

**(Corrected) MINUTES
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, FEBRUARY 16, 2022 at 6:30 P.M.**

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/81581827070?pwd=M1AzY0JjU29HSm5qNE5zc2pNSE1wUT09>

**One Tap Mobile: 1-346-248-7799 or 669-900-9128
Meeting ID: 815 8182 7070
Passcode: 163403**

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

1. **Call to Order** Mayor Dee Jenkins called the session to order at 6:30 PM.
2. **Roll Call.** Council Members Jackie Baker, Bill LeBeau, Cris McPhail, Jessie Murdock, Robin Whatley, Vice Mayor Joe Butner, and Mayor Dee Jenkins.
3. **Pledge of Allegiance** Councilor Whatley led the pledge.
4. **Consent Agenda** – All those items listed below may be enacted upon by one motion and approved as consent agenda items. Any item may be removed from the Consent Agenda and considered as a separate item if a member of Council requests.

a) Approval of the Minutes:

- 1) Work Session– January 12, 2022
- 2) Special Session – February 2, 2022
- 3) Executive Sessions – February 2, 2022 (recorded - on file)

b) Set Next Meeting, Date and Time:

- 1) Work Session Retreat – Friday 25, 2022 at 12:00 p.m.
- 2) Regular Session – Wednesday March 2, 2022 at 6:30 p.m.
- 3) Work Session – Thursday March 10, 2022 at 5:30 p.m.

Motion by Mayor Jenkins to approve the consent agenda. Second was made by Vice Mayor Butner.

Roll Call Vote:

Councilor Baker: aye
Councilor LeBeau: aye
Councilor McPhail: aye
Councilor Murdock: aye

Councilor Whatley: aye
Vice Mayor Butner: aye
Mayor Jenkins: aye

Motion carried 7-0.

5. **Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to ARS §38-431.01(H))

No items from the public.

6. **Special Announcements and Presentations:**

- **Proclamation – A Proclamation supporting and honoring our Veterans in the Verde Valley Stand Down – Serving Veterans**
- **Presentation and Update on the merger of Hope Women’s Center with Abide Maternity**
- **Camp Verde Marshal’s Oath of Office for Jacob Zeid and Dustin Richardson**

Vice Mayor Butner read the proclamation supporting and honoring our Veterans in the Verde Valley Stand Down. Mayor Jenkins Proclaimed.

Patty Zeid presented on the merger of Home Women’s Center and Abide Maternity Home. Hope Women’s Center provides services for teens in crisis. Many clients have extremely difficult living situations with no support. Physical, emotional and religious needs are provided for. There are six locations and Camp Verde is the first Northern Arizona center. Housing is a primary concern and they plan on this being the first of many maternity homes. Hope started in Apache Junction and has expanded with Camp Verde being their newest location. In the past year there has been over 15,000 client visits that include classes. They provide food, shampoo, baby supplies, and women’s clothes. They offer utility assistance with financial classes. Hope Women’s Center utilizes volunteers for 90% of staff and involves the community in their efforts. Reunification with DCS, training with teens, and Hope at work are all programs they have. They are planning to create a job lab in Camp Verde. They provided a list of core classes that every center offers, including Zoom opportunities.

Callie Hicks and Ariana Morales also presented for Hope. They had a goal to start a conference because of the missing links they had noticed while working with Hope Women's Center. They believed there should be a space for youth to discuss the issues they are experiencing and work out issues before they hit a crisis situation. The local youth are excited about this conference. Last year there were one hundred attendees and they are hoping to double the attendance this year. The conference will be held March 25th and 26th and host youth in 8th grade through college age students. The price of the conference is \$25 a ticket and lunch will be included. They will be partnering with the Marshal's Office who will be presenting on how current habits can impact the future.

Camp Verde Marshal's Oath of Office for Jacob Zeid and Dustin Richardson
Town Clerk Pemberton requested the presentation to be moved to the March 2nd agenda.

