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**AGENDA
TOWN OF CAMP VERDE
REGULAR SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, JUNE 7, 2023 at 6:30 P.M.**

ZOOM MEETING LINK:

<https://us02web.zoom.us/j/82114270741?pwd=V3lWbVZyZytQRzE3STVZbWtMbGdCZz09>

One Tap Mobile: 1-719-359-4580 or 1-253-205-0468

Meeting ID: 821 1427 0741

Passcode: 315915

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

1. **Call to Order**
2. **Roll Call.** Council Members: Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins.
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) Joint Session – April 26, 2023 Page 5
 - 2) Regular Session – May 3, 2023 Page 9
 - 3) Special Session – May 10, 2023 Page 11
 - 4) Special Session – May 24, 2023 Page 15
 - 5) Special Session – May 26, 2023 Page 29
 - b) **Set Next Meeting, Date and Time:**
 - 1) Special Session – Wednesday June 14, 2023 at 5:30 p.m.
 - 2) Special Session – Tuesday June 20, 2023 at 3:00 p.m.
 - 3) Special Session – Wednesday June 21, 2023 at 9:00 a.m.
 - 4) Regular Session – Wednesday July 5, 2023 at 6:30 p.m.
 - c) **Approval of the new Town Salary Range Table. Staff Resource: Julia Kaiser** Page 31
 - d) **Approval of Resolution 2023-1111. A Resolution of the Mayor and Common Council, of the Town of Camp Verde, Yavapai County, Arizona, pertaining to certain exemptions for motor vehicles used by the Marshal's office. Staff Resource: Corey Rowley** Page 35

- e) **Approval for the Mayor to sign a clarification letter regarding Non-Disclosure Agreement and Rule 408 to Regional Wastewater planning discussions. Staff Resource: Jeff Low** Page 37

5. **Call to the Public or 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))
6. **Special Announcements and Presentations:**
- **Proclamation.** Declaring June 30, 2023, a day of remembrance of the Granite Mountain Hotshots. Page 41
7. **Summary of Current Events.** The Town Council and the Town Manager may provide brief summaries of current events and activities. These summaries are strictly for informing the public of such events and activities. The Council will not propose, discuss, deliberate or take action on any such item, except that an individual Council member may request that the item be placed on a future agenda. Summaries may include 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.
8. **Discussion, Consideration and Possible Appointment of Mark E. Lomeland to serve on the Planning and Zoning Commission with a term expiring January 2025.** Staff Resource: Cindy Pemberton Page 43
9. **Discussion, Consideration, Public Hearing and Possible Adoption of Resolution 2023 – 1107, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving Use Permit 20230137, an Agritourism Use Permit application for Trampus and Bonnie Mansker for a roping arena located on parcels 404-12-422D and 404-12-422C.** Staff Resource: John Knight Page 47
- **Staff Comments**
 - **Public Hearing Open**
 - **Public Hearing Closed**

- 10. **Discussion, Consideration and Possible Approval of Resolution 2023-1112 a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring Chapters one (1) two (2) and including Chapters 3-2-1.1 of the Camp Verde Town Code dated June 7, 2023 to be a public record.** Staff Resource: Cindy Pemberton Page 167
- 11. **Discussion, Consideration and Possible Approval of Ordinance 2023-481, an Ordinance of the Town of Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by Reference Chapters One (1) two (2) and Chapter Three (3), and including Chapter 3-2-1.1 of the Town of Camp Verde Town Code: related to Updates of General Laws, Mayor and Council Procedures, and Action Town Manager Powers and authorities. A Recodification of selected prior ordinances of the Town, with amendments, and proscribing penalties for violations thereof and declaring an emergency.** Staff Resource: Cindy Pemberton Page 207
- 12. **Discussion and Review with Council of FY24 proposed Capital Improvement Plan.** Staff Resource: Gayle Mabery and Mike Showers Page 211
- 13. **Adjournment**

Note: Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the purpose of discussion or consultation for legal advice with the Town Attorney as permitted by A.R.S. § 38-431.03(A)(3). Any other executive sessions will be separately included on the agenda above if an executive session will be held at the meeting.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. Pursuant to Town Code, Section 2-3-7.1 the Mayor shall call for a vote of the Council to allow the meeting to continue past the deadline of 10:00 p.m. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.

CERTIFICATION OF POSTING OF NOTICE

The undersigned hereby certifies that a copy of the foregoing notice was duly posted at the Town of Camp Verde and Bashes on 06-01-2023 at 6:00 p.m.

Cindy Pemberton

Cindy Pemberton, Town Clerk

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DRAFT MINUTES
TOWN OF CAMP VERDE
JOINT SPECIAL SESSION
MAYOR AND COUNCIL
PLANNING & ZONING COMMISSION
75 E HOLLAMON STREET, CAMP VERDE, AZ 86322
WEDNESDAY, APRIL 26, 2023, at 5:30 P.M.

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

1. Call to Order

Mayor Jenkins called the meeting to order at 5:30 p.m.

2. Roll Call

Mayor Dee Jenkins, Vice Mayor Marie Moore, Councilor Wendy Escoffier, Councilor Robin Godwin, Councilor Jackie Baker and Councilor Cris McPhail are all present. Councilor Jesse Murdock is absent.

Also Present

Interim Town Manager Gayle Mabery, Town Clerk Cindy Pemberton, Utilities Director Jeff Low, Community Development Director John Knight, Town Planner BJ Ratlief, Town Planner Corey Mulcaire, Economic Development Specialist Sean Brooks. Administrative Clerk Jadie Edwards and Recording Secretary Jennifer Reed.

3. Pledge of Allegiance

Councilor Escoffier led the Pledge.

4. Discussion, Consideration and Possible Action to approve staff to submit a grant application to the Local Food Promotion Program (LFFP) through the U.S. Department of Agriculture in an amount up to \$500,000 for a commercial kitchen. Staff Resource: Sean Brooks

Economic Development Specialist Sean Brooks gave a background on the grant, who the partners are and how the program would work. The Town of Camp Verde would be the Grant Facilitator. The application is due by May 2, 2023. Vice Mayor Moore said we need to be careful with putting equipment into a private business. Interim Town Manager Gayle Mabery said we need to get clarification on the gift clause. She suggests approving the application pending the review and advice from the town attorney regarding the gift clause.

Motion made by Councilor Baker to approve the application for up to \$500K of USDA Local Food Promotion Program grant funds for a commercial kitchen. Second was made by Councilor Godwin. Mayor Jenkins noted Council was advised to add an additional sentence to the motion. Councilor Godwin *rescinded the second*. **Motion** made by Councilor Baker to approve the application for up to \$500K of USDA Local Food Promotion Program grant funds for a commercial kitchen pending the attorney's review and advice relating to the gift clause. Second was made by Councilor Godwin.

Roll Call Vote:

Councilor Baker: aye

Councilor McPhail: aye

Councilor Murdock: absent

Councilor Godwin: aye
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye
Motion carried 6-0.

5. Call to Order of the Planning & Zoning Commission

6. Roll Call – Planning & Zoning Commission: Board Members Greg Blue, Robert Foreman, Ingrid Osses, William Tippet, Chairman Andrew Faiella, and Vice Chairman Todd Scantlebury.

7. Joint Council/Planning and Zoning Commission Work Session. No action will be taken during the Work Session. Discussion and Possible direction to staff may occur.

a) Introductions- Town Council and Planning & Zoning Commission introduced themselves.

b) Update on Town’s Water and Wastewater Utilities. Staff Resource: Jeff Low
Utility Director Jeff Low presented a slide show that related to topics such as storm water, wastewater activities, water system projects, and the need to create development standards and Town code. They are working on a Water Master Plan.

c) Overview of the Camp Verde Opportunity Zone. Staff Resource: John Knight
Community Development Director John Knight presented the Opportunity Zone Overview slideshow that was put together by Community Development Director Molly Spangler who was unable to attend tonight’s meeting. More information is available on the Town’s website.

d) Growth and Development Polices and Considerations Staff Resource: Gayle Mabery
Interim Manager Gayle Mabery touched on these topics:

- The increase in development projects and interest,
- Addressing foundational policies, procedures, capacity and philosophy
- Water as a planning consideration
- Philosophies on Development Paying Its Own Way
- Use of Development Agreements to Outline Responsibilities of Town and Developers.

Meeting Break: 6:40pm
Meeting Resume: 6:45pm

e) Long Range Planning Projects Staff Resource: John Knight
Community Development Director John Knight discussed:

- a) Current Staff Projects
 - a. Sign Ordinance
 - b. General Plan Update
 - c. PAD Ordinance Updates
- b) Future Projects
 - a. Main Street Area Plan
 - b. Landscape Standards
 - c. Update Development Review Standards
 - d. Update on Animal Count
 - e. Comprehensive Zoning Code Update
 - f. Marijuana Ordinance

- g. Lighting Ordinance (added to future projects)
- c) Projects On Hold
 - a. Right to Farm Ordinance

Councilors and Commissioners were able to discuss the steps of getting each of these projects completed. They would like to add working on the Lighting Ordinance to the future projects list.

There was discussion about tackling the General Plan as a whole, put focus on it at a later date.

Vice Chairman Scantlebury is concerned with grey zones in the Comprehensive Planning and Zoning Updates. He suggests creating Neighbor Guidelines. This would include how to address problems in the neighborhood, what are the practices and guidelines.

Council and Commission Members participated in a “dot exercise”. In this exercise, priorities were written on paper and placed around the room. Members were then encouraged to place a dot on the priority they would like to prioritize. There were two color dots to separate Commission Members from Council Members. Council Members received (3) Red dots and Planning & Zoning Commissioners received (3) Blue dots. Before members got a chance to place the dots on the priorities, Mr. Knight reviewed what each priority meant. Some of those priorities included:

- Use District (zones) with updated Definition*
- Comprehensive P&Z Ordinance Update/Use Districts (Zones) with updated definitions*
- Animal Count*
- Marijuana Ordinance*
- Development Review Standards/ Landscape Standards/Update Lighting Ordinance*
- Planned Area Development Ordinance (PAD)*
- General Plan*
- Continuous PZ Ordinance Updates (Nuisances)*
- Main Street Area Plan*

Preliminary results of the exercise appear these are the top priorities the members would like to work on first:

- Comprehensive P&Z Ordinance Update/Use Districts (Zones) with updated definitions
- Development Review Standards/Landscape Standards/Update Lighting Ordinance
- Planned Area Development Ordinance (PAD)
- Marijuana Ordinance

Mr. Knight will simulate the data and bring the information back to get a recommendation as to how to proceed on a long range plan.

f) Communication and Information Gathering Staff Resource: Gayle Mabery Interim Manager Gayle Mabery stated staff would like to improve communication between P&Z and Council. A few suggestions:

- a) Scheduling of future Joint Work Sessions
- b) Future Joint Sessions – Possible topics could include updates on Community Development, Economic Development, Utilities Projects and other initiatives.

8. Adjournment

Mayor Jenkins adjourned the meeting at 7:45 p.m.

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 Joint Special Session of the Town Council of Camp Verde, Arizona, held on April 26, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Cindy Pemberton, Town Clerk

DRAFT

DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, MAY 3, 2023 AT 6:00 P.M.

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

1. Call to Order

Mayor Jenkins called the meeting to order at 6:00 p.m.

- 2. Roll Call.** Council Members Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock (arrived at 6:01 p.m.), Vice Mayor Marie Moore and Mayor Dee Jenkins

Others Present: Interim Manager Gayle Mabery, Town Attorney Trish Stuhan.

3. Pledge of Allegiance

Councilor Cris McPhail led the pledge of Allegiance

4. RECESS INTO AND HOLD EXECUTIVE SESSION ON AGENDA ITEM 5

On a motion by Vice Mayor Moore seconded by Councilor Escoffier, Council moved unanimously to go into Executive Session for item 5.

Councilor Baker-aye
Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Councilor Godwin-aye
Vice Mayor Moore-aye
Mayor Jenkins-aye
Motion passes 7-0

Council adjourned into Executive Session at 6:02 p.m.

- 5. DISCUSSION AND/OR ACTION REGARDING AN AMENDMENT TO THE TOWN'S PROFESSIONAL SERVICE AGREEMENT WITH INTERIM PUBLIC MANAGEMENT LLC FOR INTERIM TOWN MANAGEMENT SERVICES.** Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03 (A)(3) and (A)(4) for legal advice; and, for discussion or consultation with the Town Attorney in order to consider its position and instruct the attorney regarding contracts. Staff Resource: Trish Stuhan

RECONVENE OPEN SESSION

Council reconvened Open Session at 6:12 p.m.

On a motion by Vice-Mayor Moore, seconded by Councilor Baker, Council moved to approve an amendment to the Town's Professional Service Agreement with Interim Public Management LLC, adding Schedule B to the agreement, for Interim Town Management Services, with terms as directed by the Town Council in Executive Session.

