



It's in your hands ~ "Build a stronger community – shop locally"

**AGENDA**

**REGULAR SESSION**

**MAYOR AND COUNCIL**

**COUNCIL CHAMBERS - 473 S. Main Street, Room #106**

**WEDNESDAY, DECEMBER 1, 2010**

**at 6:30 P.M.**

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.
  - a) **Approval of the Minutes:**
    - 1) Combined Regular/Council Hears P&Z Matters – November 17, 2010
  - b) **Set Next Meeting, Date and Time:**
    - 1) December 15, 2010 at 6:30 p.m. – Regular Session
    - 2) December 22, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
    - 3) January 5, 2011 at 6:30 p.m. – Regular Session  
January 7, 2011 at 9:00 a.m. – Work Session – General Matters to include, but not be limited to  
Town Code amendments, policies & procedures, etc.
    - 4) January 12, 2011 at 6:30 p.m. – Work Session – Fireworks
    - 5) January 19, 2011 at 6:30 p.m. – Regular Session
    - 6) January 26, 2011 at 6:30 p.m. – Council Hears Planning & Zoning Matters
  - c) **Possible approval of Resolution 2010-824, amending Resolution 2010-820, adding Section "F" to Use Permit 2010-02, amending Use Permit PZ 96-02 for parcels 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q, and 403-19-207 to allow for the continued operation of the Camp Verde RV Resort and to continue with no time limit. Any changes to these uses must come before the Planning & Zoning Commission and Council for approval. The property is located at 1472 Horseshoe Bend Drive. Section F requires the owners to install signage, as required by Yavapai County Flood Control, at the lower section of the property indicated that it is located in a flood zone. Staff Resource: Mike Jenkins**
  - d) **Possible approval of the SFY 2011 LTAF II application for funding in the amount of \$9,316.25 as it relates to public transportation and authorization for the Mayor to sign contract documents for the Voucher Transit System. This is a budgeted item. Staff Resource: Ron Long**
  - e) **Possible approval of an Intergovernmental Agreement with Yavapai County Free Library District for Library Services and authorization for the Mayor to execute contract documents. This is a budgeted item. Staff Resource: Gerry Laurito**
5. **Special Announcements & Presentations** – There are no special announcements or presentations:
6. **Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are Camp Verde Schools Education Foundation; Chamber of Commerce, Intergovernmental Association, NACOG Regional Council, Verde Valley Transportation Planning Organization, Yavapai County Water Advisory Committee, and shopping locally. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these items, except that they may request that the item be placed on a future agenda.
7. **Call to the Public for items not on the agenda.**
8. **Presentation by Steve Ayres relative to the activities of the Centennial Committee.**

9. **Presentation and discussion of the public outreach efforts relative to the update of the Town's Hazard Mitigation Plan that was adopted in 2006.** Due to the size of the document, it is not attached to the agenda packet. If you would like to see the document, please visit the Public Works website at [www.campverde.az.gov/government/public-works](http://www.campverde.az.gov/government/public-works) or the Public Works Department located at 395 S. Main Street. Staff Resource: Ron Long
10. **Discussion, consideration, and possible approval of and authorization for the Mayor to sign a letter of clarification relative to the Verde Valley Regional Trails Concept Plan clarifying that it was not the intent of the Council to approve the Plan as submitted, but rather to approve the Plan's objective to improve non-motorized trails and trails facilities in the Verde Valley region.** Staff Resource: Russ Martin
11. **Discussion, consideration, and possible direction to the Mayor relative to project proposals for the distribution of the Yavapai-Apache Gaming Revenue Sharing. Projects previously funded with Gaming Revenue Sharing include recreation programs, tutoring programs, Chamber of Commerce, and the pool.** Staff Resource: Mayor Burnside
12. **Call to the Public for Items not on the Agenda.**
13. **Advanced Approvals of Town Expenditures.** There are no advanced approvals.
14. **Manager/Staff Report** Individual members of the Staff may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.
15. **Adjournment**

Posted by: Sharon McCormick

Date/Time: 11-24-10 7:30 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  
REGULAR SESSION  
MAYOR AND COUNCIL  
COUNCIL CHAMBERS  
WEDNESDAY, NOVEMBER 17, 2010  
6:30 P.M.**

Minutes are a summary of the actions taken. They are not verbatim.  
Public input is placed after Council motions to facilitate future research.  
Public input, where appropriate, is heard prior to the motion

40  
1. **Call to Order**

The meeting was called to order at 6:30 p.m., Vice Mayor Kovacovich presiding.

2. **Roll Call**

Vice Mayor Kovacovich, Councilors Whatley, Garrison, Roulette, and German were present; Mayor Burnside and Councilor Baker were absent, Burnside ill and Baker attending the Southwest Risk Retreat.

**Also Present:** Town Manager Russ Martin, Town Marshal Dave Smith, Acting Community Development Director Mike Jenkins, Asst. Planner Jenna Owens, Town Clerk Debbie Barber, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Whatley.

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) Council Hears P&Z Matters – October 27, 2010
- 2) Special Session – October 20, 2010
- 3) Regular Session – October 20, 2010

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

- 1) November 24, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**
- 2) December 1, 2010 at 6:30 p.m. – Regular Session
- 3) December 15, 2010 at 6:30 p.m. – Regular Session
- 4) December 22, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters – **CANCELLED**

c) **Possible approval of the Technical Assistance Contract with Northern Arizona Council of Governments for administrative services relative to the Community Development Block Grant (CDBG) Hollamon Street project and with the CDBG application.** This is a budgeted item in the CDBG fund. Staff Resource: Debbie Barber

d) **Possible award of bid for Project #10-086, Pavement Markings 2010 through 2013 and authorization for the Mayor to execute the contract documents for the low bidder, Traffic Safety, Inc.** This is a budgeted item. Staff Resource: Ron Long

e) **Possible approval of an Intergovernmental Agreement with the Governor's Office of Economic Recovery and authorization for Marshal Smith to execute contract documents and administer a grant in the amount of \$47,500 to purchase a K-9 vehicle and associated equipment.** Because there was no allocation in the FY 10/11 Budget for unanticipated grant fund revenues/ expenditures, approval will necessitate a reallocation from the COPS line item in the Federal Grant Funds (that was not awarded) to a line item for the Economic Recovery Grant that the Town has been awarded. Staff Resource: David R. Smith

f) **Possible approved of Resolution 2010-813, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring and adopting the results of the Special Election held on November 2, 2010.**

On a motion by Roulette, seconded by Garrison, the Consent Agenda was unanimously approved as presented, with the correction to the October 27, 2010 Minutes as requested by Garrison.

Garrison requested a correction to the Minutes of October 27, 2010, to reflect that, in response to a question

from Garrison, Tammy Dewitt said that the reason the Town was not notified when the Town's representative resigned from their Commission on Trails, they "did not have any clue who to contact," so no one was contacted.

## 5. Special Announcements & Presentations

### a) Welcome to the new businesses:

- NCR Corporation - DVD Rentals/Kiosk - 565 1st Finnie Flat Rd, Camp Verde
- Verde Entertainments - Festival Sponsor - 2530 S. Anapaya, Camp Verde
- APS Energy Services Company Inc. – Contractor - Tempe
- Burris Sandbird Company - Sand Art – Dewey-Humboldt
- California Hotwood inc dba Canyon Wood Supply – firewood - 1608 Murdock Rd, Camp Verde
- RCC Holdings LLC dba Builders Choice Carpet One – flooring - Prescott Valley
- Camp Verde Cottage LLC - Vacation House Rental - 2570 S. Anapaya, Camp Verde
- Arrow Plumbing - Plumbing Contractor - Cornville
- CJMZ LLC dba The UPS Store – shipping - 455 Finnie Flat Rd, Ste. E, Camp Verde
- Go Wireless Inc. - cellular phones - 1620 SR 260, Camp Verde
- A. H. Hickman Company – contractor - Goodyear
- Camp Verde Trading Post "Thrift" - Thrift Store - 873 Howard Rd, Camp Verde
- Meridian Rehabilitation Inc. – Outpatient Therapy Clinic – SR 260, Camp Verde

Kovacovich announced the names of the new businesses, and welcomed them to the Town of Camp Verde.

Garrison asked Town Clerk Barber whether the Council would know if a business as listed was new or renewal of a license; Barber said that the ones that are closed are indicated in the agenda packet.

## 6. Council Informational Reports.

**Whatley** first congratulated the Camp Verde football players for their recent excellent showing in the play-offs. She relayed the Sewer District's gratitude for road improvements by the Town. Whatley reported that she attended the Central Arizona Land Trust meeting on November 6<sup>th</sup>.