7. Discussion, Consideration and Possible Approval of the FY23 Budget Calendar. Staff Resource: Michael Showers

Mr. Showers requested this item be postponed until he could attend in person due to audio issues. The item was moved behind agenda item 11.

8. Discussion, Consideration and Possible Approval of 911 dispatch stations in the amount of \$62,705.00 Staff Resource: Corey Rowley

Marshal Rowley provided Council with an update about the officer involved shooting where they had no radio contact until the officers could get to their car. This agenda item is an immediate need for the department. Currently they are having to part out some equipment to keep other stations operational and there is no station for training. The proposed stations have the added benefit of mobility to any unit they are needed for. If approved the stations would be received in an estimated 8-12 weeks and would have a lifetime warranty. A representative from Watson Consoles was in attendance to answer any questions Council may have.

Mr. Martin informed Council the equipment could be funding with CIP reserve that was transferred and the Town still has all of the ARPA funding.

No comments from the public.

Motion by Councilor Jackie Baker for the approval of \$62,705 out of the general fund for the purchase of three new dispatch workstations including five display monitors for the training station. Second was made by **Councilor Cris McPhail**.

Roll Call Vote:

Councilor Baker: aye

Councilor LeBeau: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Whatley: aye
Vice Mayor Butner: aye
Mayor Jenkins: aye

Motion carried 7-0.

9. **Discussion, Consideration and Possible Approval of awarding Project# 22-155 Town of Camp Verde Butler Park relight project to MUSCO Lighting, 1GPA Purchase-Contract #18-23DP-01, in the amount of \$485,475.00 Staff Resource: Michael Marshall**

Mr. Marshall reminded Council the Town had applied for and received a grant through Arizona State Parks ARPA funds in the amount of \$493,272. The acceptance of the funds was approved by Council last meeting. The amount of the agenda item this evening is to pay for the contracted costs. The bid was less than the grant amount. These lights would be replacing with the same company and be Dark Sky approved LED lighting. They will reuse the poles and wiring. The existing infrastructure will be covered under a new 25-year warranty. The project is expected to complete by the middle of May.

Councilor Baker recalled some funding for work done in the last year on the funding. Mr. Marshall stated the previous work was for bulbs. The LED lights will be an advantage as they are expected to last up to 50 years and are less money to run.

Councilor Baker asked if there will equipment to shut the lights off easily. Mr. Marshall stated that the lights can be programmed to follow a schedule for usage.

No comments from the public.

Motion by Councilor McPhail to award Project# 22-155 Town of Camp Verde Butler Park relight project to MUSCO Lighting, 1GPA Purchase-Contract #18-23DP-01, in the amount of \$485,475.00. Second was made by Councilor Baker.

Roll Call Vote:

Councilor Baker: aye
Councilor LeBeau: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Whatley: aye
Vice Mayor Butner: aye
Mayor Jenkins: aye

Motion carried 7-0.

10. **Discussion, Consideration and Possible Approval of an addition to the scope of services with Woodson Engineering & Surveying for the Main Street Sewer Replacement and Storm Sewer Design Professional Services Agreement**

Approved by Town Council on October 20, 2021. The request is to add reuse and potable line design to the scope of services in the amount of up to \$120,000. Staff Resource: Troy Odell

Mr. Troy Odell had discussed with Council the design and planning for the sewer, storm sewer, and pavement requirements for Camp Verde Main Street. Mr. Odell has visited with the Water Company and they feel the water line is undersized and in a state of disrepair. The PVC is in corrosion failure due to how installed. The department does not want to leave the old water line and install a new roadway. The new road would have to be torn up as repairs were required. The department is proposing to add a line to reclaim water for use at the treatment plant to serve the campus and Town. The line would be utilized to irrigate parks and fields. It will be needed in the future and it makes sense to add the reclaim water line in during construction. Woodsen would do the design.

Councilor McPhail asked if the line would stop at 260 and be connected at some future point. Mr. Odell stated that an 8" reclaim line currently goes completely through the park and to McCracken. The line will be continued under White Bridge to Main Street. It will then be continued as roads are built.