Councilor Baker-aye
Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Councilor Godwin-aye
Vice Mayor Moore-aye
Mayor Jenkins-aye
Motion passes 7-0

6. ADJOURNMENT

With no further discussion, the meeting adjourned at 6:14 p.m.

Mayor Dee Jenkins

Attest: Cindy Pemberton Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on May 3, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Cindy Pemberton, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
WEDNESDAY, MAY 10, 2023 AT 5:30 P.M.

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

1. Call to Order

Mayor Jenkins called the meeting to order at 5:30 p.m.

2. Roll Call. Council Members Jackie Baker, Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins

Others Present: Interim Manager Gayle Mabery, Interim Deputy Manager Barbara Goodrich, Town Clerk Cindy Pemberton, Economic Development Director Molly Spangler, Utilities Director Jeff Low, Administrative Clerk Jadie Edwards, and Recording Secretary Virginia Jones.

3. Pledge of Allegiance

Vice Mayor Moore Led the Pledge of Allegiance.

4. Discussion, Consideration and Possible Action to approve staff to submit a Water Conservation Grant application to the Water Infrastructure Financing Authority (WIFA) in an amount up to \$3M to fund wastewater infrastructure along Hwy 260.
Staff Resource: Molly Spangler and Jeff Low

Economic Development Director Molly Spangler and Utilities Director Jeff Low indicated staff was seeking approval to apply for a grant in the amount of up to \$3 million dollars to fund wastewater infrastructure along Highway 260. Director Spangler indicated the grant does require a 25% match.

Director, Low indicated the Utilities Department recommended splitting the project into three phases to install the necessary infrastructure over the next several years. Director Low recommended the Town seeking the WIFA grant, request up to \$5 million dollars to fund the first phase. Director Low stated the first phase would likely include gravity sewer lines from W Horseshoe Bend and Highway 260 intersection near La Fonda to lift station #2 at Verde Ranch RV Resort near I-17. Future phases will include sewer lines up to Aultman Parkway and additional Lift Station #3.

Director Low said the minimum match will be required. A portion of that can be to leverage the design and engineering costs and will be a large portion of the in-kind match. Since the Town does not currently have funding for this, staff will explore other grant and loan opportunities.

In response to questions from Council regarding Public-Private Partnership for sharing the cost, Director Low indicated for Commercial Properties they are working on a possible Development Agreement.

On a motion by Councilor Escoffier, seconded by Councilor Baker Council moved to approve staff to submit a Water Conservation Grant application to the Water Infrastructure Financing Authority (WIFA) in amount up to \$3 Million to fund Wastewater Infrastructure Financing.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: aye
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye

Motion carried 7-0.

5. Recess into and hold Executive Session on Agenda Items 6 and 7

On a motion by Councilor McPhail seconded by Councilor Escoffier, Council moved to go into Executive Session for items 6 and 7 at 5:41 p.m.

Roll Call Vote:

Councilor Baker: aye
Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: aye
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye

Motion carried 7-0.

6. Discussion Consideration and Possible Direction to staff relating to the selection of, and interview process for, semi-finalist candidates for the Town Manager Position.

Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(1) to review and identify Semi-Finalist Candidates for the Town Manager position, and discuss the evaluation/interview process for said candidates. No evaluation of any current employee will be conducted. Staff Resource: Gayle Mabery

7. Discussion, Consideration and Possible Direction to staff relating to the timeline and interview process for finalist candidates for the Town Manager position.

Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(1) to discuss the timeline and interview process for Finalist Candidates for the Town Manager position. No evaluation of any current employee will be conducted. Staff Resource: Gayle Mabery

Reconvene Open Session at 8:40 p.m.

No action was taken

8. Adjournment

With no further discussion, the meeting adjourned at 8:40 p.m.

Mayor Dee Jenkins

Attest: Cindy Pemberton Town Clerk

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Special Session of the Town Council of Camp Verde, Arizona, held on May 10, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Cindy Pemberton, Town Clerk

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DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S. MAIN STREET, SUITE 106
WEDNESDAY, MAY 24, 2023 at 5:30 P.M.

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

1. **Call to Order**-Mayor Jenkins called the meeting to order at 5:30 p.m.
2. **Roll Call.** Council Members: Jackie Baker (absent), Wendy Escoffier, Robin Godwin (absent), Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins.

Others present; Interim Town Manager Gayle Mabery, Finance Director Mike Showers, Utilities Director Jeff Low (via Zoom), Town Clerk, Cindy Pemberton and Transcriptionist Dana Donahue

3. **Pledge of Allegiance**-was led by Councilor Escoffier.
4. **Call to the Public or 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))

None

5. **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) **Proclamation – Designating May 21st-27th, 2023 as National Public Works Week. Staff Resource: Ken Krebs**

Mayor Jenkins proclaimed May 21-27, 2023, National Public Works Week.

- b) **Approval of the FY24 debt levy certification to Yavapai County for \$661,530, acting as the Trustee to the Camp Verde Sanitary District. Staff Resource: Mike**

Showers

- c) **Approval of the FY24 special assessment levy of \$222,057 for annual payments against the Camp Verde Sanitary District's WIFA note 910175, acting as the Trustee to the Camp Verde Sanitary District.** Staff Resource: Mike Showers

On a motion by Councilor McPhail, seconded by Vice Mayor Moore, Council moved to approve the Consent Agenda as presented.

Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Vice Mayor Moore-aye
Mayor Dee Jenkins-aye
Motion passes 5-0

6. **Discussion, Consideration, and Possible Approval to staff to submit an Arizona Commerce Authority Economic Strength Project grant in an amount up to \$500,000 to fund drainage project at Dickison Circle.** Staff Resource: Molly Spangler and Jeff Low

Background Synopsis;

The Economic Strength Project (ESP) is a competitive grant program designed to enhance the economic strength and competitiveness of Arizona's rural communities. Staff recommends and seeks approval to apply for up to \$500,000 of ESP funds for the drainage project on Dickison Circle. This project will open acreage for commercial development, improve long term access to Dickison Circle and will assist in protecting the Town's water and sewer lines.

Economic Development Director Molly Spangler presented this agenda item. Staff is seeking permission to apply for the ESP Grant for the drainage project at Dickison Circle. Funding for this project had been approved in 2021 through ARPA funds. Completion of the project will open the property for rezoning to commercial development.

Vice Mayor Moore inquired when this money may be appropriated.
Ms. Spangler stated it would be in next year's budget (2024).

Councilor Escoffier asked if any work has been done on the project thus far.
Ms. Spangler replied there are preliminary designs and estimates from Town staff.

On a motion by Vice Mayor Moore, seconded by Councilor Escoffier, Council moved to approve staff to submit an Arizona Commerce Authority Economic Strength Project Grant in an amount up to \$500,000 to fund drainage project at Dickison Circle.

Councilor Escoffier-aye

Councilor Murdock-aye
Councilor McPhail-aye
Vice Mayor Moore-aye
Mayor Dee Jenkins-aye
Motion passes 5-0

7. **Discussion, Consideration and Possible Approval of a request for the Town of Camp Verde to be a sponsor for the Verde Valley Sanctuary's 30th Anniversary Gala, with potential sponsorship amount ranging from \$500-\$10,000.**

Resource: Mayor Dee Jenkins

Background synopsis;

Consideration of funding (from the FY2023 budget) a portion of the Verde Valley Sanctuary's 30th Anniversary Gala. The total budget line for the Community Outreach in FY2023 was \$60k, of which \$23,500 remains.

Mayor Dee Jenkins spoke regarding this item. She referred to the packet provided to Council. According to Interim Town Manager Gayle Mabery, there is \$23,500 dollars remaining in the Community Budget for this fiscal year.

Mayor Jenkins encouraged Council to examine this request and perhaps fund a portion for the Gala.

Vice Mayor Moore asked about the money, and future requests for Community Outreach. Vice Mayor Moore mentioned that the Town is reaching the end of its budget year.

Ms. Mabery stated there are no requests at this time.

Councilor Escoffier stated she thought a \$10k donation would be appropriate.

Councilor Murdock expressed her gratitude for the Sanctuary and asked if the Town donates the \$10k, does the remainder of the Community Outreach budget roll over (\$13,500), or does the Town lose it?

Ms. Mabery indicated the money will not roll over to the next budget year.

Councilor Murdock asked about the Verde Valley Senior Center/ Meals on Wheels and if this was a place Town could use the remaining monies.

Ms. Mabery reminded Council that they had earmarked a certain amount of money for the Meals on Wheels Program earlier in the Fiscal Year, and decided to revisit the amount at the end of the Fiscal Year. Any action by Council will have to be made before June 30th of this year.

Council thought the amount promised to Meals on Wheels for this budget year was in

the amount of \$25k.

Mayor Jenkins requested at the next meeting, for staff re-examine the Meals on Wheels donation and bring it back before Council.

On a motion by Vice Mayor Moore, seconded by Councilor Escoffier, Council moved to approve the request from the Verde Valley Sanctuary for a sponsorship in the amount of \$10,000 dollars for their 30th Anniversary Gala, and direct staff to pay for the sponsorship using FY2023 Community Outreach Funds.

Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Vice Mayor Moore-aye
Mayor Dee Jenkins-aye
Motion passes 5-0

8. **Discussion, Consideration and Possible Approval of the Finance Director to make the attached budget adjustment labeled BAFY23-03 for the FY23 budget year moving the budgeted \$41,035 expenses from the Risk Management division to the Public Works Admin division.** Staff Resource: Mike Showers

Background synopsis;

The Project Manager position was initially budgeted within the Risk Management budget for FY2023, however, in February, this position was relocated under Public Works. This adjustment will move 5 months of wages and ERE budget amounts from Risk Management to Public Works to cover Feb-June wage expenses in the new department.

Finance Director Mike Showers explained that this agenda item moves the remaining budget (from February on) for the CIP Project Manager to be transferred to the Public Works Admin Division.

On a motion by Councilor Escoffier, seconded by Councilor McPhail, Council moved to approve the Finance Director to make the attached budget adjustment labeled BAFY23-03 for the FY23 budget year moving the budgeted \$41,035 expenses from Risk Management division to the Public Works Admin division.

Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Vice Mayor Moore-aye
Mayor Dee Jenkins-aye
Motion passes 5-0

9. **Discussion, Consideration and Possible Direction to staff relating to the implementation of Utility Rate Adjustments as outlined in the Town's Water and Wastewater Rate Study/Analysis prepared by Economists.com.** Staff Resource: Jeff Low and Mike Showers

Background synopsis and Recommendations.

Based on the pervious Council Workshop completed by Dan Jackson on April 19, 2023, staff requested Mr. Jackson revise his presentation. Staff recommends the following;

- *Select Scenario II for Water Rates*
 1. *Promotes responsible use of water*
 2. *Make the first increase effective Oct. 2023, with the additional adjustments in January thereafter through 2027*
- *Continue with Fixture Based Rates for Wastewater*
 1. *Not enough usage data to change over to volume-based rates*
 2. *Recommend reevaluation study and change rates to volume base in late 2024*
 3. *Make the first increase effective Oct. 2023, with additional adjustments in January thereafter through 2027.*

Utilities Director Jeff Low (via zoom) requested direction from Council on the utility rates presented in the Council's packet. Town staff recommends proceeding with the tiered rates for water and sticking with the fixture counts for wastewater. The fixture counts for wastewater will be reevaluated in 2024.

Ms. Mabery explained these rates are from the rate study analysis. There are two areas; water and wastewater. The Town kept the water rates the same as the transition from private water company to a Town public utility occurred, to give Town time to analyze rate structures. The rate study recommends a tiered rate structure for water, originally beginning July 1, 2023, then January 1, 2024 for the next four years. However, the rate cannot be implemented until October 1, 2023 because of noticing requirements. Staff recommends the rate structure be implemented October 1, 2023 and then transition in January 2024 and January thereafter for the next four years. This will allow Town to stay in line with the proposal.

Collectively, the Town does not believe the fixture count rate method is suitable as a long-term choice. The analyst/consultant recommends staying with the fixture count rate method for one more year to gather additional data. Gathering data for an additional year, will give the analyst more detailed information for a recommendation. The volume-based structure is better but cannot be compiled accurately without proper data collection.

Mayor Jenkins asked what type of data points will be collected in this next year and what about the "wastewater only" customers.

Ms. Mabery replied, explaining the most likely scenario will be an average for the “wastewater only” customers. This will move us completely away from fixture unit counts.

Mr. Low explained that Dan Jackson, the analyst, did not have enough water company data to make a concrete recommendation on the volumetric billing (combined billing of water and wastewater for one year). Volume based rates would encourage conservation, which would affect rates.

Ms. Mabery explained the analyst is projecting what the average daily water usage will be, and that is what he is using as a base for the wastewater rate structure.

Vice Mayor Moore expressed concerns about the rates, and deciding when not all the data points are available. She supports moving the item forward with the staff recommendations.