**Garrison** reported that the Arizona State Parks Board granted an extension to the Prescott U. S. Forest for the grant for Copper Canyon Trailhead; it is anticipated that the project will go out to bid by the end of this year. With the recent elections concluded, Garrison reminded everyone that the election season for Camp Verde is coming up and urged all those interested in participating in Town government to pull a packet and start getting signatures that will have to be turned back in by December 8, 2010 in order to get on the ballot. She reported on attending a very interesting meeting on Protecting the Family Agricultural Lands in the Verde, as well as attending the NACOG meeting that included working on the audit. It appears that for the year 2016 ADOT will be limited to only \$500,000 for rural major road construction. Head Start was also reviewed at the NACOG meeting; the final report will be out in two weeks. Garrison will submit the audit document to the Town Clerk for review by anyone interested. Garrison also gave an update on the actions at the Education Foundation meeting she attended today.

**German** said she attended the Chamber of Commerce meeting on October 21<sup>st</sup>; they were in the process of electing new officers for next year. There is another collaborate meeting scheduled by the YAN on November 30<sup>th</sup> for Destination Drivers. Information from the Chamber meeting tomorrow will be reported at the next Council meeting. German attended the Superintendent's meeting this morning; a presentation on Verde Valley Academy for Career and Technology Education was given; VVACTE involves the three major high schools, Camp Verde, Sedona and Mingus Union. The next meeting will be in January.

**Kovacovich** wished everyone a Happy Thanksgiving next week.

### 6(a). Call to the Public for Items Not on the Agenda

(Comments from the following individuals are summarized.)

**Steve Goetting** thanked everyone for coming to the Spider movie, and described the plans for getting the next project going, the Pecan & Wine Festival scheduled for February 11-13. Pecan prices are higher this year, and a good crop of pecans is anticipated. All the non-profits in Town will have a free area available by the Gazebo, and a car show is being organized with the Lions. Goetting distributed copies of a flier for the

Pecan & Wine Festival event, and copies of brochures for those interested in supporting the new Verde Valley Archaeological Center organization that has just received its 501(c)3 status.

**Justin Wertz** again spoke to the Council as a reminder of his continuing efforts to encourage development of a skateboard park that will benefit both the community and support its youth aiming toward the professional ranks.

There was no further public input.

7. **Discussion, consideration, and possible recommendation of approval to the Arizona Department of Liquor Licenses and Control of the Series 9 application as submitted by Bashas' Inc. located at 650 W. Finnie Flat Road.** Staff Resource: Debbie Barber

On a motion by Garrison, seconded by Whatley, the Council unanimously recommended approval of the Liquor License application for Bashas located at 650 W. Finnie Flat Road in Camp Verde.

Town Clerk Barber said that the application involved a change of ownership; the required posting has been met, and no comments received.

**Greg Elmer** said that the Prescott store was closed, and the transfer of ownership saves the payment of some fees. The necessary training of personnel has been complied with, and there have been no violations.

8. **Public Hearing, discussion, consideration, and possible approval of Resolution 2010-820, a resolution of the Common Council of the Town of Camp Verde, Arizona, approving Use Permit 2010-02, amending Use Permit PZ 96-02 for parcels 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q, and 403-19-207 to allow for the continued operation of the Camp Verde RV Resort and to continue with no time limit. Any changes to these uses must come before the Planning & Zoning Commission and Council for approval. The property is located at 1472 Horseshoe Bend Drive.** Staff Resource: Mike Jenkins

On a motion by German, seconded by Roulette, the Council unanimously approved Resolution 2010-820, a Use Permit 2010-02, amending Use Permit PZ 96-02 for parcels 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q, and 403-19-207 to allow for the continued operation of the Camp Verde RV Resort and to continue with no time limit; any changes to these uses must come before the Planning & Zoning Commission and Town Council for approval.

#### STAFF PRESENTATION

Asst. Planner Jenna Owens reviewed the background of the subject RV Resort that operates year-around as a membership facility serving members from the United States and Canada. The original Resolution approving the facility for a 15-year period will expire in 2010. Owens outlined the number of spaces provided together with all the amenities. The applicant is requesting that a Use Permit be issued with no time limit imposed, with the understanding that any changes or additions of uses must come before the P&Z Commission and the Town Council. The Community Development Department in the past 15 years has received no complaints; an inspection of the property has verified that there have been no changes to the use of the property. The applicant, Craig Brandon, was unable to attend due to budget constraints, and has authorized the General Manager of the RV Resort, Cori Allen, to represent the WHR property.

The neighborhood meeting was held on October 11, 2010, at the Resort clubhouse. The three neighbors attending the meeting had questions regarding vehicles in the park and children's noise at the pool. Ms. Allen gave her phone number to those individuals in the event they had questions or concerns in the future. No responses have been received to the 20 letters mailed to adjacent property owners.

No comments were received from the Town Engineer, Building Official or Camp Verde Fire Inspector; the Yavapai County Flood Control noted that the RV's should be "Road Ready" and removed from floodplain prior to any flood event, and Yavapai County Environment Services stated that it had no concerns with the renewal of the Use Permit. Owens noted that the RV Park does possess a current business license, and there have been no changes to the original site plan submitted in 1985. Owens stated that the Planning &

Zoning Commission unanimously recommended approval of Use Permit 2010-02, in perpetuity, with the condition that signs be installed in the lower area of property indicating that it is in a flood zone in compliance with the Yavapai County Flood Control requirement.

**Cori Allen** confirmed the information submitted by Owens, including the fact that nothing has changed over the years she has been employed there, and said she is looking forward to the RV Resort continuing. In response to a question from Council, Ms. Allen said that the Resort is taking care of installing the required signage regarding the flood zone.

Staff was asked if periodic inspections are made when Use Permits are granted in perpetuity; Owens replied that although inspections have been normally made only in response to complaints, staff would plan to make regular inspections as a matter of policy as requested. Responding to a request from Garrison, Jenkins reiterated that a Use Permit is not hard zoning, no rights or vested. If conditions are not met by the applicant, the Use Permit can be voided by staff at any time, and the applicant has the right to appeal to the Council.

There was no public input.

9. **Discussion, consideration, and possible direction to staff relative to proceeding with the abandonment, expiration, or reconsideration of any Council-approved final and preliminary plats for Simonton Ranch Master Planned Community Subdivisions.** Staff Resource: Mike Jenkins  
On a motion by Garrison, seconded by German, the Council unanimously directed staff to take the Silverado Subdivision to the Planning and Zoning Commission to consider the subdivision for abandonment and reversion to acreage, to bring the Homestead & River's View Subdivisions to the Council for action, and to void the approval of the Preliminary Plats for the Water's Edge, Summerset and Elk Creek Subdivisions within the Simonton Ranch Master Planned Community.

#### **STAFF PRESENTATION**

Acting Community Development Director Jenkins first commented that he and the Town Manager have worked diligently with the Town Attorney to make sure that the requirements of the Town Code as well as State Law will be properly met in connection with the subject request to Council regarding abandonment and reversion to acreage for the subdivisions within the Simonton Ranch Master Planned Community. Jenkins said that the subdivisions are currently at different levels of approval, and pursuant to provisions of the Town Code, staff is requesting direction to move forward with the process for abandonment or reversion to acreage. Jenkins reviewed in detail the current status of each of the six subdivisions, Silverado, Homestead and River's View, Water's Edge, Summerset, and Elk Creek; applicable sections from the Town's Subdivision Regulations were cited in support of the actions requested to be taken.

Kovacovich pointed out that the issue is simply whether or not the Council wants to start the process requested which will go back to Planning & Zoning and then to Council for any action; there was no ensuing Council discussion.

10. **Discussion, consideration and possible direction to the Manager relative to each of the potential Town Projects, including but not limited to Economic Development, Master Contract Template(s) Water Rights Establishment, Risk Management Policies and Procedures, Capital Improvement Project (CIP) Survey, Code Enforcement, Policies on Property Acquisition/Acceptance/Disposal, Investment Policy, Master Facilities Use Agreement with School District, Town Initiated Rezoning, Rio Verde Remodel, Downtown Revitalization Plan, New Park Development, Finnie Flat Road Design (Corridor Plan), Rezzonico Park Development, Senior Center Upgrades, Town Center Plan Update/Redo, Trail Development, General Plan Update, Sanitary District Consolidation, Water Company Purchase, Teen Center.** Staff Resource: Russ Martin  
The Town Manager was unanimously directed pursuant to the following summary: Policies will be addressed, hopefully on January 7<sup>th</sup>, try to bring in a draft to begin working on some of those projects that are unfunded; it will be a part of a Capital Improvements discussion. Direction to do an Open House, to start that process as soon as possible to work on projects that need money for this community. In

connection with the discussion on Code Enforcement, the Manager is to come back to Council with a different policy for complaints so that enforcement could be opened up to complaints that necessarily would require the person to have any association with the complaint; he will look into that and see if staff could bring something in the near future, long time, Code Enforcement, in a process including changes that the Town will be making to the Land Use Code. Contracts with the School District, and the Master Contracts are to be put together and presented on an agenda for review; the process for those will be in a Work Session and then presented for consideration; the Council will see those in the next few months, over time. Finally, as to the economic development discussion, the Manager will need to come up with some process to be able to assemble a group to express their opinions, maybe an Open House discussion type of event to encourage more public participants, minds and brains in the room, to start a process as yet undefined, but to be worked on and evolved, and perhaps another future Work Session for the Manager to share more ideas or options.