Councilor McPhail asked if a pump would need to be added. Mr. Odell replied that the pump pack that is currently being proposed at the storage pond at the park is adequate for fire protection and an additional pump is not needed. The fire hydrants on Main Street will have a temporary to service through the reclaim line. This will keep flow in reclaim line to keep it fresh. The future goal will to have all fire hydrants and fire systems serviced solely through the reclaim line.

Mayor Jenkins wanted clarification on the water system timing. Mayor Jenkins inquired if engineering could be done but not actual water work. Mr. Martin confirmed that engineering can be done but not actual water work at this time.

No comments from the public.

Motion by Councilor McPhail to approve the addition to the scope of services to the existing contract for the additional amount of up to \$120,000 so the plans may be prepared to allow this construction of water line and reclaim line to occur at the same time as the sewer replacement, storm drain installation, and roadway replacement. Second was made by Councilor LeBeau.

Roll Call Vote:

Councilor Baker: aye

Councilor LeBeau: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Whatley: aye

Vice Mayor Butner: aye

Mayor Jenkins: aye

Motion carried 7-0.

11. **Discussion, Consideration and Possible Approval of a contract with Bungler Steel, Inc. to design and construct a foundation and canopy for the existing Chlorine Contact Chambers in the amount not to exceed \$135,000 using the 2018 Wastewater Infrastructure Finance Authority (WIFA) loan proceeds.** Staff Resource Troy Odell

Mr. Odell presented on a canopy that will protect the systems from dust for compliance to the permit. This had been planned with the 2018 improvements. The price is increasing and this item needs to be completed. Bungler Steel is always the most competitive bidder on these items and is an additional building to match an existing one. Mr. Odell is proposing to go with Bungler on this project.

Councilor Baker asked why this was an 2018 project and why we are just now completing the project. She expressed concerns that there was only one company bidding and wanted to know if this would help obtain an ADEQ A+ water rating. Mr. Odell stated that there is already an A+ amendment and they have been making that qualification without fail. This item has been needed but other priorities have kept them from completing this project.

Councilor Murdock wanted to clarify that the building type and design was the same as the other onsite and they were planning to marry the two buildings together. Mr. Odell confirmed the two buildings would be identical in design including siding colors.

No comments from the public.

Motion by Councilor Baker to approve Bungler Steel to supply and construct the chlorine contact canopy addition to the existing filter and usage build, a previous Bungler Steel building, including it's foundations as shown in the attachment for the proposed amount per the attached contract slash proposal for the pre-approved chlorine contact canopy project for the not to exceed amount of \$131,064. Second was made by Councilor Murdock.

Roll Call Vote:

Councilor Baker: aye

Councilor LeBeau: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Whatley: aye

Vice Mayor Butner: aye

Mayor Jenkins: aye

Motion carried 7-0.

Mr. Showers was present and Mayor Jenkins called to return to agenda item 7.

7. Discussion, Consideration and Possible Approval of the FY23 Budget Calendar.

Staff Resource: Michael Showers

Mr. Showers stated that the calendar is nearly identical to last year. The only notable difference is that there is not a strategic planning session this year for a number of reasons. Mr. Showers has been looking at strategic planning bi-annually instead of annually. This would be a year for getting caught up and not adding items. The calendar can be approved as is and discuss adding on items at another time.

No comments from the public.

Motion by Councilor Murdock to approve the FY23 budget calendar. Second was made by Councilor LeBeau.

Roll Call Vote:

Councilor Baker: aye

Councilor LeBeau: aye

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Robin Whatley: aye

Vice Mayor Butner: aye

Mayor Jenkins: aye

Motion carried 7-0.