Councilor McPhail explained that Town is not raising utility rates to pay for the water company. State Law prohibits that action. The acquisition of the water company is entirely separate from the rate adjustments being discussed.

Councilor Murdock asked about conservation rates and wastewater contributions. She would like to see a senior citizen rate or widow/widower rate. This needs to be examined. Camp Verde is a diverse community and not all households use the same amount of water and or wastewater. Gallon thresholds need to be examined. Wastewater rates need to be reviewed as well.

Ms. Mabery stated the recommendation is Scenario Two in the packet. She explained the tiered system and the subsequent rate adjustments. Previously, the lowest tier was 10,000 and Council requested staff to explore another tier in-between such as the 1,000 to 10,000 tiers listed.

Mayor Jenkins asked Councilor Murdock if she wanted to revisit the rates now, or when Council discusses wastewater rates after the data is complete.

Councilor Murdock replied, no, not right now. She expressed concerns regarding the rates and how they are achieved and being transparent to the public. The system (water/wastewater) needs to pay for itself. The General Fund should not fund the water company. She does not want to overcharge or undercharge the consumer. Water and wastewater are a public utility, not a private company. However, as a public utility, infrastructure and upkeep must be included in the budget.

Ms. Mabery said status quo fixture rate is being recommended for wastewater. Prior to January 2025, staff will have collected additional data. With that data, Mr. Jackson will return with another rate recommendation. According to Council’s previous discussions, the goal is to move to a water volume-based rate for wastewater.

Councilor Escoffier stated she hopes the public understands that there are many

upgrades to the water system that need to be addressed, such as the arsenic removal systems. She is heartened by the Sanitary Districts' debt decreasing.

Mr. Devon Dahl (a member of the public) expressed his desire for wastewater rates to be adjusted immediately.

Ms. Mabery explained that the missing data is related to the conservation rates, and how that will significantly affect the rates in the future. Water conservation rates need to be in place for a year. Volume based recommendation doubles the rates as opposed to fixture-based rates. More time is needed to assess how that will affect the rates. Ms. Mabery stated the lowest rate recommended is 3,000 gallons per month. She stated all the information regarding water and wastewater rates is available online.

Ms. Pamela Waitkus is in favor of making the wastewater rates lower.

Mayor Jenkins acknowledged the rate structure and how it needs to be done correctly.

Councilor Murdock stated that acquiring the water company and making it a public utility has been a long-term goal. However, there is currently not enough accurate data to make a firm determination on rates. She spoke about fixture count and how it is used to determine rate. She requested Mr. Low provide Council with how the fixture rate is determined. She stated there are opportunities to save the public money.

Mr. Low replied the fixture rate information comes from wastewater.

Councilor Murdock requested staff provide Council the method fixtures are counted. She will be available to meet with staff to examine the method of counting fixtures and perhaps finding ways to save people money.

On a motion by Councilor McPhail, seconded by Councilor Escoffier, Council moved to direct staff to move forward with the water rates under scenario II, conservation and wastewater under the fixture unit's scenario.

Councilor Escoffier-aye
Councilor Murdock-aye
Councilor McPhail-aye
Vice Mayor Moore-aye
Mayor Dee Jenkins-aye
Motion passes 5-0

10. Discussion and Review with Council of FY24 Town Manager recommended budget and proposed Capital Improvement Plan. Staff Resource: Mike Showers

Finance Director Mike Showers referred to the budget packet provided to Council. It includes all the items that were previously missing. This budget packet is an update to what was discussed earlier, focused on operations. The budget is not currently complete.

There will be additional updates, with specific update pages. The budget for the Park is in process, so it is currently zero pending more information.

Mr. Showers discussed updated numbers for operations and pointed out the changes. He explained some of the budget items and how they were approached. The budget is balanced. The largest change is the \$500k from the General Fund Reserves to CIP. The water fund includes the grant funds. The HURF fund had some buyouts on vehicles.

The items to note include the search for a Town Manager. Staff included a \$12k relocation fee which was not needed. That money went into the General Fund. Money went to the Lobbyist for the Improvement District. Council legal fees were bumped up, but in reality, it is a bump up for the Town. This money can be used for other departments at the Council's discretion. General Operations was bumped up to get to the net zero. The balance of the projected General Fund at this time shows \$-495,185 because staff is suggesting using an additional \$500k from reserves. The reality is that the General Fund is budget in the positive for \$4,815 dollars. That is an operational balanced budget.

Mr. Showers spoke regarding revenue. The month of February was low in revenue as was March. The first look at revenues occurs in April. April is \$75k above budget. It looks as if Town may come close to be evenly balanced on the budget this year. It will be one to less than one percent off. Mr. Showers believes May will be at or above budget as will June, which will make up nearly \$100k of the deficits of February and March. Town's budget is nearly spot on except for a possible bill to repeal of the residential rental tax (2%) by the State Legislature, which will affect Town's budget by \$190k per year. Mr. Showers does not recommend increasing or decreasing the budget. If the Governor signs the bill, it will go into effect in January which will only impact half of Town's budget year, for about \$95k. Through March, the General fund is 7% under budget. Town can still move forward toward reserves. He does not recommend increasing or decreasing the revenue budget.

Councilor Murdock asked how the Town gets "under budget" as a Council and a Town.

Mr. Showers replied in government, it is ideal not to be punished for not spending money. Historically, Town management has not taken away money that was not spent the previous year. Typically, monies are taken away when they are *never* spent.

Mayor Jenkins stated that the Marshal's Office had the largest savings through personnel vacancies.

Ms. Mabery explained that those saving are from vacant positions. Historically, when there are savings from operational costs at the end of the year, they are rolled into the CIP projects.

Councilor Murdock explained that budgets are moved around near the end of the year.

Mr. Showers informed Council there is a position that has been requested from all

departments. The position is a "Procurement Position". The position would be responsible for the bid process, following purchase policy and follow through of various contracts. The position would review change orders, provide information on contracts and getting information to the Clerks office. He also spoke about the position providing support for Grant Management. The Town currently has several excellent opportunities for multiple grants.

Staff will support this position (housed in Finance). The budget for the position will not be requested from Council. There are several questions that still need to be answered such as salary, training, and costs.

Ms. Mabery discussed the three Community Outreach requests. There is an additional request for next fiscal year from The Archeological Society. The Society is asking for fee waivers for its center. Staff does not recommend fee waivers, rather staff recommends Town appropriate a dollar amount. Staff recommends up to \$6k for these requests. Council has requests of \$45k for the Senior Center and \$12k for Friends of the Verde River. If Council grants the Archeological Society request of \$6k, it will put the funds of total requests at \$63k and there is \$60k in the budget for Community Outreach.

Vice Mayor Moore reminded Council about the monies recently granted to the Verde Valley Sanctuary. She anticipates a similar request next year.

Mayor Jenkins asked who owns the Archeological "Park".

Councilor McPhail replied that the Park belongs to the Archeological Center and is on Homestead Parkway.

Mayor Jenkins expressed concerns granting \$6k on private property, even if it is a non-profit.

Councilor Murdock felt \$6k is a high number. In the past, the Society has been supported by the Town with a dollar year lease to a facility on Main Street. She recognizes that the Society does a lot for the community. She asked if the Society has any partnerships with other groups.

Ms. Mabery explained to Council that a decision does not need to be made tonight. There is \$66k in the Community Budget and Council can allocate the monies as they see fit.

Mayor Jenkins suggested Council gather more information on this request.

Councilor Murdock stated she would reach out to the Center and share that information with the Manager and Clerk who can forward that information to Council.

Councilor Escoffier supports some money from the remaining \$13k of the Community Budget for the Society requests.

A break was taken at 6:45 p.m.
Council returned to session at 6:55.

Mr. Showers explained "Other Funds". The Federal Grants Fund, which is \$21.5 million dollars. He feels Camp Verde may be able to get several million dollars of this fund. A large portion of Towns total budget comes from The Federal Grants Fund. The non-Federal Grants Fund, is \$1.9 million in Grants.

Mr. Showers referred to the "Debt Fund", which is \$1.7 million (Towns current debt) in the General Fund. The Town needs to budget for additional debt in the wastewater and water fund. Improvements to the utilities will be paid for with fees.

Mr. Showers referred to the last page of the budget packet. The Camp Verde Sanitary District budget is in the Town's budget, but it does not tie into the Towns budget totals.

Mr. Showers discussed ARPA, CIP and the Parks funds. He explained how the ARPA document is color coded. Green means the project is finished. Yellow; the project has started, and Orange means the project has not been started. Of the colors, pink is staff recommendations. Finance is recommending the following;

- Removing the building 300 generator from the ARPA funds entirely.
- The building 300 restrooms should be moved down to \$75k, not \$100k
- Facility expansion is a "plug" number for possible expansion.

Councilor Murdock asked about the MATFORCE building.
Mr. Showers stated that will be discussed in the CIP budget.

Vice Mayor Moore asked about the "Court Security Checkpoint".
Mr. Showers replied \$100k was budgeted, however, \$100k will not be enough. ARPA funds may not be appropriate for this project. There is only \$25k remaining to spend in the ARPA funds on this project. This project is not on solid footing. The \$25k can be spent on immediate costs. However, it might be smart to back up and reassess this project.

Ms. Mabery explained staff recommends removing the \$25,468 from the ARPA fund and take another look at the funding. The remaining money would become available for another project.

Vice Mayor Moore expressed that the project needs to be finished for the publics' safety. This project needs to be a priority.

Mr. Showers referred to the Sewer Fund and moving the \$130k from the Maryvale sewer repair and moving the monies to the Dickison Erosion repair project. Town is requesting a \$500k grant for the Dickison project. The changes and expenses will close out the ARPA fund this year.

Mr. Showers moved to page 96; CIP funds through March. Finance would like to remove the Finnie Flat Streetscape, currently at \$15,369 and the Stormwater projects at \$19,960. Stormwater has been there for a while and Town is doing a Stormwater Study.

Town vehicles are moving quickly. The \$715k budget may be fully utilized soon.

Mayor Jenkins asked for clarification about a few items. Is it necessary to remodel the 300-building space? And, could Mr. Showers ask about the Camp Verde Arena Association restrooms and concession stand that may have already been completed?

Mr. Showers explained details regarding the MATFORCE building and the 300 building. It is uncertain how much money it would cost to move into the MATFORCE building. \$40k was budgeted for moving. However, this needs to be revisited because the 300 building could use another bathroom. There are a lot of people in the building.

There is a group coming on Friday to assess the MATFORCE building and how it can be remodeled for Town staff use. The bid will include the cost to move into the building. He anticipates getting a quote for the assessment.

Finance Staff is busy developing the 16 project sheets for new projects that are being suggested on the CIP plan.

Mr. Showers referred to the CIP plan. This is a five-year projection. The first two years are funded. It should be noted that by year three, four and five, the CIP budget will be underfunded. This is due to chip seal expenses. Mr. Showers suggested a conceptual process for chip seal or a funding source. Operational money from HURF could be used to start chip seal. Town has money every year for chip seal from HURF monies. He pointed out that Stormwater is funded over five years.

Mayor Jenkins explained that years four and five are estimates and may not be true numbers.

Mr. Showers went on to explain several details with the CIP budget. These numbers have been modified from the original request. Mr. Showers explained the Verde Lakes Park Improvements. Money has been allocated for the opportunity for the project.

The Commercial Kitchen is being paid for entirely by a grant, no Town funds are being used. Regarding any specific item in Outdoor Parks and Rec improvements, Finance is allowing \$50k as a starter.

Councilor Escoffier asked about the Gazebo repair.

Mr. Showers replied it has its own budget. This page shows additional projects in the CIP. This plan is highlighting the new projects.

Councilor Escoffier asked if these projects will be finished in the current budget year.

She would like to see the projects in the budget carried over.

Mr. Showers replied no, but they will be carried over to the next year.

Mr. Showers explained the chip seal program and how it is funded. An inflation factor needs to be budgeted into the numbers. These numbers are estimates.

Mr. Showers moved onto Flood Plain studies, explaining that \$170k of the \$300k is covered by Yavapai County.

Mr. Showers discussed the remodel of the MATFORCE building. This is still in process. Facilities Masterplan is an estimate. Facilities expansion is entirely ARPA funded. Lower Maintenance Building Addition is projected at \$75k. The building 300 reroofing needs to go out to bid from a contractor and not be done in house.

Mayor Jenkins asked about the money for the building 300 reroofing, stating that the roof has been done several times.

Councilor Murdock asked where the repairs on building 300s roof was done in the past.

Mr. Showers explained the middle (over the kitchen, corridor, and offices) of building 300s roof needs to be repaired/reroofed.

Mr. Showers explained the Patrol Vehicle Replace/upgrade item on the list. A portion of this money could possibly be acquired through a grant.