Town Manager Martin referred to the recent Retreat at which the different opportunities facing the Town were discussed. Following that meeting Martin said he has met with members of the public and the staff as well as the Council members, and from those contacts has compiled a list of either current projects or projects that have not yet been prioritized. At that meeting, Martin said that he had requested some direction from Council in order to start moving forward on the desired priorities, as well as the time frames, and Council had responded to his request, with some concern as to whether or not he would be able to sift through all the issues addressed. The recent election has made it apparent that the projects that cost money must be on the lower end of the priority list and future time frame. The projects that do not require funding but will help to prepare for the future tended to work their way to the top of the priorities. Martin suggested that the issues present themselves in three tiers, with the first tier being economic development, and water rights establishment, for example, time-consuming issues, but with economic development as the unanimous top priority in that first tier. Martin said he has been researching the issue of water rights with legal counsel, and understands the need to stay informed and ready to discuss those rights with the other entities, the YAN and SRP, should that opportunity arise.

Martin next addressed risk management policies, policies on property acquisition and disposal, and acceptance of property donations, and keeping all the transactions systematic and completely transparent. The financial guide, policies and procedures, and the Code changes were included; the Code changes should be submitted to Council as early as January for review. Martin said he ultimately hoped to create one booklet that would make all the policies and procedures clear and informative to anyone, whether Council or staff, and would simplify future changes or additions to those policies, providing an historical reference for future Council members. Staff will be working on developing that guide, with Council input.

The third tier involves the lack of financial resources, and there have been suggestions that the Capital Improvements plan needs to be thoroughly reviewed, with better public understanding of the Town's needs as well. Martin stressed the importance of working with the community to really identify what they expect and want, based on the Town's limited funds. To start the public process, after the first of the year, Martin would like to perhaps hold an Open House and invite the public to attend a comprehensive tour of the government facilities, status of projects and condition of equipment, and general financial needs. Martin acknowledged that there are items to be addressed in the near future, with the public attention on fireworks, the new Code revision public hearings, and the medical marijuana issue. Although the Capital Improvements plan will not be ready by July 1<sup>st</sup> of next year, hopefully by this time next year, a fairly good draft will be available for working toward accomplishing a new plan.

Martin said he hoped to standardize the school district contracts to include possible sharing of facilities and resources, and with input from the Town Engineer develop master contract templates for the different types of agreements involved in construction; that would help to clarify for the contractors what is expected from them, and would eliminate negotiations and wasting attorney time.

The Council discussed with Martin the issue of Code enforcement, which Martin believes goes hand-in-hand with economic development, by improving the appearance of a community that would appeal to a new business seeking to relocate. It was agreed that the current process for enforcing Code violations needs to

be improved and that the citizens should be helped to understand their responsibility as well as helped to get back into compliance. The discussion acknowledged the difficulty of enforcing the Code in light of the staff already being overburdened. It was also agreed that changes will take time, but the need is great and must be started, including possibly prioritizing the types of violations, with input from staff. Martin said he will be bringing input back to Council for consideration.

As for the perception that this community is split between growth and no-growth factions, Martin believes it is more a matter of concern over the type of growth. He said he wants to focus on the business development side, the need to fill in businesses on Main Street and create jobs, and believes that is the topic that the community wants to talk about. It was agreed that something must be done, the community, the Chamber and the businesses must be involved, and the sooner the better. There are resources that can be tapped into, including APS. The idea of offering incentives to attract new businesses was also addressed; at the same time, there is the need to benefit the existing businesses. Garrison stressed that, contrary to some opinions that have circulated, the Council is not discouraging new businesses, or having back door meetings trying to stop economic development. It was confirmed that there is no specific staff position assigned to economic development or business recruitment. There was some discussion about the great tourist attractions in Camp Verde, and the need to take advantage of those opportunities for economic development, and to arrive at a different solution since the public voted "No" to a tax increase at the recent election. A suggestion was made to use that continued low tax base as a marketing asset, as a starting point. Economic development has to start somewhere, fueled by ongoing discussions with the community and working together. The members reiterated their approval of the idea of holding an Open House from time to time to promote public understanding and receive input. Martin said that staff will also be encouraged to share ideas on projects; he looks forward to having open conversation with Council to give him direction, and help him give direction to staff.

There was no public input.

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

(Comments from the following individual are summarized.)

**Steve Ayers** gave an update on the Centennial project created by Council resolution a year and a half ago; the group is meeting about every month, and would like to schedule a time at the December 1 meeting to give a formal report. *Martin confirmed that the Town Clerk noted that request.*

There was no further public input.

12. **Advanced Approvals of Town Expenditures.**

There were no advanced approvals.

13. **Manager/Staff Report**

Staff is working hard to take different times off at the end of the year to make sure every office is covered; if anyone has any issues, Martin will not be leaving the State during the holidays through Christmas and is available for anyone to contact him. There will be a meeting on December 1 and the 15<sup>th</sup>; some of the final issues on the financial audit will be covered at the second meeting in December, which will be important for everyone to attend.

14. **Adjournment**

On a motion by Garrison, seconded by German, the meeting was adjourned at 8:22 p.m.

---

Bob Burnside, Mayor

---

Margaret Harper, Recording Secretary

**CERTIFICATION**

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 17<sup>th</sup> day of November 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this \_\_\_\_\_ day of \_\_\_\_\_, 2010.

---

Debbie Barber, Town Clerk



**TOWN OF CAMP VERDE  
Council Hears Planning & Zoning  
Agenda Action Form**

**Meeting Date:** December 01, 2010      **Meeting Type:** Council – Regular Session  
 **Consent Agenda**    **Regular Business**

**Reference Document:** Resolution 2010-824 for Use Permit 2010-02

**Agenda Title (be exact):**

Resolution 2010-824 amending Resolution 2010-820, adding section "F" to Use Permit 2010-02 for WHR Properties operating in Camp Verde as "Camp Verde RV Resort", stating that the property owners are to install signage at the lower area of the property indicating that it is in a flood zone, pursuant to the Yavapai County Flood Control notice requirement.

**Purpose and Background Information:**

Use Permit 2010-02 was approved by Council on November 17, 2010.

**Recommendation:**

Move to approve Resolution 2010-824 amending Resolution 2010-820, adding section "F" to Use Permit 2010-02 for WHR Properties operating in Camp Verde as "Camp Verde RV Resort", stating that the property owners are to install signage at the lower area of the property indicating that it is in a flood zone, pursuant to the Yavapai County Flood Control notice requirement.

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

**Finance Director Comments/Fund:**

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

**Attorney Comments:**

**Submitting Department:** Community Development

**Contact Person:** Jenna Owens – Asst. Planner

**Action Report prepared by:** Jenna Owens – Asst. Planner



**RESOLUTION 2010-824**  
**Amending Resolution 2010-820**

**A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, AMENDING RESOLUTION 2010-820, ADDING SECTION "F" TO USE PERMIT 2010-02 AMENDING USE PERMIT PZ 96-02 FOR PARCELS 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q & 403-19-207 TO ALLOW FOR THE CONTINUED OPERATION OF THE CAMP VERDE RV RESORT AND TO CONTINUE WITH NO TIME LIMIT. ANY CHANGES TO THESE USES MUST COME BEFORE THE PLANNING & ZONING COMMISSION AND TOWN COUNCIL FOR APPROVAL.**

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

1. The Common Council hereby finds as follows:

- A. A request for approval of Use Permit 2010-02 was filed by Mr. Craig Brandon, agent for WHR Properties, Inc. owners of parcels 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q & 403-19-207 located at 1472 W. Horseshoe Bend Dr. All such parcels are zoned RCU 2A, and the proposed uses are permitted under such zoning.
- B. The request was reviewed by the Planning and Zoning Commission on November 4, 2010 and by the Common Council on November 17, 2010 in public hearings that were advertised and posted according to state law.
- C. A neighborhood meeting was held on October 11, 2010 by the applicant as required by the Town of Camp Verde Ordinance Section 113.
- D. The purpose of the Use Permit is for the continued operation of the Camp Verde RV Resort. All of the current and proposed uses to continue with no time limit, but are subject to the requirements of Section 113 of the Town of Camp Verde Zoning Ordinance.
- E. The property owners to install signage at the lower area of the property indicating that it is in a flood zone, pursuant to the Yavapai County Flood Control notice requirement.
- F. THE PROPERTY OWNERS TO INSTALL SIGNAGE AT THE LOWER AREA OF THE PROPERTY INDICATING THAT IT IS IN A FLOOD ZONE, PURSUANT TO THE YAVAPAI COUNTY FLOOD CONTROL NOTICE REQUIREMENT.

The Common Council of the Town of Camp Verde hereby approves UP 2010-02 for the purpose of continuing the operation of the Camp Verde RV Resort located on parcels 403-19-205, 403-19-013H, 403-19-013J, 403-19-013Q & 403-19-207 with no time limit on this Use Permit, but subject to Section 113 of the Town of Camp Verde Zoning Ordinance. Changes to the allowed use will have to come before the Planning & Zoning Commission and the Town Council.

**PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON NOVEMBER 17, 2010.**

\_\_\_\_\_  
**Bob Burnside, Mayor**

Date: \_\_\_\_\_

Approved as to form: \_\_\_\_\_  
Town Attorney

Attest: \_\_\_\_\_  
Deborah Barber, Town Clerk



**TOWN OF CAMP VERDE  
Agenda Action Form**

**Meeting Date:** December 1, 2010

**Meeting Type:** Regular Session

**Consent Agenda**     **Regular Business**

**Reference Document:** LTAF II APPLICATION

**Agenda Title (be exact):**

Discussion, consideration, and possible approval of SFY 2011 LTAF II application for funding as it relates to public transportation, and authorization for the Town Manager to sign related contract documents.

**Purpose and Background Information:**

Last week ADOT announced the availability of LTAF II funds for SFY 2011 based on collections from July 2009 through February 2010. Approximately \$5.3M is available statewide for this distribution. Due to state budget cuts the LTAF II program has been permanently repealed and this is the final anticipated distribution of LTAF II funds. LTAF II estimated distribution for the Town of Camp Verde is \$9,316.25. Completed applications must be submitted to NACOG no later than Monday, December 20, 2010.

This Fiscal Year the Voucher Transit System was allocated approximately \$18,000 to continue the service; this SFY 2011 grant of \$9,316.25 will provide approximately six more months of service to citizens.

**Recommendation (Suggested Motion):**

Move approve SFY 2011 LTAF II application for funding as it relates to public transportation, and authorize the Town Manager to sign related contract documents

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

**Finance Director Comments/Fund:** N/A

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

**Attorney Comments:** N/A

**Submitting Department:** Public Works

**Contact Person:** Ron Long

**Action Report prepared by:** V. House

**SFY 2011\* LTAF II  
GRANT APPLICATION REQUEST FORM  
\*For funds collected in SFY 2010**

**SECTION I: APPLICANT INFORMATION**

County, Town or City: Town of Camp Verde Contact Name: Ron Long  
 Address: 395 S. Main St. 928-567-0534  
Camp Verde, AZ 86322 Fax: 928-567-1540  
 e-mail address: valerie.house@campverde.az.gov

**SECTION II: LTAF II PROJECT REQUEST(S)**

1. **Transit Project** (Jurisdictions receiving \$2,500.00 or more in LTAF II funding must apply for transit projects to be eligible for funding.)

a. Project Title Dial-A-Ride/Voucher System  
 b. Project Location Camp Verde Town limits  
 c. Project Description:\*\* See attached MOU - Vouchers are issued to Camp Verde residents (elderly, youth and low income) to be used for travel only in the Verde Valley. Residents pay \$2.00 co-pay for the service provided. NACOG administers the voucher program.

\*\* Additional information may be attached.

d. LTAF II funding requested (include on line 3a below) \$9,316.25

e. Type of Project:  Planning  Capital  Operations Other \_\_\_\_\_

f. If applicant is within an MPO boundary, is the project included in the regional TIP?  
 Yes: \_\_\_\_\_ No:

g. Is this an ADOT/FTA Section 5311 project? Yes: \_\_\_\_\_ No:

h. Is this a Section 5310, 5316, or 5317 project? Yes: \_\_\_\_\_ No:

i. If project is multi-jurisdictional, identify other joint project recipients: N/A

j. Project previously funded through the LTAF II program? Yes  No \_\_\_\_\_

2. **Other Transportation Project** (Only for jurisdictions receiving less than \$2,500.00.)

a. Project Title n/a

b. Project Location n/a

c. Project Description:\*\*\* n/a

\*\*\* Additional information may be attached.

d. LTAF II funding requested (include on line 3b below) \$9,316.25

e. If project is multi-jurisdictional, identify other joint project grant recipients: \_\_\_\_\_

f. Project previously funded through LTAF II program? Yes  No \_\_\_\_\_

3. **LTAF II Funding Summary (include requested funding from additional project applications)**

a. LTAF II Total Funds Requested for transit purposes \$9,316.25

b. LTAF II Funds requested for other transportation purposes \$0.00

c. Local Match (25%) \$2,329.06

d. **Total** \$11,645.31

*See attached supplemental project application form for additional projects*

SFY 2011\* LTAF II  
GRANT APPLICATION REQUEST FORM

\*For funds collected in SFY 2010

SECTION III: PRIOR YEAR LTAF II PROJECT STATUS

LTAF II funding is available to jurisdictions for up to two years. Unless the jurisdiction has requested an extension or waiver, funding that is not spent by jurisdictions within two years of being distributed is subject to possible redistribution through the annual LTAF II distribution process to other jurisdictions.

- 1. Have LTAF II distributions received by your jurisdiction on or before June 30, 2009 been expended?  
Yes  No
- 2. If the funds have been expended, were they spent on the projects as indicated in prior year's applications?  
Yes  No
- 3. If the funds described above have not been expended, what is your LTAF II fund balance?  
\$ \_\_\_\_\_
- 4. If the answer to lines 1 and 2 are no, provide a brief description of why the funds were not expended or were not expended on projects originally submitted in an application. (Attach additional information if necessary.)

N/A

Authorized chief financial officer signature\*\* \*\*\*:

\_\_\_\_\_ Date: \_\_\_\_\_

Town Manager/Interim Finance Manager

Title:

\*\* Signing Agency agrees to local match availability ARS 28-5808 et seq.

\*\*\* Signer should be a Certified Public Accountant (CPA) or equivalent

Authorized jurisdictional signature\*\*\*\*:

\_\_\_\_\_ Date: \_\_\_\_\_

Town Manager

Title

\*\*\*\*Signer should be city, town or county manager or program director certifying to council/board action

FOR COG, MPO, OR RPTA OFFICE USE ONLY

LTAF II Funds Available: \$ \_\_\_\_\_

LTAF II Funds provided: \$ \_\_\_\_\_

Long Range Transportation Plan Compliance Yes  No

By: \_\_\_\_\_ Title: \_\_\_\_\_

Agency: \_\_\_\_\_

**LTAF II ESTIMATED DISTRIBUTIONS  
COUNTIES AND CITIES/TOWNS  
FY 2011**

\*\* Last years population figures July 2009 - February 2010

<b>JURISDICTION</b>	<b>COUNTY LEVEL DIST</b>	<b>JURISDICTION LEVEL DIST</b>
APACHE	\$61,558.06	\$52,530.87
EAGAR		3,865.24
SPRINGERVILLE		1,783.28
ST JOHNS		3,378.68
COCHISE	112,619.59	45,543.08
BENSON		4,144.66
BISBEE		5,157.14
DOUGLAS		14,258.21
HUACHUCA CITY		1,569.70
SIERRA VISTA		37,413.54
TOMBSTONE		1,381.02
WILLCOX		3,152.25
COCONINO	109,786.90	45,199.43
FLAGSTAFF		52,608.75
FREDONIA		903.28
PAGE		5,979.33
WILLIAMS		2,537.22
SEDONA		2,558.90
GILA	45,930.08	21,598.48
GLOBE		6,225.02
HAYDEN		670.44
MIAMI		1,512.70
PAYSON		13,843.90
WINKLEMAN		338.03
STAR VALLEY		1,741.53
GRAHAM	31,949.69	17,212.14
PIMA		1,960.72
SAFFORD		8,104.65
THATCHER		4,672.18
GREENLEE	6,975.75	4,185.61
CLIFTON		2,102.04
DUNCAN		688.10
LA PAZ	17,355.86	11,640.70
PARKER		2,719.48
QUARTZSITE		2,995.68
MARICOPA	3,230,402.13	204,915.74
AVONDALE		61,744.34
BUCKEYE		42,365.13
CAREFREE		3,177.95
CAVE CREEK		4,181.59
CHANDLER		196,784.60
EL MIRAGE		26,986.05
GILA BEND		1,525.54
GILBERT		174,651.38
GLENDALE		200,084.59
GOODYEAR		49,713.43
GUADALUPE		4,819.11
MESA		370,226.78
PARADISE VALLEY		11,791.64
PEORIA		127,430.20
PHOENIX		1,264,934.41
SCOTTSDALE		195,511.17
SURPRISE		87,904.99
TEMPE		140,376.44
TOLLESON		5,558.60
WICKENBURG		5,179.62
YOUNGTOWN		5,229.40
LITCHFIELD PARK		4,112.54
QUEEN CREEK		20,013.52
FOUNTAIN HILLS		20,961.76
APACHE JUNCTION		221.61
MOHAVE	166,013.59	61,366.97
BULLHEAD CITY		33,408.59
COLORADO CITY		3,238.17
KINGMAN		23,436.35
LAKE HAVASU CITY		44,563.52