- 12. Discussion Consideration and Possible Direction to staff to go out to bid for a Request for Proposal for an Independent Audit of the Sports Complex from and including the purchase of the property, up to and including February 1, 2022.** Staff Resource Councilor Baker and Councilor LeBeau

Councilor LeBeau stated that it has been four years since this project started and the public has had many questions about this particular project. Councilor LeBeau believes the City owes transparency to the public about this project and recommends an outside audit by a certified accountant.

Councilor Baker stated that she had asked Councilor LeBeau to co-sponsor this item and show fiscal responsibility to the public by accounting for the items on this project. She believes Council has a responsibility to show clearly and simply what the Town has done to the citizens.

Councilor Murdock asked if there were specific items they are looking for on this audit. Ms. Murdock listed several audit items that could be looked at. She believes further discussion is needed with the sponsors and asked which items listed they were looking to accomplish.

Councilor Baker remarked that everything needed to be looked at.

Councilor LeBeau stated that the aforementioned listed items seemed too broad.

Councilor McPhail addressed Council regarding her expertise. Her experience includes a decade in public service and she has spent a large part of that time building parks. Councilor McPhail is satisfied that every reasonable effort has been undertaken. Because of her experience she understands about unforeseen conditions such as soil shrinkage. Councilor McPhail would prefer to spend the money in this proposal on more things for the park. If the list that Ms. Murdock discussed was completed in its entirety the cost would be a lot more money than proposed. Mr. Showers and Mr. Martin have the information to show where things have been spent. Council can go through the record with Mr. Showers at any time.

Councilor Whatley agreed with Councilor McPhail's statement. Councilor Whatley does not want to spend more money to pay an accountant. She would prefer the money to go towards the park.

Vice Mayor Butner remarked that he looks at it differently. There have been different ways of viewing the expenditures. There were some change large orders which were independent of the Council and as result the policies had to be changed. There has been 12 million dollars spent and there is no grass to show for it. The public have yet to use the park. Vice Mayor Butner feels there are some significant questions about where the money went. He feels the issue is more complicated than simply speaking with Mr. Showers. He believes in discovery it may be found that contractors even owe the Town some money. He remarked on how Councilor LeBeau described how many times dirt has been moved and feels there should be more of an explanation. He is in favor of the audit and feels that understanding where every penny went is important to ensure that the money was well spent and review change orders that were not seen by Council.

Councilor Whatley feels there have been more questions from the public about the time it has taken than accounting for funds spent. The delays have been largely due to waiting for a matching grant money that was worth waiting for.

Mr. Martin stated the grant was a year and a half out and two and a half million dollars.

Mayor Jenkins commented that she has tracked the costs for the last five and a half years and is also familiar with audits. Mayor Jenkins feels that if the public wants to know this information there is a duty to get it to the public. If Council asks for an audit then the scope of work needs to be very specific and there should be a plan for what is to be done with the information once it is obtained.

Financial Director Mike Showers prepared a statement for this agenda item. He has altered it a bit since listening to the discussion. As finance director Mr. Showers can't understand why they would desire this audit. All invoices have been given to Council and the expenditures are audited annually. Everything has been audited and Council

has approved all items as the project was moved forward. There were several adjustments and a bid that was unrealistic which required an adjustment. This issue has been discussed thoroughly with Council. Mr. Showers feels that to request this audit Council would need to expect to have a place to give blame and does not have faith in staff to provide the appropriate answers. The expenditure information is available and traceable.

Councilor Murdock agrees with Councilor McPhail and Councilor Whatley. Councilor Murdock has been a representative of the Town for the entirety of the project. Councilor Murdock would like to offer support for staff and Council's decisions of the project along the way. There was an under-negotiated contract, but has never felt that any contracts have been fraudulent. The project experienced a year and a half delay for funding. There has also been weather, lawsuits, and waiting for other funds to come through. Ms. Murdock stated that Council should own the project and feels frustrated that it is not done. Ms. Murdock will not be voting for and audit and reiterated her support for Town staff.