Mayor Jenkins asked about CARES ACT monies and broadband.

Mr. Showers explained there may be money for broadband through grants.

Councilor Murdock explained the schools are seriously underserved in broadband service as is the Yavapai Apache Nation.

Ms. Mabery explained that Council has appropriated money for a Broadband Consultant to examine the broadband issues affecting the Camp Verde community.

Mr. Showers replied the CARES ACT money has been spent through the CIP fund the year Town received it. Town spent every cent of the CARES ACT money. There were no restrictions on CARES ACT monies.

Mr. Showers said the Comm Center backup battery is a required purchase for accreditation.

Mr. Showers explained how the balances roll into the following budget years and how it affects the CIP projects. Mr. Showers explained the CIP Plan. Town could essentially end the fiscal year with \$600k. It's important to plan the projects appropriately and take

into consideration how much time and resources it takes to complete a project.

Mayor Jenkins would like timeframes included in the plans. What realistically can get done in a year? Perhaps more projects need to be contracted out.

Mr. Showers hopes the CIP Plan (which will include CIP, ARPA and Grant monies) will enable staff to project timelines. Putting the information out in a concise form will allow managers/directors to make effective decisions.

Ms. Mabery suggested that over the next year, there be a quarterly update on CIP projects presented to the Council as an agenda item at a work session.

Councilor Murdock responded, stating that was initially proposed, however, it overwhelmed staff.

Mayor Jenkins stated that Finance is tracking the CIP projects and delivering that information to Council. Staff is making progress and getting updates to Council.

Council discussed the School Road Project and how it is being funded. Mr. Showers reminded Council that ARPA monies are not to be used for streets or chip seal. Council spent \$25k for the study only. Mr. Showers explained about ARPA funds and how they are to be used. He gave a few examples of how other cities have used ARPA funds.

Councilor Escoffier stated Council should not lose track of the current CIP projects that aren't included in the five-year plan.

Discussion moved to the Sports Complex. The balance shows zero for a reason. Mr. Showers explained there is about \$5.4 million for the park if the grant requests come through and the transfer of \$789k into the park fund. The \$5.4 million is not listed because Mr. Showers would like to provide an exact, detailed budget for the park, broken down into sub levels on one document that includes the total amount broken down into specific funding levels.

Mayor Jenkins asked what specific items remained to be completed at the park. Mr. Showers gave multiple examples, such as the lift station, the water supply, the pond work, the concession stand, potable water, bleachers, and broadband, stating it will cost \$6.4 million dollars to finish with \$5.4 million dollars of funding available.

Ms. Mabery explained that the Park budget needed to be fine-tuned before it is brought to Council.

Mayor Jenkins reiterated that Council wants details regarding progress on the park.

Mr. Showers explained the funding and the timelines required as it refers to the budget. The purpose of this meeting was to get the preprocess out of the way.

Councilor Escoffier thanked Mr. Showers for his work and supports the new Procurement position that staff is recommending.

With no further discussion, the meeting adjourned at 8:10 p.m.

11. Adjournment

Note: Upon a public majority vote of a quorum of the Town Council, the Council may hold an executive session, which will not be open to the public, regarding any item listed on the agenda but only for the purpose of discussion or consultation for legal advice with the Town Attorney as permitted by A.R.S. § 38-431.03(A)(3). Any other executive sessions will be separately included on the agenda above if an executive session will be held at the meeting.

Pursuant to A.R.S. §38-431.01 Meetings shall be open to the public - All meetings of any public body shall be public meetings and all persons so desiring shall be permitted to attend and listen to the deliberations and proceedings. All legal action of public bodies shall occur during a public meeting. The Town of Camp Verde Council Chambers is accessible to persons with disabilities. Those with special accessibility or accommodation needs, such as large typeface print, may request these at the Office of the Town Clerk at 928-554-0021.

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

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 March 15, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Cindy Pemberton, Town Clerk

DRAFT MINUTES
TOWN OF CAMP VERDE
SPECIAL SESSION
MAYOR AND COUNCIL
473 S MAIN STREET, SUITE 106
FRIDAY, MAY 26, 2023 AT 3:00 P.M.

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

1. Call to Order

Mayor Jenkins called the meeting to order at 3:00 p.m.

- 2. Roll Call.** Council Members Wendy Escoffier, Robin Godwin, Cris McPhail, Jessie Murdock, Vice Mayor Marie Moore, and Mayor Dee Jenkins. Council Member Jackie Baker was absent.

Others Present: Interim Manager Gayle Mabery, Interim Deputy Manager Barbara Goodrich.

3. Pledge of Allegiance

Councilor Godwin led the Pledge of Allegiance.

4. Recess into and hold Executive Session on Agenda Item 5

On a motion by Councilor Godwin seconded by Vice-Mayor Moore, Council voted to go into Executive Session for item 5 at 3:03 p.m.

Roll Call Vote:

Councilor McPhail: aye
Councilor Murdock: aye
Councilor Godwin: aye
Councilor Escoffier: aye
Vice Mayor Moore: aye
Mayor Jenkins: aye

Motion carried 6-0.

- 5. Discussion Consideration and Possible Direction to staff relating to the selection of, the Town Manager interview process.** Note: Council may vote to go into Executive Session pursuant to ARS §38-431.03(A)(1) to discuss Finalist Candidates for the Town Manager position, and to discuss the interview process for finalist candidates. No evaluation of any current employees will be conducted. Staff Resource: Gayle Mabery

Reconvene Open Session at 4:45 p.m.

The Mayor reported that, during Executive Session the Council had identified the top candidates that they would like to interview as finalists for the Town Manager position.

She noted that the Council directed staff and the recruitment firm to reach out to the top candidates and determine their availability and interest in continuing in the Town's recruitment process. Once the candidate's agreements to participate are confirmed, staff should issue a Press Release announcing the candidates to the public. The Council anticipates that announcement by the end of next week.

Finally, staff should also begin making arrangements for the Town Manager interview process, which will occur on June 20 and 21, 2023.

6. Adjournment

Without objection, Mayor Jenkins adjourned the meeting at 4:47 p.m.

Mayor Dee Jenkins

Attest: Gayle Mabery, Town Manager

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 Special Session of the Town Council of Camp Verde, Arizona, held on May 25, 2023. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this _____ day of _____, 2023.

Gayle Mabery, Town Manager



Town of Camp Verde Meeting

Date: June 7th, 2023

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

Requesting Department: Human Resources

Staff Resource/Contact Person: Julia Kaiser

Agenda Title (be exact): Discussion, consideration, and possible of the new Town Salary Range Table.

List Attached Documents:

1. **Salary Plan as would be amended**

| | | | | |
|------------------|---------------------|--------------|-----------|----------------|
| Estimated | Presentation | Time: | 5 | minutes |
| Estimated | Discussion | Time: | 10 | minutes |

Reviews Completed by:

- Department Head:** Julia Kaiser
- Town Attorney Comments:** N/A
- Finance Department:** N/A

Background Information: This is a revised salary range table to include new salary ranges. The new salary ranges are recommended by the HR based on the comprehensive salary and wage study. The HR Department used the Salary & Benefit Survey prepared by the League of Cities. The salaries listed in the survey were effective as of October 1,2022. The full survey containing county data was released on Mach 10,2023. In addition to the Salary & Benefit Survey we used salary summary table provided by other municipalities and budget summary published to the public. Two sets of averages were created for comparison: 1. Average set 1 includes Cottonwood, Clarkdale, Sedona, and Yavapai County. 2. Average set 2 includes Cottonwood, Clarkdale, Sedona, Yavapai County Sheriff's Office, Prescott Valley, Chino Valley, Show Low. Average set1 represents the immediate competitive set in the closest proximity to Camp Verde and is the primary comparative median. Average set 2 represents a large geographical area including municipalities of the same or similar sizes to allow for a boarder perspective. The new salary ranges would go into effect in the new FY 23-24.

Recommended Action (Motion): Move to approve the new Town's Salary Range Table.

Instructions to the Clerk: None

Town of Camp Verde
Permanent Salary Range Table FY 23-24

| Salary Range | New Salary Range | Minimum (Annual/Hourly) | | Midpoint (Annual/Hourly) | | Maximum (Annual/Hourly) | | Job Classifications |
|---------------------|-------------------------|--------------------------------|---------------------|---------------------------------|---------------------|--------------------------------|---------------------|---|
| 1 | | \$ 26,030 | \$ 12.51 | \$31,888 | \$ 15.33 | \$37,753 | \$ 18.15 | |
| 3 | 1 | \$ 28,808 | \$ 13.85 | \$35,290 | \$ 16.97 | \$41,772 | \$ 20.08 | Recreation Aide Seasonal Pool Cashier |
| 4 | 2 | \$31,200 | \$ 15.00 | \$38,220 | \$ 18.38 | \$45,240 | \$ 21.75 | Janitor Seasonal Pool Lifeguard Library Clerk Visitor Center Ambassador |
| 5 | 3 | \$32,760 | \$ 15.75 | \$40,131 | \$ 19.29 | \$47,502 | \$ 22.84 | Library Clerk, Senior |
| 6 | 4 | \$34,398 | \$ 16.54 | \$42,138 | \$ 20.26 | \$49,877 | \$ 23.98 | Parks & Rec Leader I |
| | 5 | \$36,118 | \$ 17.36 | \$44,244 | \$ 21.27 | \$52,371 | \$ 25.18 | Parks & Rec Leader II |
| | 6 | \$37,924 | \$ 18.23 | \$46,457 | \$ 22.33 | \$54,990 | \$ 26.44 | Maintenance Worker Records Specialist I Library Specialist I |
| 7 | 7 | \$39,820 | \$ 19.14 | \$48,779 | \$ 23.45 | \$57,739 | \$ 27.76 | Spanish Outreach Library Specialist Animal Control Officer Administrative Assistant Senior Recreation Leader Administrative Clerk Records Specialist II Library Specialist II Court Clerk Finance Clerk Property & Evidence Custodian Equipment Operator Permit Technician I Utilities Clerk Trainee, Utilities Clerk I |
| 8 | 8 | \$41,811 | \$ 20.10 | \$51,218 | \$ 24.62 | \$60,626 | \$ 29.15 | Permit Technician II Water Operator Trainee, Water Operator I Wastewater Operator Trainee, Wastewater Operator I Utilities Clerk II |
| | 9 | \$43,902 | \$ 21.11 | \$53,779 | \$ 25.86 | \$63,657 | \$ 30.60 | Parks & Rec Coordinator Equipment Operator, Senior Water Operator II Wastewater Operator II |
| 9 | 10 | \$46,097 | \$ 22.16 | \$56,468 | \$ 27.15 | \$66,840 | \$ 32.13 | Permit Technician III Maintenance Worker, Lead Court Security Officer Dispatcher Utilities Clerk III Water Operator III Wastewater Operator III Building Inspector I Youth Services Supervisor Planner, Assistant Admin to Town Manager |
| 10 | 11 | \$48,401 | \$ 23.27 | \$59,292 | \$ 28.51 | \$70,182 | \$ 33.74 | Public Works Analyst Code Enforcement Plans Examiner Zoning Inspector Building Inspector II |
| 11 | 12 | \$50,822 | \$ 24.43 | \$62,256 | \$ 29.93 | \$73,691 | \$ 35.43 | Civilian Investigator Deputy Town Clerk Human Resources Specialist Economic Development Specialist |
| 12 | 13 | \$53,363 | \$ 25.66 | \$65,369 | \$ 31.43 | \$77,376 | \$ 37.20 | Recreation Supervisor |