NAVAJO	92,672.72	57,966.62
PINETOP/LAKESIDE		3,820.28
HOLBROOK		4,503.56
SHOW LOW		9,930.48
SNOWFLAKE		4,438.53
TAYLOR		3,634.00
WINSLOW		8,379.25
<b>PIMA</b>	<b>817,379.46</b>	<b>293,828.39</b>
MARANA		27,452.55
ORO VALLEY		34,943.76
SAHUARITA		20,047.24
SOUTH TUCSON		4,668.96
TUCSON		436,438.55
<b>PINAL</b>	<b>286,081.85</b>	<b>135,204.85</b>
APACHE JUNCTION		30,180.06
CASA GRANDE		36,928.58
COOLIDGE		9,762.67
ELOY		15,259.44
FLORENCE		20,710.45
KEARNY		1,829.85
MAMMOTH		1,431.60
SUPERIOR		2,709.04
QUEEN CREEK		403.87
WINKLEMAN		3.21
MARICOPA		31,658.23
<b>SANTA CRUZ</b>	<b>38,459.74</b>	<b>20,340.30</b>
NOGALES		17,369.51
PATAGONIA		749.92
<b>YAVAPAI</b>	<b>183,461.79</b>	<b>74,698.61</b>
CAMP VERDE		9,316.25
CHINO VALLEY		10,502.16
CLARKDALE		3,227.73
COTTONWOOD		8,984.64
JEROME		262.55
PRESCOTT		34,985.52
PRESCOTT VALLEY		31,280.05
SEDONA		6,589.54
PEORIA		2.41
DEWEY/HUMBOLDT		3,612.33
<b>YUMA</b>	<b>165,352.79</b>	<b>56,103.04</b>
SOMERTON		9,404.57
SAN LUIS		22,183.80
WELLTON		1,897.29
YUMA		75,764.08
<b>CITIES</b>	<b>\$0.00</b>	<b>\$4,263,665.18</b>
<b>COUNTIES</b>	<b>\$5,366,000.00</b>	<b>\$1,102,334.82</b>
<b>TOTAL</b>	<b>\$5,366,000.00</b>	<b>\$5,366,000.00</b>

The \$5.1 million is from the Powerball transfers and \$0.2 million is from interest and carryover balance.



**TOWN OF CAMP VERDE  
Agenda Action Form**

**Meeting Date:** Dec. 1, 2010

**Meeting Type:** Regular Session

**Consent Agenda**       **Regular Business**

**Reference Document:**

**Agenda Title (be exact):** Discussion, consideration and possible approval of our annual Intergovernmental Agreement (IGA) with The Yavapai County Free Library District for library services.

**Purpose and Background Information:** This is an annual agreement between the town and Yavapai County to help provide library services to the Camp Verde and the surrounding area. The revenue resulting from the approval of this IGA have already been factored into our 2010 / 2011 budget

**Recommendation (Suggested Motion):** That the 2010 / 2011 IGA with The Yavapai County Free Library District for library services be approved and that the Mayor be authorized to sign the agreement on the town's behalf

OR

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

**Finance Director Comments/Fund:** Revenue fund account number 01-43-40-4025

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

**Attorney Comments:**

**Submitting Department:** Library

**Contact Person:** Gerard Laurito

**Action Report prepared by:** Gerard Laurito

YAVAPAI COUNTY FREE LIBRARY DISTRICT  
LIBRARY SERVICE AGREEMENT

This agreement is entered into between the **YAVAPAI COUNTY FREE LIBRARY DISTRICT**, hereinafter referred to as the "District," and the **Town of Camp Verde**, hereinafter referred to as the "Town," and shall be for a period commencing July 1, 2010 to June 30, 2011.

WHEREAS, the Yavapai County Board of Supervisors has established a County Library District, pursuant to A.R.S. 48-3901, on June 1, 1987; and

WHEREAS, the District has an agreement with the Department of Library, Archives and Public Records of the State of Arizona, hereinafter referred to as the "State Library," to provide library services within Yavapai County and the State of Arizona; and

WHEREAS, the District and the Town recognize the need to cooperate in the provision of library services to the citizens of the District; and

WHEREAS, the Town has taken action and officially notified the District that it desires to be a part of the District, and therefore is entitled to the benefits of the District; and

WHEREAS, the Town operates and maintains a library and the District desires to contract with the Town for library services for the benefit of the citizens of the District; and

NOW THEREFORE, IT IS AGREED by and between the District and the Town as follows:

1. Equal access and use of the library facilities and services shall be made available to all citizens of the County.
2. The Town and the District shall cooperate in planning and implementing resource sharing activities acceptable to the District and the Town.
3. All library materials purchased with District funds are the property of the Town.
4. It is understood by both parties that officials, employees and agents of the District remain the sole responsibility of the District. It is further understood that the officials, employees and agents of the Town remain the sole responsibility of the Town.

5. Except as expressly specified in this agreement, the District shall save, hold harmless and indemnify the Town and the Town's officials, employees and agents against all expenses, liabilities and claims of every kind arising from any intentional or negligent act or omission by the District or the District's officials, employees and agents.
6. Except as expressly specified in this agreement, the Town shall save, hold harmless and indemnify the District and the District officials, employees and agents against all expenses, liabilities and claims of every kind arising from any intentional or negligent act or omission by the Town or the Town's officials, employees and agents.
7. The Town agrees to the following conditions:
  - A. Required monthly statistics are maintained and submitted to the District within five (5) calendar days of the month's end.
  - B. The annual Arizona Public Library Data Report is submitted to the District as required by the State Library.
  - C. District funds are used specifically and solely for library materials, services and operating expenses. District funds may not be accumulated from year to year. An annual written accounting shall be made to the District describing the manner and use of District funds as required by the District.
  - D. The Town is responsible for all terms and conditions of this agreement. District funds may not be transferred to any other agency without prior written agreement with the District.
  - E. Resource sharing is supported by participating in interlibrary loan services as a borrower and lender of library materials.
8. The District will provide the following benefits and support services to the library:
  - A. Professional assistance and consultation services.
  - B. Continuing education opportunities for staff and volunteers.
  - C. Coordination of county-wide library services.

9. The Town and the District acknowledge that the services to be performed by the Town have a value to the District and to the Town. In consideration of that value, the District agrees to provide financial resources for the operation of the Camp Verde Community Library as follows:
  - To pay the Town the amount of **\$84,754.00**: in two (2) installments of **\$42,377.00**, November and May: **\$60,754.00** for library services, **\$20,000.00** for library materials, **\$4,000.00** for automation.
10. This agreement may be renewed from year to year by mutual agreement of the parties and stipulation as to the consideration to be paid as between the parties.
11. This agreement contains the entire agreement of the parties with respect to the subject matter hereof and, it may be amended, modified or waived only by an instrument in writing signed by both parties.
12. Pursuant to A.R.S. Section 38-511, the Town may cancel this agreement, without penalty or further obligation, if any person significantly involved in initiating, negotiating, securing, drafting or creating the agreement on behalf of the Town is, at any time while the agreement or any extension of the agreement is in effect, an employee or agent of any other party to the agreement in any capacity or a consultant to any other party of the agreement with respect to the subject matter of the agreement. In the foregoing event, the Town further elects to recoup any fee or commission paid or due to any person significantly involved in initiating, negotiating, securing, drafting or creating this agreement on behalf of the Town from any other party to the agreement arising as a result of this agreement.
13. The parties shall comply with Executive Order #99-4 (dated January 29, 1998) concerning non-discrimination in employment.
14. The parties agree that it is their intention that this Agreement be effective on and from July 1, 2010, even if the date varies from the dates of actual signature.

IN WITNESS THEREOF, the parties hereto have caused this agreement to be executed by their duly authorized officials on the aforementioned date.

TOWN OF CAMP VERDE

YAVAPAI COUNTY FREE LIBRARY DISTRICT

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
Chairman, Board of Directors

ATTEST:

ATTEST:

\_\_\_\_\_  
Town Clerk

\_\_\_\_\_  
Clerk of the Board

\_\_\_\_\_  
Date

\_\_\_\_\_  
Date

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

\_\_\_\_\_  
Town Attorney

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

\_\_\_\_\_  
Deputy County Attorney



**TOWN OF CAMP VERDE  
Agenda Action Form**

9

**Meeting Date:** December 1, 2010

**Meeting Type:** Regular Session

**Consent Agenda**     **Regular Business**

**Reference Document:** 2006 Hazard Mitigation Plan available on the Town's Public Works website

**Agenda Title (be exact):**

Presentation, discussion and public outreach regarding update to the Town's Hazard Mitigation Plan adopted in 2006.

**Purpose and Background Information:**

In 2005-2006, Yavapai County, the Cities of Cottonwood, Prescott, and Sedona, and the Towns of Camp Verde, Chino Valley, Clarkdale, Jerome, and Prescott Valley conducted a year-long, multi-hazard mitigation planning effort that resulted in multi-hazard mitigation plans (2006 Plans) for each jurisdiction. The Town of Dewey-Humboldt used a similar process to prepare a plan in 2008-2009. The 2006 Plans were prepared in compliance with federal regulations set forth by the Disaster Mitigation Act of 2000 (DMA2K), which requires local, county, tribal and state governments to develop a multi-hazard mitigation plan for their respective jurisdiction in order to be eligible to receive certain hazard mitigation and public assistance funds. The 2006 Plans were submitted to and approved by the Federal Emergency Management Agency (FEMA) throughout 2006. All of the Hazard Mitigation Plans for each jurisdiction are set to expire in 2011.