Councilor Baker wanted to speak to Mr. Showers comments to ensure that he understood that in no way was she accusing staff by her sponsorship of this item. She does not want anyone in the community to feel she would be accusing staff of doing anything inappropriate. The project was started in 2007 and it is now 2022. There have been some questionable items not regarding staff. Councilor Baker is continually reminded how busy finance is and it would not occur to ask for a couple hours. To Councilor Baker this was an easy and responsible way to look at everything.

Councilor McPhail wanted to thank Mr. Showers for his courage in bringing his comments forward and believes that it is important that Council hears what he has to say. She would say that the Finance Department continues to stand on high moral ground and is heartbroken he would feel that way.

Councilor LeBeau's goal with this item is to show transparency to the citizens and offer an outside audit for their peace of mind.

Vice Mayor Butner does not want anyone on staff to think that it is an audit to find fault with staff. The project has been over the last fifteen years with different administration, staff, contractors, and processes. Vice Mayor Butner stated that personally he is used to people checking his work as a matter of process and no offense is meant by the proposed audit. It is not staff that is a concern. It is all the entities that have worked on the project. Additionally, the audit would be a different kind of audit than the Town provides. The citizens deserve this audit and an explanation on where money was spent. The intent is also to support staff on where the money went.

Councilor Murdock believes there are 12,000 citizens in the community that expect an answer. She believes in transparency, but has lots of questions on why the audit is being requested and the scope of work. If negligence is found what is the expectation from Council? Is the goal to hold contractors responsible and get money

back or is Council just wanting to know that the project was overspent?

Councilor LeBeau stated that those items could not be answered until the results of the audit were received.

Councilor Murdock wanted to understand if the audit was to seek answers or if there was an expectation of answers.

Councilor LeBeau wants to be able to tell the public we had an independent audit and everything is fine.

Councilor Murdock wants to understand exactly what is being asked of the auditor. Is the Town giving over all the financials and then they come back with what the Town has paid. How is there going to be a cross comparison with the overages based on bids that were received?

Mayor Jenkins asked Mr. Showers if the financial audit will tell them what they want to hear. Mayor Jenkins stated that Council can receive that information in a minute. If they want to know if it was intelligently spent that is a different kind of audit. That type of scope of work showing that the Town received what was paid for is harder to do.

Councilor McPhail stated if you wanted to evaluate the work completed and value of work you might hire a landscape architect. The other person may possibly be an engineer to explain the value of unforeseen circumstances. It would probably not be an accountant. Councilor McPhail hired the designers and managed the contractors on park jobs. Councilor McPhail is satisfied that the contracted work has been completed to the benefit to the users of the park. Councilor McPhail can appreciate not everyone understands the costs involved such as removing unforeseen boulders or soil issues. Councilor McPhail mentioned what the sponsors want and what they're asking for may be two different things.

Councilor LeBeau wants someone independent of the Town to come and tell the public that the Town has been doing a good job on this.

Vice Mayor Butner wanted to make clear that an accountant is not being hired to look at the quality of work. The accountant is to look at all of the expenditures and let Council know how much was spent on each item. This would be a financial audit, not one conducted by a landscape architect or engineer. The purpose would be to identify costs on each specific item associated with the park.

Councilor Baker wants a simple audit of accounting to review everything and ensure that the items were not placed in the wrong department or incorrectly accounted for.

Mayor Jenkins has copies of all the bills and tracking for the project and made a recommendation of sharing the information with Council. This would allow Council to review the detail of the audit she has been doing along the way before an independent audit is pursued.

Councilor LeBeau wants to reiterate that he is not looking for something internal, but an audit independent of the Town staff.

Motion by Councilor Robin Whatley to direct staff not to go out to bid for a request for a proposal for an Independent Audit of the Sports Complex beginning and including the purchase of the property.

Mayor Jenkins confirmed the motion was appropriate with Town Clerk Pemberton since the motion was to not to direct staff to request a bid.

Town Clerk Pemberton confirmed a motion was on the table waiting for a second.

Second was made by Councilor Jessie Murdock.