| | | | | | | | | |
|----|----|-----------|----------|-----------|----------|-----------|-----------|---|
| | | | | | | | | Accountant Planner |
| 13 | 14 | \$56,031 | \$ 26.94 | \$68,638 | \$ 33.00 | \$81,245 | \$ 39.06 | Streets Maintenance Foreman Peace Officer Maintenance Foreman |
| 14 | 15 | \$58,832 | \$ 28.28 | \$72,070 | \$ 34.65 | \$85,307 | \$ 41.01 | Dispatch Supervisor Admin Support Manager PW/ Utilities Admin Support Manager Court Supervisor |
| 15 | 16 | \$61,774 | \$ 29.70 | \$75,673 | \$ 36.38 | \$89,572 | \$ 43.06 | CAD Draftsman Wastewater Division Foreman Water Division Foreman Streets Supervisor |
| 16 | 17 | \$64,863 | \$ 31.18 | \$79,457 | \$ 38.20 | \$94,051 | \$ 45.22 | Accountant, Senior Senior Building Inspector Police Sergeant Library Manager Planner, Senior |
| 17 | 18 | \$68,106 | \$ 32.74 | \$83,429 | \$ 40.11 | \$98,753 | \$ 47.48 | Parks & Recreation Manager |
| 18 | 19 | \$71,511 | \$ 34.38 | \$87,601 | \$ 42.12 | \$103,691 | \$ 49.85 | Water Division Manager Wastewater Division Manager |
| 19 | 20 | \$75,087 | \$ 36.10 | \$91,981 | \$ 44.22 | \$108,875 | \$ 52.34 | Chief Building Official Court Administrator |
| 20 | 21 | \$78,841 | \$ 37.90 | \$96,580 | \$ 46.43 | \$114,319 | \$ 54.96 | Economic Development Project Manager CIP Project Manager Civil Engineer |
| 21 | 22 | \$82,783 | \$ 39.80 | \$101,409 | \$ 48.75 | \$120,035 | \$ 57.71 | Library Director |
| 22 | 23 | \$86,922 | \$ 41.79 | \$106,479 | \$ 51.19 | \$126,037 | \$ 60.59 | Risk Manager Town Engineer Town Clerk Lieutenant Public Works Deputy Director |
| 23 | 24 | \$91,268 | \$ 43.88 | \$111,803 | \$ 53.75 | \$132,339 | \$ 63.62 | Commander Civilian Commander |
| 24 | 25 | \$95,832 | \$ 46.07 | \$117,394 | \$ 56.44 | \$138,956 | \$ 66.81 | Economic Development Director Human Resources Director Parks & Rec Director Community Development Director |
| 25 | 26 | \$100,623 | \$ 48.38 | \$123,263 | \$ 59.26 | \$145,904 | \$ 70.15 | Finance Director Public Works Director Utilities Director |
| 26 | 27 | \$105,654 | \$ 50.80 | \$129,426 | \$ 62.22 | \$153,199 | \$ 73.65 | |
| 27 | 28 | \$110,937 | \$ 53.34 | \$135,898 | \$ 65.34 | \$160,859 | \$ 77.34 | Town Marshal |
| 28 | 29 | \$116,484 | \$ 56.00 | \$142,693 | \$ 68.60 | \$168,902 | \$ 81.20 | |
| 29 | 30 | \$122,308 | \$ 58.80 | \$149,827 | \$ 72.03 | \$177,347 | \$ 85.26 | Deputy Town Manager |
| 30 | 31 | \$128,423 | \$ 61.74 | \$157,319 | \$ 75.63 | \$186,214 | \$ 89.53 | |
| 31 | 32 | \$134,845 | \$ 64.83 | \$165,185 | \$ 79.42 | \$195,525 | \$ 94.00 | |
| 32 | 33 | \$141,587 | \$ 68.07 | \$173,444 | \$ 83.39 | \$205,301 | \$ 98.70 | Town Manager |
| 33 | | \$148,666 | \$ 71.47 | \$182,116 | \$ 87.56 | \$215,566 | \$ 103.64 | |
| 34 | | \$156,099 | \$ 75.05 | \$191,222 | \$ 91.93 | \$226,344 | \$ 108.82 | |

| | |
|--------------|------------|
| Range | MAX |
| 5.00% | 45% |

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Agenda Item Submission Form – Section I

Meeting Date: June 7th, 2023

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

Requesting Department: Marshal's Office

Staff Resource/Contact Person: Marshal Rowley

Agenda Title (be exact): Discussion, consideration and possible approval of resolution 2023-1111 a resolution of the mayor and common council, of the town of Camp Verde, Yavapai County, Arizona, pertaining to certain exemptions for motor vehicles used by the Marshal's office.

List Attached Documents: Resolution 2023-1111

Estimated Presentation Time: 5 minutes

Estimated Discussion Time: 5 minutes

Reviews and comments Completed by:

- Town Manager: _____ Department Head: C. Rowley
- Town Attorney Comments: _____
- Risk Management: _____
- Finance Department
Fiscal Impact:
Budget Code: _____ Amount Remaining: _____
Comments: _____

Background Information:

Vehicle plate exemption for undercover operations allows our investigators to conduct surveillance without vehicles license plates being identified as government owned vehicles.

Recommended Action (Motion): Approval of resolution 2023-1111 a resolution of the mayor and common council, of the town of Camp Verde, Yavapai County, Arizona, pertaining to certain exemptions for motor vehicles used by the Marshal's office.

Instructions to the Clerk:



RESOLUTION 2023-1111

**A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF
THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA,
PERTAINING TO CERTAIN EXEMPTIONS FOR MOTOR VEHICLES USED BY THE
MARSHAL'S OFFICE**

Superseding Resolution 2013-883

WHEREAS, ARS 38-538.03 allows the head of an agency with the power and duty to conduct felony investigations or activities of a confidential nature to apply to the governing body of its political subdivision for exemptions for motor vehicles issued plates under its provisions; and

WHEREAS, the Mayor and Common Council of the Town of Camp Verde is the governing body authorized to grant the exemption for not more than one year; and

WHEREAS, Marshal Corey Rowley is the head of the Camp Verde Marshal's Office, which has the power and duty to conduct felony investigations or activities of a confidential nature and is requesting the Mayor and Common Council to authorize exemptions for certain motor vehicles assigned to the Marshal's Office; and

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and Common Council of the Town of Camp Verde, Arizona as follows:

1. THAT approval for certain motor vehicles, whose make, model, year, and identification number are filed with the Town Clerk's Office and the Arizona Department of Transportation, is granted the exemption under ARS 38-538.03.
2. THAT Town Marshal Corey Rowley is appointed agent for the Town of Camp Verde, to execute and submit all documents and any other necessary or desirable instruments in connection with such an exemption.

PASSED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on the 7th day of June 2023.

Dee Jenkins, Mayor

Date: _____

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Town Attorney



Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date:

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

Requesting Department: *Utilities Department*

Staff Resource/Contact Person: *Jeff Low*

Agenda Title (be exact): DISCUSSION, CONSIDERATION AND POSSIBLE APPROVAL FOR THE MAYOR TO SIGN A CLARIFICATION LETTER REGARDING NON-DISCLOSURE AGREEMENT AND RULE 408 TO REGIONAL WASTEWATER PLANNING DISCUSSIONS

List Attached Documents: Draft Letter Dated May 16, 2023

Estimated Presentation Time: *5 Minutes*

Estimated Discussion Time: *5 minutes*

Reviews Completed by:

- Department Head: Town Attorney Comments: *N/A*

Finance Review: Budgeted Unbudgeted *N/A*

Finance Director Comments/Fund: *N/A*

Fiscal Impact: *None*

Budget Code: *N/A* **Amount Remaining:** *\$0*

Comments:

Background Information:

On July 14, 2011, the Town of Camp Verde entered into a Non-Disclosure Agreement with the Yavapai-Apache Nation and Salt River Project concerning the potential settlement and quantification of the parties respective water rights. Discussions on these issues have been ongoing since that time. As part of the water rights discussions, the Town and the Nation have recently begun discussing practical ways to potentially address certain existing and future wastewater service needs in the vicinity of Highway 260, which may include mutually beneficial wastewater collection and treatment projects and infrastructure.

The Town and the Nation determined recently that it was necessary to clarify that, under certain conditions, the discussions relating to wastewater services on Highway 260 are not governed by the confidentiality provisions of the 2011 Non-Disclosure Agreement or Rule 408 of the Arizona Rules of Evidence.

Staff seeks the Council's approval for the Mayor to sign the attached letter, providing that clarification for all parties.

Recommended Action (Motion): Move to approve that the Mayor sign the letter, clarifying, under certain conditions, that the discussions relating to wastewater services on Highway 260 are not governed by the confidentiality provisions of the 2011 Non-Disclosure Agreement or Rule 408 of the Arizona Rules of Evidence executed by the Town and the Yavapai-Apache Nation.

Instructions to the Clerk: *File the executed letter in the July 14, 2011 Non-Disclosure Agreement file.*



YAVAPAI-APACHE NATION

Executive Office

Chairwoman Tanya Lewis

Vice Chairman Ricardo Pacheco

2400 West Datsi Street, Camp Verde, AZ 86322

Phone (928)567-1021

Fax (928)567-3994

May 16, 2023

Via email: dee.jenkins@campverde.az.gov

Mayor Dee Jenkins
Town of Camp Verde
473 S. Main Street
Camp Verde, AZ 86322

Re: Clarifying the Inapplicability of Our Non-Disclosure Agreement and Rule 408 to Regional Wastewater Planning Discussions

I am writing to clarify how the Non-Disclosure Agreement Between the Yavapai-Apache Nation, Salt River Project, and the Town of Camp Verde, effective July 14, 2011 (NDA) and Rule 408 of the Arizona Rules of Evidence applies to communications about regional wastewater planning between the Yavapai-Apache Nation (Nation) and the Town of Camp Verde (Town).

As you know, the Nation and the Town have undertaken substantial discussions concerning the potential settlement and quantification of our respective water rights in *In Re the General Adjudication of All Rights to Use Water in the Gila River System and Source (W1-4)*, Maricopa County Superior Court. As part of these “water rights” discussions, we have also discussed how wastewater and treated effluent could be used to support settlement. These discussions, by virtue of their inclusion in the water rights negotiations, are considered “Confidential” settlement discussions under the NDA and Rule 408.

However, the Nation and the Town, supported by our respective technical experts and attorneys (collectively, the Parties), have recently begun discussing practical ways to potentially address certain existing and future wastewater service needs in the vicinity of Highway 260, which may include mutually beneficial projects and infrastructure and the use of either the Nation’s and/or the Town’s wastewater collection and treatment systems to meet these sewer service needs. It is the Nation’s understanding that so long as these discussions (1) are solely between the Nation and the Town, and any additional entities the Parties deem necessary, but not with or involving the Salt River Project; (2) do not directly relate to the settlement of our respective water rights; and (3) are needed for regional wastewater planning purposes, they are not governed by the NDA or Rule 408.

The Nation also wishes to clarify that while our discussions on regional wastewater planning are not governed under the NDA or Rule 408, both parties agree, subject to applicable public record laws, that neither the Nation nor the Town will share any details of our regional wastewater planning discussions nor characterize the other party’s commitment to provide wastewater service without first receiving the permission of the other party. With this said, nothing in this letter is intended to prohibit either the Nation or the Town from publicly acknowledging that the Parties are working together to consider mutually beneficial ways to address wastewater service needs within the vicinity of Highway 260 or at the regional level.

We hope this letter clarifies the understanding of the Nation and the Town regarding the application of the NDA and Rule 408 to our regional wastewater planning discussions. Please signify the Town's agreement with the clarifications set forth in this letter by signing this letter as shown below and return an original copy to:

Scott Canty, Attorney General, Yavapai-Apache Nation at acanty@yan-tribe.org.

Sincerely,



Tanya Lewis,
Chairwoman
Yavapai-Apache Nation

Dee Jenkins
Mayor
Town of Camp Verde

Cc: Scott Canty (acanty@yan-tribe.org)
Susan Montgomery (smontgomery@milawaz.com)
Steve Wene (swene@law-msh.com)



PROCLAMATION
In memory of the
GRANITE MOUNTAIN HOTSHOTS
June 30, 2023

WHEREAS, The Granite Mountain Interagency Hotshot Crew was founded as a fuels mitigation crew in 2001, and became the first municipal hotshot crew in the United States; and

WHEREAS, The Granite Mountain Hotshots were an elite ground firefighting crew, which hailed from diverse backgrounds and worked long hours in extreme environmental conditions while performing physically demanding fire line tasks; and

WHEREAS, On June 30, 2013 nineteen of the Granite Mountain Hotshots gave their lives in Yarnell protecting Arizona: and

WHEREAS, The loss of these 19 firefighters makes the Yarnell Hill Fire the worst wildland firefighter fatality incident in the Unites State and:

WHEREAS, The 19 members of the Granite Mountain Hotshots who lost their lives are:

| | | | | |
|-----------------|-----------------|---------------|-----------------|-----------------------|
| Andrew Ashcroft | Robert Caldwell | Travis Carter | Dustin Deford | Christopher MacKenzie |
| Eric Marsh | Grant McKee | Sean Misner | Scott Norris | Wade Parker |
| John Percin Jr. | Anthony Rose | Jesse Steed | Joe Thurston | Travis Turbyfill |
| William Warneke | Clayton Whitted | Kevin Woyjeck | Garret Zuppiger | |

WHEREAS, June 30, 2013 is a day that all Arizona residence shall never forget.

THEREFORE, BE IT RESOLVED that the Mayor and Common Council of the Town of Camp Verde do hereby proclaim June 30, 2023 a day to remember all of the Granite Mountain Hotshots that gave their life in the line of duty.