Yavapai County, the incorporated communities within the county, and the Yavapai-Apache Nation have organized a planning team and have begun an effort to review, update and consolidate the 2006 Plans into a single, multi-jurisdictional hazard mitigation plan. Each participating jurisdiction is a stakeholder in the Plan and the updated document will ultimately be resubmitted to the Arizona Division of Emergency Management (ADEM) and FEMA for review and approval, and formally adopted by each jurisdiction.

The goal of this mitigation planning effort is to reduce or eliminate long-term risk to life and property from natural hazard events. Mitigation is not how we respond to natural disasters like floods and wildfires, but rather how we as a community can lessen or prevent the impact of such things in the first place. The mitigation planning process involves identifying and profiling the natural hazards most likely to occur in a community, assessing vulnerability to these hazards, and establishing goals, actions, and projects that mitigate the associated risks. The development of this mitigation plan will also ensure continued eligibility on the part of the county and communities for non-emergency, federal hazard mitigation grants.

It is each jurisdiction's responsibility to notify the public to provide an opportunity for involvement/comment on either the existing 2006 plan or the update process itself. *Staff did not attach a copy of the 2006 Hazard Mitigation Plan due to the size of the document; to view a copy, please visit the Public Works website.*

**Recommendation (Suggested Motion):**

No action required.

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

**Finance Director Comments/Fund:** N/A

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

**Attorney Comments:** N/A

**Submitting Department:** Public Works

**Contact Person:** Ron Long

**Action Report prepared by:** V. House



**TOWN OF CAMP VERDE  
Agenda Action Form**

**Meeting Date:** December 1, 2010

**Meeting Type:** Regular Session

**Consent Agenda – Special Announcements**     **Regular Business**

**Reference Document:** Letter of Clarification relative to the MOU, Verde Valley Regional Trails Concept Plan

**Agenda Title (be exact):**

Discussion, consideration, and possible authorization for the Mayor to sign a letter of clarification relative to the Verde Valley Regional Trails Concept Plan clarifying that it was not the intent of the Council to approve the Plan as submitted, but rather to approve the MOU with the agreement on the Conceptual Plan's objective(s) to improve non-motorized trails and trails facilities in the Verde Valley region.

**Purpose and Background Information:**

Council approved the MOU on October 27, 2010. Since that time, the Town has received numerous comments relative to the Verde Valley Regional Trails Concept Plan. This letter clarifies that Council did not approve the plan but only the MOU.

**Recommendation (Suggested Motion):**

Move to authorize the Mayor to sign the letter of clarification relative to the Verde Valley Regional Trails Concept Plan clarifying that it was not the intent of the Council to approve the Plan as submitted, but rather to approve the Plan's objective to improve non-motorized trails and trails facilities in the Verde Valley region and to send it to the other participating jurisdictions.

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

**Finance Director Comments/Fund:** N/A

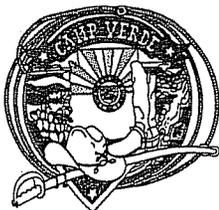
**Attorney Review:**  Yes     No     N/A

**Attorney Comments:** N/A

**Submitting Department:** Town Manager

**Contact Person:** Russ Martin

**Action Report prepared by:** D. Barber



# TOWN OF CAMP VERDE

◆ 473 S. Main Street ◆ Camp Verde, Arizona 86322 ◆ (928) 567-6631 FAX 567-9061

[www.cvaz.org](http://www.cvaz.org)

[towncouncil@cvaz.org](mailto:towncouncil@cvaz.org)

December 1, 2010

Chip Davis, Supervisor  
Yavapai County

Mayor Joens  
City of Cottonwood

Mayor Adams  
City of Sedona

Mayor Von Gausig  
Town of Clarkdale

Mayor Kinsella  
Town of Jerome

Re: Memorandum of Understanding (MOU) regarding the Verde Valley Regional Trails Concept Plan

Honorable Mayors and Supervisor:

On October 27, 2010, the Mayor and Common Council of the Town of Camp Verde unanimously approved the Memorandum of Understanding between the Town of Camp Verde, the Town of Clarkdale, the City of Cottonwood, the Town of Jerome, the City of Sedona, and Yavapai County as follows, "for the purpose of supporting the objective of improving non-motorized trails and trails facilities in the Verde Valley region of Arizona, as generally expressed in the Verde Valley Trails Concept Plan (Plan), with Section V deleted".

Since approving the MOU, the Town has received numerous citizen comments relative to the conceptual Plan. This letter shall serve as clarification that it was not the intent of the Mayor and Common Council to approve the Plan as submitted, but rather, approval was solely for the purpose of *supporting the conceptual Plan's objectives* to improve non-motorized trails and trails facilities in the Verde Valley.

Sincerely,

Bob Burnside, Mayor  
Town of Camp Verde



## **MEMORANDUM OF UNDERSTANDING**

### **Regarding the Verde Valley Regional Trails Concept Plan**

This Memorandum of Understanding (MOU) is entered into between the Town of Camp Verde, the Town of Clarkdale, the City of Cottonwood, the Town of Jerome, the City of Sedona, and Yavapai County, for the purpose of supporting the objectives of improving non-motorized trails and trail facilities in the Verde Valley region of Arizona, as generally expressed in the Verde Valley Regional Trails Concept Plan. Support for interagency cooperation is also recognized between these jurisdictions and other local, state and federal land management agencies, including but not limited to, Arizona State Parks, United States Forest Service, and National Park Service.

In consideration of the mutual agreements expressed herein, it is hereby agreed as follows:

#### **I. PURPOSE:**

The purpose of this Memorandum of Understanding (MOU) is to encourage a voluntary association of jurisdictions and agencies to work together for the improvement of non-motorized trails and trails-related programs throughout the Verde Valley region of Arizona. For the purposes of this Agreement, trail development includes planning, design, enhancements, construction, interpretation, preservation, management and maintenance. Representatives of Local, State and Federal agencies, including elected officials, staff members, volunteers and others working together for mutual benefit will be able to better manage this rich heritage of non-motorized trails, in ways that will support the objectives of healthy natural environments, strong economies and sustainable communities. The signatories agree to support the development of trail opportunities within the mandates of the applicable jurisdictions. They share a vision that community trails should be readily accessible throughout the region in a manner that addresses public needs and desires, as well as relevant environmental, economic, and social considerations. This MOU encourages that the signatories participate on a voluntary basis, to the extent permitted by law, with the implementation of trails and trail-related programs in the Verde Valley for the benefit of all.

#### **II. PARTIES:**

The parties to whom this MOU shall apply shall be identified by the signatures attached herein, which shall include the Town of Camp Verde, the Town of Clarkdale, the City of Cottonwood, the Town of Jerome, the City of Sedona, and Yavapai County.

#### **III. RESPONSIBILITIES OF THE PARTIES:**

The parties to this MOU agree to cooperate in accomplishing the purpose and goals of the Verde Valley Regional Trails Plan including, but not limited to, the following principles:

*Memorandum of Understanding  
Verde Valley Regional Trails Plan*

1. Support efforts to work together to foster broad collaboration in the development of non-motorized trails within their communities and throughout the region.
2. Identify existing trail opportunities and support efforts to implement the goals.
3. Identify contact person or persons within agencies for trail-related matters.
4. Where applicable, develop and provide informational materials to the public to further the goals of the Regional Trails Plan.
5. Support public input and involvement with the ongoing planning and development of trails in each community and throughout the region.
6. Support volunteer involvement with trail issues, including planning, design, construction, management and maintenance of trails.
7. Increase opportunities for access to trails for persons with disabilities.
8. Work to raise the visibility, awareness, appreciation, and support of trails in all communities throughout the region.

**IV. GENERAL PROVISIONS:**

1. **Additional Signatories.** Additional agencies may be added to this MOU with the concurrence of all the parties to the MOU. Concurrence may be given in writing, including e-mail; or by vote of the parties at a meeting of authorized representatives of the parties. When accepted, the addition of a new jurisdiction or agency will be effected by attaching to the MOU a signature page with the Agency representative's dated signature.
2. **Amendments.** This MOU may be modified or amended upon written request of any party to the MOU and with the concurrence of all the parties to the MOU. Concurrence may be given in writing, including by e-mail; or by vote of the parties at a meeting of authorized representatives of the parties. If approved, the modification or amendment will be affected by attaching the document with the change, including the date of the approval, to the MOU.
3. **Non-Fund Obligating and Non-Binding Document.** This MOU is neither a fiscal nor a funds obligation document. Any endeavor involving reimbursement or contribution of funds between parties to the MOU will be handled in accordance with applicable laws, regulations, and procedures. This Agreement does not provide such authority. This MOU does not obligate any party to spend funds on a particular project or purpose at any time.
4. **No Right of Action.** This MOU is not intended to, and does not create any right, benefit, or trust responsibility, substantive or procedural, enforceable by law or equity, by a party against any agency or any person.
5. **Participation in Similar Activities.** This Agreement in no way restricts any signatory from participating in similar activities with any other public or private agencies, organizations, and individuals.