Roll Call Vote:

Councilor Baker: nay
Councilor LeBeau: nay
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Whatley: aye
Vice Mayor Butner: nay
Mayor Jenkins: aye

Motion carried 4-3.

Councilor LeBeau took a point of personal privilege. The outcome of the vote saddened him a great deal. He ran for office with the promise of keeping things transparent and keeping an eye on the money. The majority of the Council is not interested in doing that. He has expressed his opinions and is extremely disappointed. He doesn't see how he can continue on Council and effective immediately resigned his seat as Councilman of the Town of Camp Verde.

Mayor Jenkins called a recess to return at 8:15 PM

Mayor Dee Jenkins recognized councilor Baker had also left for the evening and called the session back to order at 8:13 PM

13. **Discussion, Consideration and Possible Approval of a request for waiver-reimbursement of the variance fee of \$515 for Jeff and Jane Galloway.** Staff Resource: John Knight

Mr. Martin took presented on this item. The Galloway's gifted the Town property for which made their parcel go below the required amount to divide it. They are proposing the waiving of this fee as a good faith gesture.

Motion by Councilor McPhail to waive the fee variance of \$515 for Jeff and Jane Galloway. Second was made by Councilor Whatley.

Roll Call Vote:

Councilor Baker: absent

Councilor LeBeau: absent

Councilor McPhail: aye

Councilor Murdock: aye

Councilor Whatley: aye

Vice Mayor Butner: aye

Mayor Jenkins: aye

Motion carried 5-0.

- 14. Discussion Consideration and Possible Direction to Attorney and staff regarding current letter of engagement with Sim Mackin, Ltd. To include but not limited to: hourly rate and possible contract.** Staff Resource: Bill Sims

Town Clerk Cindy Pemberton stated that if Council decides to go to executive session she recommends the item be moved after item 17.

Bill Sims stated that is item was on the agenda because he has operated under the same rate for 10 years and is asking for an increase. He noted the item can be tabled for an executive session at the next meeting.

- 15. Call to the Public for items not on the Agenda. (Please complete Request to Speak Card and turn in to the Clerk.)** Residents are encouraged to comment about any matter NOT included on the agenda. State law prevents the Council from taking any action on items not on the agenda. At the conclusion of an open call to the public, individual members of the public body may respond to criticism made by those who have addressed the public body, may ask staff to review a matter or may ask that a matter be put on a future agenda. However, members of the public body shall not discuss or take legal action on matters raised during an open call to the public unless the matters are properly noticed for discussion and legal action. (Pursuant to A.R.S. §38-431.01(H))

No items from public.

- 16. Council Informational Reports.** These reports are relative to the committee meetings that Council members attend. The Committees are: Copper Canyon Fire & Medical District, Yavapai College Governing Board, Yavapai Apache Nation, Intergovernmental Association, NACOG Regional Council, Verde Valley Regional Economic Organization (VVREO), League Resolutions Committee, Arizona Municipal Risk Retention Pool, Verde Valley Transportation Org, Verde Valley Transit Committee, Verde Valley Water Users, Verde Valley Homeless Coalition, Verde Front, Verde Valley Steering Committee of MAT Force, Public Safety Personnel Retirement Board, Phillip England Center for the Performing Arts Foundation. In addition, individual members may provide brief summaries of current events. The Council will have no discussion or take action on any of these

items, except that they may request that the item be placed on a future agenda.

Councilor McPhail continues to attend the Yavapai Apache Nation Tribal Council.

Vice Mayor Butner went to a Matforce meeting and had the opportunity to watch state legislature consider changes to legislation regarding dangerous and narcotic drug statutes. The Yavapai county attorney argued on the difficulty of proving that the supplier of these drugs led to death. It is difficult for a medical examiner to pinpoint fentanyl, for example, as opposed to stroke or heart attack. That statute had to be reworded to broaden the prosecution of homicide in these cases. It was a significant discussion and came out of committee with some degree of opposition. In the age range of 18-40 years overdose is a leading cause of death and the leading drug is fentanyl originating in China.

