

Staff was directed to offer some better policing of the park area, trimming of the trees as requested, a continued relationship for the present standard of maintenance and equipment, with the upgrade of the goals, for a three-year contract with the inclusion of some of the finalizing concerns Council discussed regarding a possible sale of the property, the lease terms, with these stipulations in the contract, and bring back to Council for review and possible approval.

There was no public input.

A recess was called at 7:57; the meeting was called back to order at 8:04 p.m.

10. **Presentation by Parry Haddon, Trails & Pathways Commission Chairman, followed by discussion on the mandate of the Trails & Pathways Commission and the issues and ramification of motorized use of trails.**

The Trails & Pathways Commission was authorized to include motorized use of trails in the mandate to the Commission.

PUBLIC INPUT

(Comments by the following individual are summarized in the Minutes.)

Dave Freeman

There was no further public input.

11. **Presentation and discussion of the April 2008 Financial Update Report.** *Staff Resource : Lisa Elliott*

There was no action taken.

There was no public input.

12. **Discussion, consideration and possible direction to staff to prepare a Request for Proposal (RFP) or Request for Qualifications (RFQ) to hire a consultant to prepare a Master Plan for the 118 acre Community Park Site located off McCracken Road.** *Staff*

Resource: Lynda Moore

Staff was directed to go out for an RFP as soon as possible with inclusion of requests for qualification.

There was no public input.

13. **Discussion, consideration and possible approval to discontinue use of alcohol for all facility rentals, allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis.**

Staff Resource: Lynda Moore

A motion by Gioia, seconded by German, to approve the entire subject request was withdrawn following a request by Garrison to split the motion.

On a motion by Gioia, seconded by Garrison, the Council voted 5-2 to approve discontinuation of use of alcohol for all facility rentals; **with 'no' votes by Smith and Elmer.**

On a motion by Gioia, seconded by Kovacovich, the Council voted 6-1 to allow alcohol sales at two Town sponsored events which would include the Pecan, Wine & Antique Festival and Fort Verde Days, and to require that all non-sponsored special events come before Council for alcohol sales on a case by case basis; **with a 'no' vote by Garrison.**

PUBLIC INPUT

(Comments from the following individual are summarized in the Minutes.)

Howard Parrish

Dave Freeman

There was no further public input.

14. **Discussion, consideration, and possible direction to staff relative to the remaining balance of approximately \$11,000 in the LTAF II account that currently funds the Voucher Transit System. Discussion and/or direction may include alternate projects such as the Verde Valley Veteran's Van. This is a budgeted item. Staff Resource: Debbie Barber**
Staff was directed to negotiate and renew the contract with NACOG with the stipulations that \$2,500 be paid to the Veterans' Van for this year from the \$11,000 rollover of LTAF II funds on hand; an additional \$2,500 goes to the Veterans' Van for next year's budget, with the balance of the rollover in the amount of \$6,000 to be utilized to improve service to the Camp Verde Voucher Program, and bring back the contract for review and approval.

There was no public input.

Councilor German requested Item #15:

15. **Discussion, consideration, and possible approval of Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions. Staff Resource: Councilor German and Debbie Barber**

On a motion by Gioia, seconded by Greg, the Council voted unanimously to approve Resolution 2008-745, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, Superseding Resolution 2000-447 and establishing meeting policies and procedures for Council and all Commissions, adding the following changes as directed by Council at the meeting of March 5, 2008.

Management of Meetings

- A. Where practicable, executive sessions will be held prior to the regular business meetings, as opposed to during a meeting or following a meeting.
- B. Meetings will conclude at 10:00 p.m. with planned recesses during the meetings.

- C. Council member discussion is limited to three (3) minutes per member. If an item is opened for public input, the public may address the item ONE time. Public input is limited to three (3) minutes.
- D. All routine, administrative-type items such as contract awards and approvals, proclamations, etc. shall be placed on the Consent Agenda.
- E. Previously approved items, such as budgeted items, do not require further Council approval and will not be placed on an agenda.
- F. Consent Agenda items, excluding all Ordinance and Resolution titles, will not be read aloud.
- G. All presentations will be limited to 10 minutes for the presentation and discussion period.

There was no public input.

16. **Call to the Public for Items not on the Agenda.**
(Comments from the following individuals are summarized in the Minutes.)
Robin Whatley
Howard Parrish

There was no further public input.

17. **Advanced Approvals of Town Expenditures**
There are no advanced approvals.
There were no advanced approvals.

18. **Manager/Staff Report**
There was no Manager/Staff report.

19. **Adjournment**
On a motion by Hauser, seconded by Garrison, the meeting was adjourned at 9:34 p.m.