Passed and approved by a majority vote of the Common Council at the Regular Session of June 7, 2023

Dee Jenkins, Mayor

Date

Attest:

Cindy Pemberton, Town Clerk



Agenda Item Submission Form – Section I

Meeting Date: June 6, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation

Requesting Department: *Town Manager and Town Clerks office*

Staff Resource/Contact Person: *Gayle Mabery and Cindy Pemberton*

Agenda Title (be exact): *Discussion, consideration and possible appointment of Mark E. Lomeland to serve on the Planning & Zoning Commission with a term expiring January 2025.*

List Attached Documents: *None*

Estimated Presentation Time: *5 Minutes*

Estimated Discussion Time: *5 Minutes*

Reviews and comments Completed by:

Town Manager: _____ Department Head: *Cindy Pemberton*

Town Attorney Comments: _____

Risk Management: _____

Finance Department
Fiscal Impact:
Budget Code: _____ Amount Remaining: _____
Comments:

Background Information: *Staff advertised for Letters of Interest in the Bugle, posted notices at Town Hall and the Library upon the resignation of Michael Hough. The Clerk’s office received seven (7) letters of interests with one rescinding their application.*

The Town Manager’s Subcommittee for Boards and Commissions Appointments, interviewed six (6) Planning & Zoning Commission applicants on May 25, 2023. Members of the Subcommittee included Vice-Mayor Moore, Councilors Escoffier, McPhail, Town Clerk Cindy Pemberton and Community Development Director John Knight.

Recommended Action (Motion):

Instructions to the Clerk: Move to appoint Mark E Lomeland to the Planning & Zoning Commission for a term expiring January 2025



Camp Verde, Arizona

RECEIVED
MAY 09 2023

LETTER OF INTEREST

| | | | |
|---|----|---|-------------------------|
| Name: <u>Mark E. Lomeland</u> | | Date: <u>5-9-2023</u> | |
| Home Address: <u>[REDACTED] Camp Verde, AZ 86322</u> | | | |
| Mailing Address, if different: | | | |
| Email Address: <u>[REDACTED]</u> | | | |
| Home Telephone: <u>520-[REDACTED]</u> | | Work Telephone: | |
| Are you a resident of the Town of Camp Verde? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No | | Do you own commercial property in the Town of Camp Verde <input type="checkbox"/> Yes <input type="checkbox"/> No | |
| Length of residency in the Town of Camp Verde: <u>17 months</u> | | Do you operate a business in Camp Verde? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | |
| Name and address of business (if applicable): | | | |
| If you are not in business in The Town of Camp Verde, please list your occupation; or if retired, please indicate your former occupation or profession: <u>Education: Teacher Assistant Principal</u> | | | |
| Are you now serving, or have you ever served, on a Town of Camp Verde board or commission? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, please list names of board/commission and dates served: | | | |
| Board & Commission preference (s): Refer to the last page for a list of Boards & Commissions. List your choices in order of preference: | | | |
| 1. <u>Planning and zoning</u> | 3. | | |
| 2. | 4. | | |
| Education and Community Service | | | |
| Schools Attended: | | Degree: | Year: |
| <u>Northern Arizona University</u> | | <u>B.S. Chem/Min</u> | <u>1982</u> |
| <u>Grand Canyon University</u> | | <u>M.A. Ed Admin</u> | <u>2008</u> |
| Civic Activities-Service Organizations | | Office Held: | Year Begun: Year Ended: |
| <u>Page Special Olympics</u> | | <u>Track & Field Advisor</u> | <u>1987 2014</u> |
| Please state why you would like to be appointed to a Town Board, Commission, or Committee: <u>I feel that it is important to be active in ones community.</u> | | | |
| Have you ever been charged and convicted of a crime? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No | | | |
| If yes please explain. | | | |
| What do you believe is the key responsibility of Board, Commission or Committee member to: (a) The Town Council, (b) The citizens of Camp Verde (c) other Board, Commission or Committee members? | | | |
| (a) <u>I feel it is important to work with council for the betterment of the entire community.</u> | | | |
| (b) <u>It is the Commissions job to listen to and represent the best interests of the community not any or one specific groups interests.</u> | | | |
| (c) <u>The key is to communicate and work together to represent the best interests of the community as a whole.</u> | | | |

Please state the reasons why you feel you are qualified to serve on a Board, Commission or Committee:

I served on the planning and zoning board for three years in Page, AZ. We re-wrote the zoning codes during this tenure. I am a retired educator and coach that has exceptional listening and communication skills

Applications are kept on file for two years. During that time, your application will be considered when there is an opening for the Board or Commission for which you have applied. As a candidate to a Board, Commission or Committee, your name, address and telephone number will be available to the media and public.

Please notify the Clerk's Office at (928) 554-0021 if you move or no longer wish to be considered for appointment.

If you have a current resume and/or certificate that may be applicable to your Board, Commission or Committee interest, please attach a copy to this application.

Mail or deliver your completed application to: Town of Camp Verde, Attn: Clerk's Office, 473 S. Main Street, Camp Verde, AZ 86322.

If appointed to a Board/Commission/Committee, I understand that Members of boards or commissions may be removed for cause including excessive lack of attendance, absences of three consecutive meetings or more than half of all scheduled meetings in any municipal year, or improper conduct as determined by the Mayor and Council.

Applicant's Signature: Mark Loveland Date: 5-9-2023

| | |
|--|-------|
| | Date: |
| Date Contacted & Invited to Appear before Council: | |
| Staff Contacting Individual | |
| Date Appointed by Council | |
| Board or Commission appointed to: | |

[Page intentionally left blank]



Agenda Item Submission Form – Section I

Meeting Date: Town Council: Wednesday, June 7, 2023

Consent Agenda **Decision Agenda** Executive Session Requested

Presentation Only Action/Presentation Pre-Session Agenda

Requesting Department: Community Development

Staff Resource/Contact Person: John Knight, Community Development Director

Agenda Title: Discussion, consideration and possible adoption of Resolution 2023 – 1107, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving Use Permit 20230137, an Agritourism Use Permit application for Trampus and Bonnie Mansker for a roping arena located on parcels 404-12-422D and 404-12-422C.

List of Attached Exhibits:

- Resolution 2023 - 1107

List Attachments:

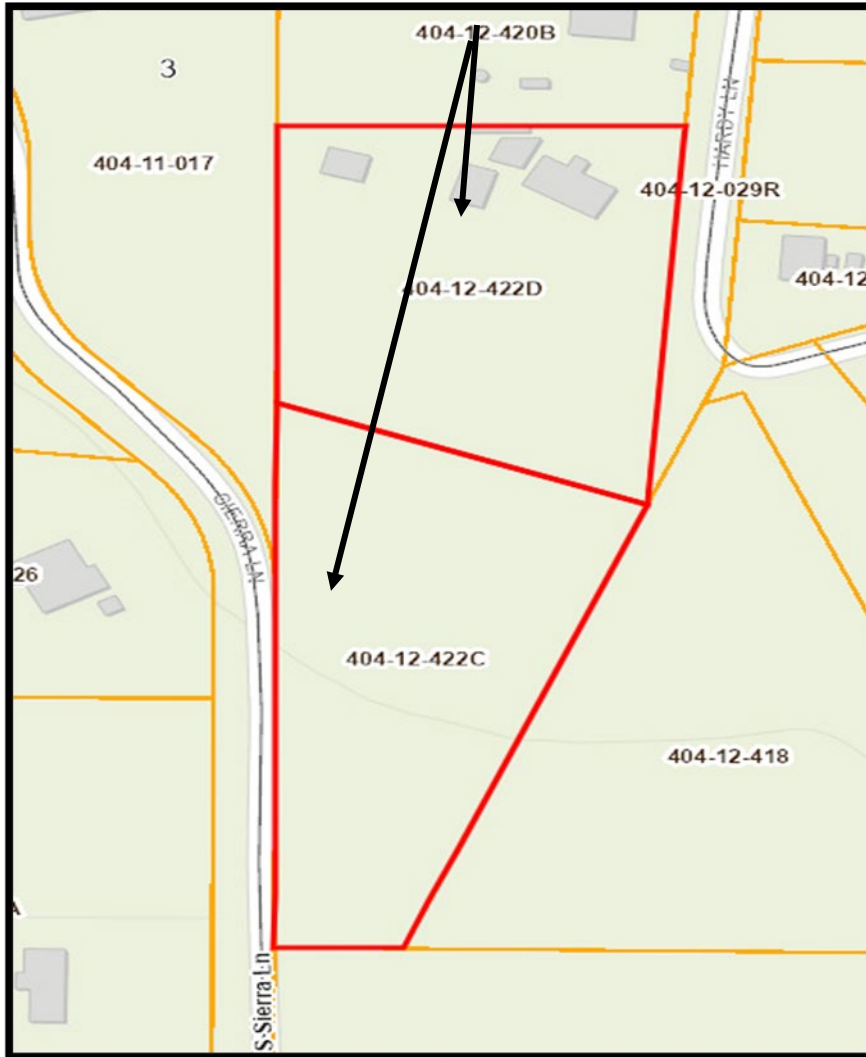
- A. Excerpt from Draft Minutes, April 13, 2023
- B. Application with Affidavit of Neighborhood Meeting
- C. Petition and Letters of Support
- D. Conformance with General Plan
- E. Relevant Zoning Ordinance Sections
- F. Current GIS
- G. Other Use Permits
- H. Public Comment Received

Estimated Presentation Time: 10 minutes

Estimated Discussion Time: 10 minutes

Executive Summary: Trampus Mansker has applied for an Agritourism Use Permit so that he may increase his animal count numbers for a private roping arena. The property is zoned R-R (Residential-Rural, 2-acre minimum lot size). The applicant would like to use his arena to allow the youth of Camp Verde, as well as adults, to have somewhere safe and free to practice roping skills and prepare for rodeo competitions. He also proposes to host the Camp Verde 4-H and Camp Verde FFA livestock workshops. In addition, Mr. Mansker proposes to offer free horseshoeing and horsemanship clinics to the youth of Camp Verde and surrounding areas. An Agritourism permit is a conditionally permitted use in the R-R zoning district.

Subject Parcels: APN 404-12-422D and
404-12-422C



Background Information: The Mansker family moved to Camp Verde in 2021 when they purchased 4.69 acres located on Hardy Lane. They purchased these parcels of land so that they would have enough property for their children to practice their roping and barrel racing events, as well as raise animals.

According to the applicant: "We have decided to apply for the Agri-Tourism permit to allow us to focus on agriculture and western heritage for the youth and people of the Verde Valley. We feel that agriculture and western heritage impact the youth in a very positive way. We believe that in today's culture it is a valuable lifestyle that we should provide for the youth, or it will continue to diminish and what we once knew and cared so deeply for will only be a memory. Our goal is to provide a safe environment for members of the community to ride horses, team rope, barrel race, and participate in other western events free of charge."

As a result of the applicant's use of the arena and the keeping of animals, there was a code complaint sent to the Town in June of 2021. The complaints were primarily related to the number of animals and the concerns about odor and flies. The applicant was routinely

exceeding the maximum number of large animals allowed on the property. On the 4.69-acre property, a maximum of nine (9) large animals are allowed.

In an effort to provide a compromise solution, former Community Development Director Melinda Lee worked with Mr. Mansker to ensure there were no more than nine (9) animals on the property at night. Ms. Lee also recommended that he pursue an Agritourism Use Permit as a more permanent solution.

The applicant did not pursue an Agritourism permit in 2021 and the complaints from the neighbor continued. The applicant approached the town with an alternate solution that would allow him to use his neighbor's, adjacent properties for the keeping of animals. The Town indicated that use of adjacent properties may resolve the situation provided the applicant had a legal instrument, such as a lease, with his neighbors, to provide legal rights to such use.

At that time, Mr. Mansker obtained permission (via letters) from his neighbors to move the cattle to their property when they were not roping. However, a legal instrument, such as a lease, was never pursued. The Town continued to receive complaints from the neighbor. The Town again encouraged Mr. Mansker to pursue an Agritourism Permit for a more permanent solution.

In the meantime, Mr. Mansker has diligently worked to mitigate any nuisance that may be associated with keeping animals on his property. He has purchased a dump trailer that he loads his manure in daily and hauls to the Grey Wolf Dump when the trailer is full, at least once a week.

As part of the application submittal, Mr. Mansker has voluntarily proposed a variety of mitigation measures to address nuisance concerns (see Letter of Intent, Attachment A). A summary is included below.

- Manure will be picked up daily (weather permitting), contained in dump trailer and hauled off property a minimum of 1 time weekly.
- Fly traps will be hung around all livestock pens to help control flies.
- Arena will be watered before every event to control dust.
- No outdoor lighting will be installed at the arena.
- All parking will be on-site. No one will park on the street.
- There will be no amplified speaker systems.
- There will never be more than two (2) overnight guests and they will be limited to ten (10) days, which follows the Town Code.
- The property landscape will always be properly maintained.
- No more than 35 large animals will be on the property overnight.

Planning and Zoning Commission Hearing: On April 13, 2023, the Planning and Zoning held a public hearing and recommended approval of the Agritourism Use Permit in a 5-2 vote. The Commission received public testimony and considered the information presented by staff (Attachment A). This included a draft list of conditions to be added to the resolution of approval. At the meeting, the conditions were modified by a motion of the Commission. These are now included in the attached resolution.