Councilor Murdock wants to publicly thank Marshal Rowley and the Chief from the Yavapai Apache Nation for everything they do for the community. Councilor Murdock stated that their efforts do not go unnoticed and wished to express prayers to the Brogdon family.

Mayor Jenkins attended Verde Valley Mayor Managers meeting where healthcare took up most of the time. There has also been a lot of traffic on social media regarding the closing of the Wells Fargo branch at the Bashas market. Mayor Jenkins has spoken to the Regional Manager and it was a corporate decision. There are several branches closing all over the United States. There will only be ATM available. The town and Mayor Jenkins have accounts there and are also impacted by the decision.

17. **Manager/Staff Report** Individual members of the **Staff** may provide brief summaries of current events and activities. These summaries are strictly for informing the Council and public of such events and activities. The Council will have no discussion, consideration, or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda.

Mr. Martin would like to leave by 10:30 AM next Friday for the retreat. Council will be meeting from noon to five and then going out to see the lights.

Town Clerk Cindy Pemberton stated the agenda will be out tomorrow for Council.

Mr. Martin stated the HR director has resigned. The specialist position will be held until the final for the HR director is selected. He expressed that Council should feel free to stop by Risk Manager, Heather Vinsons office for anything they may need.

Town Clerk Pemberton stated candidate packets for the 2022 elections are available. Three council seats and one Mayoral seat are open. She asked that Council please pick up packets if they are interested in another term.

Discussion Consideration and Possible Direction to Attorney and staff regarding current letter of engagement with Sim Mackin, Ltd. To include but

not limited to: hourly rate and possible contract. Staff Resource: Bill Sims

Motion to go to executive session was made by Councilor Whatley. Second was made by Vice Mayor Butner.

Roll Call Vote:

Councilor Baker: absent
Councilor LeBeau: absent
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Whatley: aye
Vice Mayor Butner: aye
Mayor Jenkins: aye

Motion carried 5-0.

Council went into executive session at 8:15 p.m.
Reconvened into Open Session at 9:08 p.m.

Motion by Vice Mayor Butner to continue with Mr. Sims as the Interim Town Attorney at the rate of \$210.00 and instruct the Town Manager to move forward with a Request for Proposal for a part-time Attorney. Second was made by Councilor McPhail.

Roll Call Vote:

Councilor Baker: absent
Councilor LeBeau: absent
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Whatley: aye
Vice Mayor Butner: aye
Mayor Jenkins: aye

Town Manager Russ Martin requested item 18 and 19 be tabled until the next Regularly scheduled meeting due. Mayor Jenkins and Council agreed.

- 18. Update, Discussion and Consultation with the Town Attorney for legal advice regarding water and land agreements with the Yavapai-Apache Nation. The Council may, by majority vote, recess the special meeting, hold an executive session, and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. 38-431.03 (A)(2); (A)(3); (A)(4); (A)(5); (A)(6).**
- **Recess into and hold Executive Session pursuant to A.R.S. §38.431.03 (A)(1); (A)(2); (A)(3); (A)(4); and (A)(5)**
 - **Reconvene Open Session**

This discussion was tabled

19. Discussion and Consideration and Execution of the Town Manager's Annual Performance Review. Pursuant to A.R.S. §38-431.03(A)(1). The Council may, by majority vote, recess the Regular meeting, hold an executive session and then reconvene the Regular meeting for discussion and possible action on this item as covered under A.R.S. §38-431.03 (A)(1).

- Recess into and hold Executive Session pursuant to A.R.S. §38.431.03 (A)(1)
- Reconvene Open Session

This discussion was tabled

20. Adjournment
Without objection Mayor Jenkins adjourned the meeting at 9:10




Mayor Dee Jenkins


Attest: Town Clerk Cindy Pemberton

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 February 16, 2022. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 7th day of March, 2022.



Cindy Pemberton, Town Clerk