**V. LIABILITY:**

This is not a legally binding or enforceable agreement. The matters covered in this memorandum are intended only to trail conditions in the Verde Valley and are not intended to create any right or benefit, substantive or procedural, enforceable at law by a party against any agency, jurisdiction, organization, or any party to this agreement, or any person.

**VI. TERMS:**

The term of this MOU shall be ongoing or until such time as the parties agree to amend, replace or dissolve the agreement or the instrument to which it pertains. This agreement may be amended at any time by unanimous consent of the parties. Any party to this MOU may officially terminate their involvement in the instrument in whole, or in part, without cause, at any time by submitting a written notice of termination to all parties.

**VII. LIMITATIONS:**

Nothing in this MOU shall be construed as limiting or affecting the legal authorities or decision-making of any of the parties to this MOU, or require expenditure of any funds or any specific actions by any party. Nothing in this Agreement abrogates the responsibility of any jurisdiction or land managing agency to manage its trail resources according to the agency's governing laws, rules, and regulations. Any party to this MOU may withdraw its participation in the implementation of this plan at any time at their discretion.

**VIII. FUNDING:**

Each party is responsible for their own expenses associated with this plan. Any agreements or partnerships established between any parties related to funding shall be a matter between those parties solely.

**IX. SIGNATURES:**

The Parties hereto have executed this MOU on the dates shown below:

<u>Agency</u>	<u>Signature</u>	<u>Date</u>
Town of Camp Verde	<u>Bala Zovarnich</u> Vice-Mayor	<u>10-27-2010</u>
	<u>William [Signature]</u> Town Attorney	<u>11-3-2010</u>

11-08-10A07:50 RCVD

*CJB via Fax*Copied Council and Staff *L.M.*

<i>11-8-10</i>	<i>DAB</i>
----------------	------------

*CJB - e-mail*

November 5, 2010

The Honorable Bob Burnside  
Mayor  
Town of Camp Verde

RE: Consideration of Verde Valley Regional Trail Plan

Dear Mayor Burnside:

On behalf of the members of the Mingus Area Preservation Society (MAPS), a 501 c 3 Arizona nonprofit organization, we would like to ask you to please consider our reasonable concerns before approving this plan.

Overall, we are in support of the concept of a trail plan, and an organized system of interconnecting trails. We are appreciative of the time and effort the trails group has put in to develop the plan so far.

However, there are several serious problems in this draft as it currently exists, and we ask that you please try to address these before approving, accepting, or adopting this plan.

Two major areas and a number of specific issues need to be addressed before this plan moves forward. Please let us specify them for your consideration.

1. The "Impacts" section beginning page 22, consisting of 3 paragraphs, glosses over the serious issues and does not come close to reflecting the reality of our situation here in the Verde Valley. This is a major problem that needs to be corrected.

Many MAPS members know from first-hand experience, as I'm sure you do as well, the severe negative impacts trails, trailheads, and general backcountry use has had in our region. Realistically and objectively addressing this topic in the plan will greatly improve it.

We need to be honest and recognize that developing new access to public land in our region risks more of the same impacts we already have – trash dumping, litter, abuse as party spots (which often includes late night use of firearms),

severe resource damage from illegal OHV and ATV use, and danger from illegal fires during the no-burn season.

Car break-ins and other crimes are not uncommon at trailheads as well.

In Camp Verde, Cottonwood, unincorporated Yavapai County, and other areas in our region, resource managers will tell you fences to keep out illegal ATV/OHV use are cut down almost as soon as they are repaired. Even when reinforced with concrete, fence posts get ripped out of the ground. Entire shaded picnic ramadas have been senselessly destroyed. Restrooms are vandalized almost constantly in some places.

If you are not already aware of these ongoing negative impacts, Prescott National Forest (PNF) staff in particular can verify what's going on, and the considerable ongoing expense of trying to keep up with it. This is the unfortunate reality the plan should recognize and try to address.

In our region, severe and extensive environmental damage has resulted from illegal ATV and OHV use when new access points to the forest land are opened. Developed trailheads become dumping grounds and party spots covered in broken glass that are very difficult and expensive to monitor and clean up. This also is the unfortunate reality. We ignore it at our own peril.

Many of us have direct first-hand experience with these ongoing abuses, as volunteers with Stewards of Public Lands doing clean-ups. Many MAPS members are impacted almost daily by noise from illegal ATV/OHV use, which we know is destroying forest land. When we contact PNF staff for help, we are told they don't have money or staff to adequately patrol or maintain these areas. They suggest instead that we contact those individuals or parents of those individuals and try to explain the damage they are doing.

In this way, responsibility for negative impacts is shifted toward local residents, and frankly, we don't like being put in this situation. There are better ways.

These better ways should be incorporated into the regional trail plan. But instead of recognizing and realistically addressing negative impacts for our area, what we are seeing is a superficial gloss over.

The Regional Trail Plan therefore can be greatly improved by honestly and objectively addressing the reality of negative impacts, and offering some constructive solutions.

We suggest the plan propose and describe solutions such as

- How to form citizen groups working cooperatively with forest staff to monitor the trails and trailheads.

The group that produced this document, consisting of representatives from various trail user groups, is uniquely qualified to do this. We think this is a worthwhile request to make before the plan is approved.

- Providing better coordination with local law enforcement

Staff from local cities and towns and the County are in a position to provide constructive suggestions on how to create better law enforcement coordination to support public land managers.

The failure to adequately recognize negative impacts has created other problems in this plan. In sum, this section as it currently exists does not accurately reflect the reality in our region and clearly needs work.

2. The second major area of concern we have is the lack of an adequate public process in creating this plan.

We are not suggesting the public was not welcome to participate, but rather that the process used to involve the public has been ineffective so far.

Part of the reason for this we believe is the structure of the trails group. Although the group has a "facilitator," they apparently lack a person in charge to drive the process, capable of being a decision-maker, and who is accountable for decisions.

You probably know originally the trail planning process was headed by a County employee dedicated to working on trails, and he was the accountable person. But that individual left several years ago and was not replaced.

Although this plan moved forward, it did so without critical components normally used with developing public plans. Key among these is a notable lack of input or involvement from the general public.

As an example, typically a planning effort will start with an advertised public visioning session, where members of public have an open opportunity to get involved, are invited to provide ideas and suggestions, and with no predetermined outcomes imposed. This step never happened.

Members of the public are typically consulted as plans are developed, especially those individuals who may be impacted by the plan. We see no evidence that this sort of proactive outreach to the public ever happened, especially to those potentially impacted. This is a significant problem that may affect a number of constituents in your area.

Specifically, during the development of this plan a reasonable effort should have been made to notify anyone who lives in close proximity to a proposed trail or trailhead. These people can and will be affected. Property values can be negatively impacted. These people are legitimate stakeholders and should have been involved. However, because of the lack of an adequate public involvement process, proper notification did not happen.

As a result, some individuals are just now finding out they live near a proposed trail or trailhead – a number of these are MAPS members – and are upset at being left out of the process. We suspect there will be more individuals like this in the future, as word eventually gets out about what's in this plan.

This may be the case with a number of your constituents who may live near a proposed new trail or proposed new trailhead and at this point have no idea what's contained in this plan.

It has been difficult for members of the public to find out what is contained in the plan. Outside of those on the trails committee, no one seems to know much about what's in the plan or how this plan is being worked. Even some of the regular participants on the committee are not sure what's in the plan or how it is being worked. This lack of transparency is a problem.

Outside of some brief public presentations in September of 2009, the plan – and more importantly the map with proposed trails – was not available to the public until it was posted on the County web site on October 25, 2010, less than one month before it is to be considered for final approval.

Because of this lack of availability, we are only now discovering the proposal MAPS made to the trails group originally back in 2004 is missing.

We proposed to County staff a multi-use public recreational trail along Quail Run for its entirety, along Quail Springs Ranch Road between Quail Run and Camino Real, and on Camino Real between Quail Springs Ranch Rd. and Arrowhead.

There is an established need in this area because significant numbers of people already walk, ride bikes, jog, walk dogs, etc., on these roads regularly and consistently throughout the day. School children walk to and from bus stops, and ride bikes to school on these roads. However, because of lack of sidewalks or bike lanes, people are forced to ride and walk directly on the roadway, in traffic to some extent, and it's dangerous.

Our proposal was provided to Kyle Birkemeier, the County employee heading up the trails program in 2008, as well as via email to Tammy DeWitt and Ken Spedding on County staff in 2007, and to Supervisor Chip Davis originally in 2004. We made ourselves available for follow up on this, but were not contacted.

The County obviously sees value in this concept because they are now working on developing a portion of this multi-use trail along Quail Run. But the trail is inexplicably not in the plan. It appears this worthwhile trail slipped between the cracks.