There are two (2) conditions that may need some clarification. Condition 15 and condition 19. Condition 15 relates to overall number of animals and includes a provision to limit animals for a period of no more than two (2) weeks. This would be difficult to enforce and does not give a maximum number of animals that are always allowed on the premises. Staff recommends the following language:

15. The number of large animals (such as horses and cattle) shall be limited to a maximum of ~~35~~ 30 at any time, ~~including overnight, for longer than a two (2) week period.~~ The maximum number of smaller animals, such as sheep and goats, shall not exceed 50 for one day FFA/4-H events. At night, the number of small animals shall be in compliance with the animal point counts allowed under Section 305.B. of the zoning ordinance.

Condition 19 related to shade may need some additional clarification. It was unclear at the meeting if the temporary shade was intended to be provided for both the horses and the cattle or just for the horses. In addition, the applicant stated that they were interested in constructing more permanent structure (a barn) and that the temporary shade structure may not be necessary. The Council may wish to remove or modify this condition if they feel it is appropriate.

As part of the public testimony portion of the hearing, there were several documents that were submitted into the record. These are included in Attachment A.

Board of Adjustment Hearing: On May 9, 2023, the Board of Adjustment (BOA) heard an appeal of a zoning interpretation from the Community Development Director regarding the transfer of animal points by lease, license, or any mechanism. This appeal was submitted by Stephen Magoon and Jill Irvin. Although this interpretation did affect the Mansker property, the Director's interpretation affects the entire town. At the BOA hearing, the board made the decision that property owners could NOT transfer animal points by lease, license, or any mechanism. At the time, the Manskers were using their neighbor's property to increase their overall number of large animals. After the hearing, Town staff informed the Manskers they could no longer use their neighbor's property to increase their animal count and they would have to reduce their animal count to nine (9) or less (the maximum allowed on the 4.69-acre property). The Manskers were in compliance with this limit based on a recent site visit.

Note that if this CUP is approved, it has the ability to set different limits on the maximum number of animals. Refer to the conditions attached to the resolution and the proposed modifications noted below.

Discussion: When approving a Use Permit, the Council should consider whether the proposed use is in conformance with both the goals and policies of the General Plan as well as the Zoning Ordinance. Key sections of the General Plan and Zoning Ordinance are discussed below.

General Plan Conformance: The General Plan includes a variety of references to the western, rural lifestyle. A few applicable sections are noted below (Attachment D).

1. Pg. 9 - Purpose

When describing their town, residents of Camp Verde continue to use terms such as western, rural, friendly, and historic.

2. **Pg. 12 – Public Participation Results:** This section lists a variety of “*Top Qualities to Preserve*”. Specifically referenced qualities include, “*Friendliness, Historic, and Western Rural Character.*”

3. Pg. 17 – Goals & Implementation Strategies:

B. Goal: Support and enhance arts and culture.

B. 3. Support and encourage recognition of our agricultural heritage.

4. **Page 87 – Quarterhorse/Rancho Rio Verde Character Area:** The property is located within the Quarterhorse/Rancho Rio Verde Character Area. The description of this character area states that it is an area that, “... personifies the rural character of Camp Verde.” The General Plan also states, “It is a landscape that continues to offer opportunities for vineyards, wineries, and more local agriculture.” The full description is included below.

Introduction for Quarterhorse/Rancho Rio Verde Character Area

The Quarterhorse/Rancho Rio Verde character area represents Camp Verde’s agricultural history, being one of the first settled places in the late 1860s. Although most of the large farms and ranches are gone, a few still exist, such as Shield’s Ranch. Reminders of old farms and ranches can still be seen, and active agriculture continues with growing corn, alfalfa, hay, pecans, and other crops. This is coupled with pasturing cattle, horses, sheep, goats, and other livestock. This area, along with a few others, personifies the rural character of Camp Verde.

Primarily a residential neighborhood, it is comprised of mostly custom homes built on large lots or acreage, many of them irrigated by the historic ditches and bordered by the Verde River and West Clear Creek. It is a landscape that continues to offer opportunities for vineyards, wineries, and more local agriculture. It is also home to the original settlement in the Verde Valley, the Historic Clear Creek Church and the Clear Creek Cemetery, the last resting place of many Camp Verde pioneers.

The Verde River curves along the west border of Quarterhorse/Rancho Rio Verde. At the lower end, Clear Creek joins the Verde River. From White Bridge or Clear Creek landing, boaters have a scenic ride with views of riverside homes, pastures, and thick riparian habitat, making it a popular run to Beasley Flat.

Zoning Ordinance: The applicant has requested an Agritourism Use Permit. This is a conditionally allowed use in the Rural Residential Zoning District. The Zoning Ordinance includes a definition of Agritourism (Section 103) as well as specific criteria and standards for the proposed use (Section 203.D.2.f.) The Ordinance also includes procedures for processing a Use Permit (Section 601) (Attachment E). These are discussed below.

1. Section 103 - Definition of Terms:

AGRITOURISM: *Is the act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle. Visitors may participate in events and services related to agriculture which may take place on or off the farm or ranch, and that connect consumers with the heritage, natural resource or culinary experience they value. This may include but not limited to; farm stands or shops, U-pick, on-farm classes, fairs, festivals, pumpkin patches, wineries, barn dances, corn maze, hunting, fishing, guest ranches, agricultural tours, wildlife viewing or bird watching, wine tasting.*

Staff Response: The applicant’s proposed use of the property for FFA/4-H Meetings, farrier workshops, roping/barrel racing clinics and horsemanship workshops appears to be in keeping with this definition. Note that the definition specifically mentions visiting a ranch for “...enjoyment, education or active involvement to experience a rural lifestyle”.

2. Section 203.D.2.f. – R-R District (Conditional Uses):

Agri-Tourism, Application submission, required information, procedures and review are subject to Use Permit and criteria and specific showings of:

- 1) Adequate points of direct ingress and egress for patron safety and direct emergency vehicle access;
- 2) Ample on-site parking for normal business activity and provisions for special event overflow parking;
- 3) Adequate separation distance limitation of hours of operation, and/or additional measures to mitigate negative effects of lighting, noise, traffic, dust and other detrimental environmental factors on nearby residential uses or vacant residentially zoned property.
- 4) Provision for patrons' health, safety and comfort including but not limited to shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, and appropriate security.

Staff Response: Through approval of the recommended conditions, it appears that these criteria can be met. Specifically:

- 1) Ingress/egress – ingress and egress will be provided via a public street and will be sufficient for emergency access.
- 2) On-site parking – the property is over four (4) acres in size and can easily accommodate on-site parking for visitors. Staff has included a condition that requires all parking to be provided on-site.
- 3) Mitigation Measures – a variety of mitigation measures are included in the conditions to address possible impacts related to noise, lights, dust, odor, hours of activities, etc.
- 4) Health/Safety – most of the events will be relatively small, however, for larger events (up to 60 people), a condition is included that requires shade, first-aid, water, etc.

3. Section 601 – Zoning Decisions:

Section 601.C provides the guidance on the application and approval process for all Use Permits.

Review and Approval

- a. *Use Permits will be granted only upon a finding by the Council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements, or standards prescribed by the Town Code or Council.*
- b. *Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:*
 - 1) *Any significant increase in vehicular or pedestrian traffic;*
 - 2) *Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;*
 - 3) *Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;*
 - 4) *Compatibility with existing surrounding structures and uses; and*
 - 5) *Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.*
- c. *The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a Use Permit shall not be interpreted as the denial of right, conditional or otherwise.*

- d. *Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and the Council may condition the Use Permit to fully carry out the provisions and intent of the Zoning Ordinance.*
- e. *The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.*

Staff Response: The key criteria referenced above allows for conditions to ensure the proposed use, “...will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general...” Staff’s opinion is that the approval of this use permit with the proposed conditions, will ensure compliance with this key criteria and other provisions of this section.

Other Similar Uses and Permits: The Town has a variety of other uses that are somewhat similar in nature to the applicant’s proposal. Some have obtained agritourism permits and some do not need an agritourism use permit. A brief summary of these is included below. A list of properties that do have use permits is included in Attachment G. For reference, staff has also included a copy of the resolutions for Jackpot Ranch and Nashwa Farms CUP.

1. **Jackpot Ranch** – They are operating under a CUP. They run a variety of commercial and charitable equestrian events. A copy of the approved resolution is included in Attachment G.
2. **Ignacio Mesa** – They now operate under the name Clear Creek Vineyards. They obtained a CUP to operate a wine tasting facility.
3. **Anchor Cross Ranch** - Anchor Cross Ranch does not have any type of Use Permit, and town staff are not familiar with their operation.
4. **Salt Mine Cellars** – They are operating under a CUP for wine tasting.
5. **Animal Guardian Network** – They operate an animal sanctuary under a CUP.
6. **Nashwa Farms** – They operate an event ranch under a CUP. A copy of the resolution is included in Attachment G.
7. **Camp Verde Arena Association (CVAA)** – They operate under a separate agreement approved by the town council and do not have a use permit.
8. **Arena del Loma** – This operation is an existing, legal, nonconforming use. They operate under a 2016 Notice of Decision and not a use permit.
9. **Other Private Arenas** – There are many other private arenas scattered throughout town. As long as the use of the arena does not exceed the maximum allowed animal count and they are not operating as a commercial arena, they are allowed as a permitted use.

The following have been completed by staff:

- Neighborhood meeting was held by applicant on November 17, 2022; several community members attended.
- The Town mailed letters providing notice of the planning commission public hearing and proposed Use Permit to all parcel within 300’ of this parcel on March 16, 2023.
- A public hearing notice of the planning commission hearing was placed in the Verde Independent Newspaper on March 22, 2023, and March 26, 2023.
- A public hearing notice of the planning commission hearing was posted at the property on March 29, 2023.
- A planning commission meeting agenda was posted at Town Hall and Bashas’ on April 6, 2023.
- The Town mailed letters providing notice of the town council public hearing and proposed Use Permit to all parcel within 300’ of this parcel on May 3, 2023.
- A public hearing notice of the town council hearing was placed in the Verde Independent Newspaper on May 21, 2023, and May 24, 2023.

- A public hearing notice of the town council hearing was posted at the property on May 22, 2023.

Recommended Action (Motion): Motion to adopt Resolution 2023 – 1107, a resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving Use Permit 20230137, an Agritourism Use Permit application for Trampus and Bonnie Mansker for a roping arena located at 2083 East Hardy Lane (APNs 404-12-422D and 404-12-422C).



RESOLUTION NO. 2023-1108

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, APPROVING USE PERMIT 20230137, AN AGRITOURISM USE PERMIT APPLICATION FOR TRAMPUS AND BONNIE MANSKER FOR A ROPING ARENA LOCATED ON PARCELS 404-12-422D AND 404-12-422C.

WHEREAS, the Planning & Zoning Ordinance and Subdivision Regulations, provide criteria under Section 601.C, Zoning Decisions, Use Permit Approvals, for the orderly use of the land in conformity with the General Plan and Town standards; and

WHEREAS, a request for approval of Use Permit 20230137 was filed by Trampus and Bonnie Mansker, owners of parcel 404-12-422D and 404-12-422C; and

WHEREAS, the purpose of the Agritourism Use Permit is to allow the property owner to increase his animal count and allow his property to be used to host free roping practice and youth agriculture and western events; and

WHEREAS, a neighborhood meeting was held by the applicant on November 17, 2022, that was advertised and posted according to state law; and

WHEREAS, the request was reviewed by the Planning and Zoning Commission in a Regular Session on April 13, 2023, in a public hearing that was advertised and posted according to state law, a 300-foot notice was mailed out to neighbors on March 16, 2023, a public hearing notice was posted in the Camp Verde Bugle on March 22 and 26, 2023; and the site was posted on March 29, 2023; and

WHEREAS, the Planning and Zoning Commission provided a recommendation to the Mayor and Common Council of approval to proceed with the Agritourism Use Permit, with assurance of compliance with the General Plan, Planning and Zoning Ordinance, and the conditions listed in Exhibit A; and

WHEREAS, a public hearing for the Town Council was advertised and posted according to state law, a 300-foot notice was mailed out to neighbors on May 3, 2023, a public hearing notice was posted in the Camp Verde Bugle on May 21, 2023, and May 24, 2023; and the site was posted on May 22, 2023;

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

- A. The Council finds that the use covered by the Agritourism Use Permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in vicinity to adjacent property, to the neighborhood, or to the public welfare in

general, and that the use will be in conformity with any conditions, requirements, or standards prescribed by the Town Code or Council.