We also see no evidence that the trail plan incorporates significant input or feedback from members of the general public. What you see primarily in this plan apparently is a result of input from special interest user groups, and individuals associated with special interest user groups, such as hikers, mountain bikers, and horseback riders. As such, it lacks a needed check and balance from the general public.

The trails group did offer a series of public meetings, with the map and plan on display, during September 09 – but apparently made no attempt to incorporate or address in the plan public comments or concerns received at those meetings.

There are a number of other problems with the public process. For instance, providing only one month is far too short of a time period to give the public time to review and respond. No deadline or closing period for comments was ever communicated to our knowledge.

At these meetings, we don't know in what form public comments were taken, how comments were compiled, what methodology was used to respond to comments, what criteria was used to judge comments, if or how comments were incorporated into the plan, and we don't know who was responsible for making those decisions in the draft plan that is now being circulated to public officials. These are all transparency issues.

It's possible none of this was ever done. We suggest you get answers to these important questions before you approve, adopt, or accept this plan.

When we raised this issue to the trails group, one representative provided a list of written comments received from the public, which we understand to be the complete list. There are 6 comments on that list. That's six people commenting out of some 70,000 in the Verde Valley region. This is compelling evidence of an inadequate public process.

Worse yet, it appears the few comments that were received are being completely ignored or dismissed. At the September 09 meeting attended by a number of MAPS members, several specific concerns and some outright objections were raised. Yet we see no evidence whatsoever that the plan makes any attempt to incorporate, respond to, or address these legitimate concerns.

For instance, one proposed trail is shown to run very close (about a football field) behind a number of people's back yards on Quail Run, raising privacy and security issues. Concerns about a major trailhead parking area across from

private property on Quail Springs Ranch Road were raised, because these parking areas can be prone to illegal dumping, abuse as party spots, litter, noise, and crime. There has been no attempt that we can see to address these reasonable concerns.

As another example, at least one trail designated for mountain biking is shown to run through the Black Canyon potential wilderness area, and wilderness regulations prohibit mechanized travel including mountain bikes.

Citizens have not had sufficient time to properly review and comprehend what's on the map. Posting the proposed trails map on the County and Cottonwood websites helps greatly, but it's only been there since October 25. Asking the local newspapers to publish it will help greatly.

We suggest now that the map has been posted online, this is the time to provide a convenient means for public comment, and state a reasonable closing date by which comments should be received. This way people know how to respond, and by when.

The trails committee also apparently has no methodology or criteria by which to respond to citizen input. We suggest you ask them about this and see for yourself. This is another issue that we suggest needs to be addressed, and it's a good idea to provide advance public notice of the evaluation criteria that will be used. This helps build public confidence and make the process more transparent.

After the opportunity for public feedback, we suggest the trails committee should then incorporate public input and revise the plan to address legitimate and reasonable concerns. At that point, the revised plan should be re-posted for public review. Then, citizens and public officials can make an informed judgment to support or not. These are all needed steps in a competent public process, and they haven't been done to our knowledge.

The Trails Planning group apparently thinks pushing through this draft is more important at this point than responding to public concerns. They will likely suggest to you that providing a competent public process or adequately addressing public concerns at this time are not necessary priorities because the plan is only "conceptual" and the County and other local jurisdictions are not actually approving the trails in this plan.

We think that is nonsense. Of course you are being asked to approve trails. You are being asked to approve them *in this plan*.

Approving now and worrying later about consequences is not wise. It is a significant problem and unnecessary risk. We as a region are representing these specific trails, trailheads, and uses contained in the plan have ostensibly been

through a regional public review process. The plan is intended to convey a lot of value and importance to the future land managers responsible for approving new trails. That is the whole point of this effort.

Despite serious flaws, this plan, if approved as is, will be used as a basis to apply for environmental clearances and grants for the proposed new trails contained in the plan. The trails group has confirmed this is their intent.

Members of the Trails Planning committee will likely suggest to you that it's not necessary to address these concerns because this is only a plan, not set in concrete, and plans can be changed. Yet at this time we are seeing no effort or willingness by the trails group to change or correct the plan in its draft form, even though the draft stage is the appropriate time to make needed improvements and corrections – not after the plan has been approved or adopted.

As elected and appointed officials with a responsibility to the public, you should understand the risk and consequences associated with taking the approach suggested by the trails group.

Before approving this plan, we ask that you satisfy yourself with evidence that an adequate public process has been provided, and the plan has in fact responded to reasonable and legitimate public concerns.

In summary, here is what we respectfully suggest needs to be done.

1. This plan should not be approved, accepted, or adopted as is. It should be considered a draft, an unfinished product. More work is needed.
2. The "Impacts" section needs to be reworked to be more accurate, objective, and reflect the reality in our region.
3. A more effective outreach to the public should be planned. A convenient method for the public input should be provided, along with stating a reasonable closing period for comments.
4. We suggest a reasonable effort be made now to ensure anyone in close proximity to a proposed new trail or trailhead in your jurisdiction is notified and has an opportunity to express concerns. The incorporated cities and towns and County should assist with necessary resources to accomplish this.
5. The MAPS proposed multi-use recreational trail should be added to the plan.
6. The proposed section of the "Mesquite Multi-Use Trail" that runs just west of homes on Quail Run and major trailhead shown on Quail Springs Ranch Road should be deleted from the plan. It will cause unnecessary negative impacts to

those homeowners, and is duplicative considering the multi-use trail the County is now developing on Quail Run runs parallel only a few hundred yards away.

7. The portion of the "Mingus Foothills Trail" and any other trail or proposed trail for mountain biking that crosses the Black Hills potential wilderness should either be rerouted or limited to non-mechanized travel only. Any other trails or proposed trails that cross the Grief Hill Inventoried Roadless Area should be limited to non-mechanized travel for the same reason.

8. We suggest involving Coconino County as a collaborative planning partner, as they may be able to assist with resources, and a significant portion of the planning area is under their jurisdiction. The Yavapai-Apache Nation should also be involved if possible.

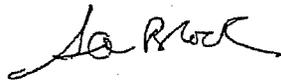
We understand that trails, trailheads, and appropriate uses of public land can generate great benefits and we support this as an important component of quality of life. However, we also recognize that serious impacts and difficult, expensive problems to resolve can result if the process is not done right. Balance is important.

We can help build public confidence now and avoid the damages, negative impacts, confrontations, and divisiveness later by making every reasonable effort to get this done right, and while the plan is still in draft form.

Considering the combined resources of the Verde Valley region, we think this is not asking too much. We hope you agree.

We ask our elected and appointed officials to help get this right by ensuring the process is transparent and properly responds to the concerns of the people.

Thank you,



Steve Block, President  
MAPS



**TOWN OF CAMP VERDE  
Agenda Action Form**

**Meeting Date:** December 1, 2010

**Meeting Type:** Regular Session

**Consent Agenda – Special Announcements**     **Regular Business**

**Reference Document:** Letter from the Yavapai-Apache requesting proposals for consideration

**Agenda Title (be exact):**

Discussion, consideration, and possible direction to the Mayor relative to project proposals for the distribution of the Yavapai-Apache Gaming Revenue Sharing. Some of the previous projects funded with Gaming Revenue Sharing include recreation programs, tutoring programs, Chamber of Commerce, and the pool.

**Purpose and Background Information:**

The Yavapai-Apache Nation receives proposals for the Gaming Revenue Sharing (formerly known as Prop 202) on an annual basis. The Nation has requested that we submit proposals for consideration no later than December 31, 2010. The awards will be considered in mid-January with the awards distributed by January 31, 2011.

**Recommendation (Suggested Motion):**

Determine what projects the Council would like to consider and direct staff to prepare a letter of request detailing the project(s) and related expenses.

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

**Finance Director Comments/Fund:** N/A

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

**Attorney Comments:** N/A

**Submitting Department:** Mayor & Council

**Contact Person:** Mayor Burnside

**Action Report prepared by:** D. Barber



11-22-10A11:05 040

# Yavapai-Apache Nation

Phone: (928) 567-1003

Fax: (928) 567-3994

November 17, 2010

Bob Burnside, Mayor  
Town of Camp Verde  
473 South Main  
Camp Verde, AZ 86322

Re: Prop. 202 Revenue Sharing

Dear Mayor Burnside,

We are in the process of preparing for the distribution of the Prop. 202 Revenue Sharing and we are doing it different this year. The newly elected Chairman David Kwail is requesting that you turn in your proposals by December 31<sup>st</sup> and then the Council will be reviewing them. The checks have to be mailed out by January 31<sup>st</sup> so the Council will be making the decision by then. We are not provided with the amount until mid January.

If you could please mail them to:

Yavapai-Apache Nation  
Attention: Karla Reimer  
2400 West Datsi Street  
Camp Verde, AZ 86322

If you have any questions feel free to contact me at 567-1003 or email me at [kreimer@yan-tribe.org](mailto:kreimer@yan-tribe.org). Thank you for your assistance and I look forward to receiving your proposal.

Cordially,

*Karla Reimer*

Karla Reimer  
Office Manager/Council Secretary

Cc: Tribal Council (9)