- B. The Council finds that the Agritourism Use Permit is valid and operable for an indefinite period of time, with a review of compliance at 12 months, 36 months, and ten (10) years, and that no use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Agritourism Use Permit and/or required conditions of approval, without approval of a new Agritourism Use Permit.
- C. The proposed Agritourism Use Permit is in conformity with the Town of Camp Verde General Plan and Planning and Zoning Ordinance and is hereby approved for an indefinite period of time and in accordance with the letter of intent and site plan shown in Exhibit B and legal description shown in Exhibit C.

PASSED AND APPROVED BY A MAJORITY OF THE TOWN COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, ON THIS 7th DAY OF JUNE 2023.

Dee Jenkins, Mayor

Attest:

Cindy Pemberton, Town Clerk

Approved as to form:

Trish Stuhan-Town Attorney

EXHIBIT A

Conditions of Approval for Mansker Agritourism Use Permit

1. The applicant shall comply with the requirements contained in the submitted project narrative and application materials, unless modified by these conditions.
2. This permit shall run with the land in perpetuity, unless the use is discontinued for a period of six (6) months, or the permit is voided according to procedures outlined below.
3. Unless modified by these conditions, or the narrative and application materials, the applicant shall comply with all town code, zoning ordinance, and other laws and requirements. This includes obtaining building permits for all new improvement, as required by the Chief Building Official and Building Code.
4. Weather permitting, manure piles shall be removed from the property two (2) times weekly to control odor and insects. Manure stored on site in a trailer shall be tarped to reduce insects. Additionally, manure will be picked up in event arena and pens at least one (1) time every two (2) days.
5. Fly traps shall be hung around the perimeter of all livestock pens to help control insects. Traps shall be replaced as needed for maximum effectiveness. Dry soil is a fly deterrent, and every effort will be made to prevent permanent areas of wet soil.
6. If dry, the arena shall be watered before every major use in order to control dust.
7. Events will not run past sunset, and any lights used shall be Dark Sky compliant. If required for new fixtures, building permits shall be obtained prior to installation of any new lighting.
8. Any lighting of the arena, and surrounding area, shall be turned off at the end of the event or by 10:00 p.m., whichever comes first.
9. The number of event attendees shall be limited by the available onsite parking and shall not exceed a maximum of 60 individuals at a single event.
10. There shall be no amplified sound systems used for any events.
11. For visitors health, safety and comfort, the applicant shall provide shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, and appropriate security during events.
12. Use of no more than two (2) RVs on the site shall be limited to a (10) day maximum stay in compliance with the Zoning Ordinance.
13. The applicant shall comply with Section 10-2-1 of the Town Code (Declaration of Nuisance) which states:

Property and Hazards: No use or structure shall be operated or maintained in such a manner as to be an explosive or fire hazard; nor cause smoke, soot, dust, radiation, odor, noise, vibration, heat, glare, toxic fumes or other negative impact on the community to be emitted into the atmosphere at any time to such an extent as to constitute a nuisance; contribute to neighborhood deterioration; nor divert water-carried waste or pollutants into any open water course or groundwater supply. Any such condition determined by the Town to constitute imminent peril to public health, safety or welfare shall be ceased immediately.

14. Town staff shall be allowed to enter the property to investigate complaints received that are related to use of the property. These may include, but are not limited to, noise, odor, dust insects, and other potential nuisances. Town inspections will only be performed to investigate potential violations of this use permit, zoning ordinance, or other town ordinances. Town staff shall provide advance notice to and coordinate with the property owner or manager to schedule inspections.
15. The number of large animals (such as horses and cattle) shall be limited to a maximum of 35 at any time, including overnight, for no longer than a two (2) week period. The maximum number of smaller animals, such as sheep and goats, shall not exceed 50 for events. At night, the number of small animals shall be in compliance with the animal point counts allowed under Section 305.B. of the zoning ordinance.
16. If there are more than two (2) violations received against this property related to non-compliance with the approved conditions, zoning ordinance, or town code, during a six (6) month period, the Agritourism Use Permit may be modified or voided according to the procedures contained in Section 601.C.2. of the zoning ordinance. Should this occur, the Community Development Director shall notify the permittee, by regular First-Class mail, of a violation or possible termination/modification of the use permit. If no attempt to change the violation is made within thirty (30) days after notification, a hearing will be scheduled before the Board of Adjustment and Appeals. Based on information provided at the hearing related to non-compliance, the Board may modify or void the Use Permit. Modifications could include new or additional mitigation measures to address nuisance impacts. Modifications could also include a decrease in the maximum animal count.
17. This Agritourism Use Permit shall be reviewed by the Town Council one (1) year from approval for compliance with the conditions and requirements of the use permit. The permit shall then be reviewed thirty-six (36) months from issuance. At time of review, the council may increase or decrease the number of animals, modify or add conditions to address nuisance impacts.
18. Any other modifications to the use permit shall be subject to submittal of a new use permit in accordance with the procedures outlined in Section 601.C. of the zoning ordinance.
19. Temporary shade shall be provided for animals.

Sierra Lane

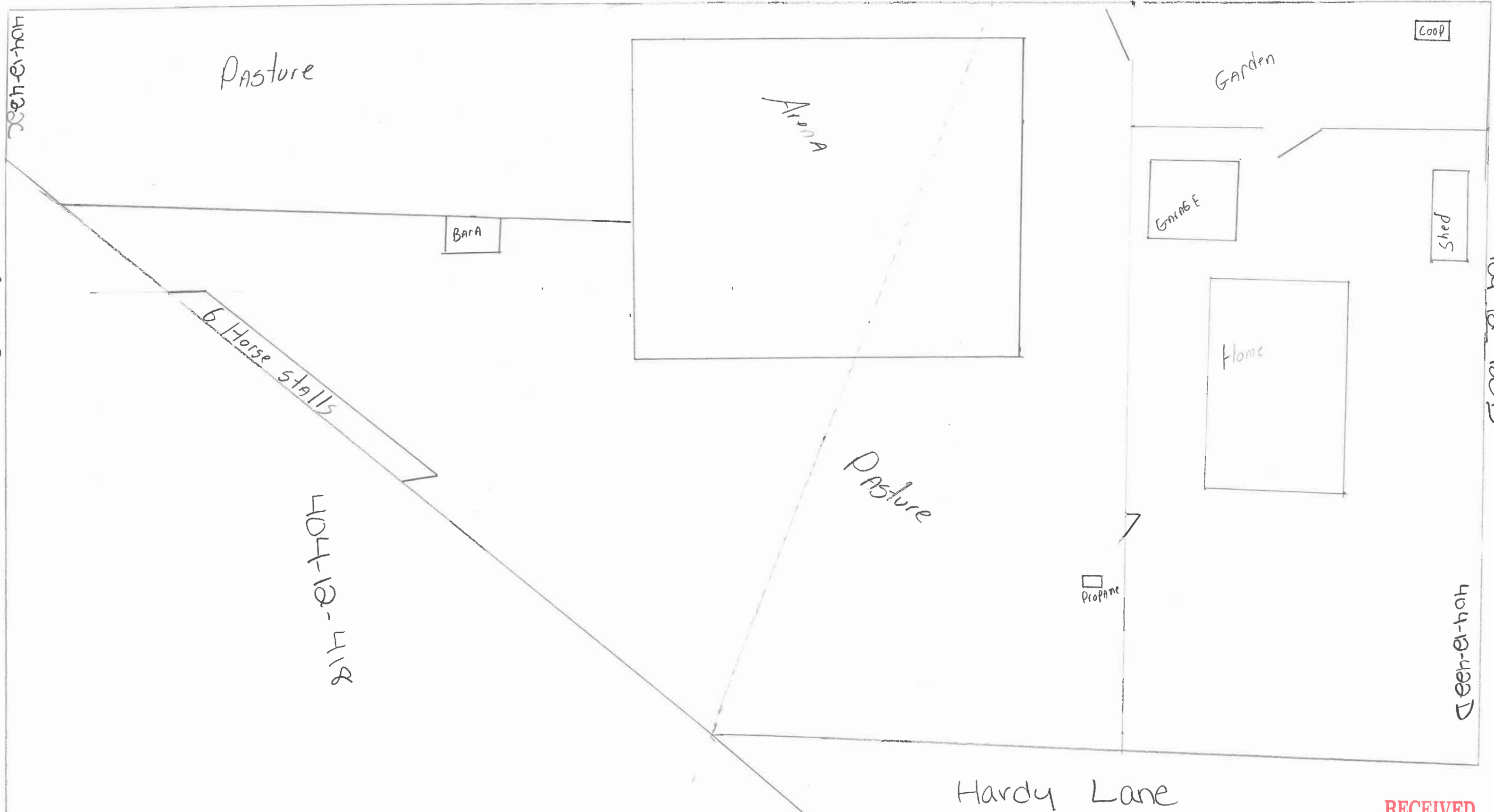


EXHIBIT B

February 27, 2023

Trampus and Bonnie Mansker

2083 E Hardy Lane

Camp Verde, Arizona 8322

RE: Agritourism Use Permit

To Whom It May Concern:

We are applying for an Agritourism Use Permit for our parcels (APN 404-12-422C and 404-12-422D), located at 2083 E Hardy Lane.

We feel that agriculture and our western heritage are an important focus for the youth, as well as adults, in the Town of Camp Verde and the Verde Valley. We believe that in today's culture, it is a valuable lifestyle and we should be stewards of that lifestyle, or it will continue to diminish from our society. Our goal is to provide a safe environment for members of the community to ride horses, team rope, barrel race, prepare for the Verde Valley Fair, and participate in other western events free of charge.

We are looking to hold several types of free events on our property that pertain to agriculture and the western heritage that is included in the Town of Camp Verde's General Plan. Some of these events include, but our not limited to:

- FFA Club Meetings
- 4-H Club Meetings
- Farrier Workshops
- Roping Clinics
- Barrel Racing Clinics
- Horsemanship Workshops

These events would average 6-10 people, however the 4H and FFA Meetings can have up to 20 participants and their parents. In order to host these events, we would have to have an increased number in our animal count, but are willing to limit that number to 35 large animals. Please keep in mind that on average we will only have 25 animals. The additional number of 35 allows for transition when we are selling and buying new roping cattle. The number we would allow on our property will never exceed 50 large animals, and this includes the animals that members of the community will bring for events the day of and will generally be leaving that evening. Again, all of these will be at no cost to the community.

Our nuisance mitigation plan is as follows:

- All manure will be continued to be picked up daily, weather permitting, and loaded into the dump trailer which is hauled to Grey Wolf at least once a week.
- Fly traps will be hung around all livestock areas to help control the flies.
- The arena will be watered before every event so as not to cause any dust.
- There will be no outdoor lights installed at the arena.
- Events will end at 5:30 pm during winter months and 8:30 pm during summer months.
- The parking will be confined to our property.
- There will be no amplified speaker system.
- We will limit the number of overnight guests to two (2) and they will not be allowed to stay longer than ten (10) days. (This will meet the current Town Code) This will be a very rare occasion. It is much more likely we will have one (1) guest for the weekend.
- Property landscape will be always maintained.

We are looking forward to hosting our community for agriculture and western heritage events.

Regards,

Trampus and Bonnie Mansker



Exhibit C

PARCEL I:

The following is a description of a parcel of land located within the Northwest Quarter of Section 15, Township 13 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

Being a portion of that parcel of land described in Book 3644, Page 144, Official Records of the Yavapai County Recorder's Office, Record Source #1 (R1), said parcel being more particularly described as follows:

Beginning for reference at the B.L.M. Brass Cap, marking the West Quarter corner of said Section 15, also being the Southwest corner of that parcel of land described in said (R1);

Thence North 00° 22' 49" West, Basis of Bearing (R1) a distance of 553.25 feet, along the West line of said Section 15, also being the West line of that parcel described in said (R1), to a plastic cap atop a 1/2" rebar stamped L.S. 26925 and the TRUE POINT OF BEGINNING;

Thence South 70° 40' 52" East, a distance of 306.10 feet, to the East line of that parcel of land described in said (R1) and a plastic cap atop a 1/2" rebar stamped L.S. 29263;

Thence North 04° 28' 16" East, North 04° 30' 52" East (R1) a distance of 101.63 feet, along the East line of that Parcel of land described in said (R1), to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence North 04° 28' 16" East, North 04° 30' 52" East (R1) a distance of 289.51 feet, along the East line of said (R1), to a plastic cap atop a 1/2" rebar stamped L.S. 29263, marking the Northeast corner of that parcel of land described in said (R1);

Thence South 89° 52' 17" West, a distance of 321.26 feet, South 90° 00' 00" West, a distance of 321.51 feet (R1) along the North line of that parcel of land described in said (R1), to a plastic cap atop a 1/2" rebar stamped L.S. 29263, marking the Northwest corner of said (R1);

Thence South 00° 22' 49" East, South 00° 22' 49" East (R1) a distance of 287.97 feet, along the West line of that parcel of land described in said (R1), to the TRUE POINT OF BEGINNING.

PARCEL II:

The following is a description of a parcel of land located within the Northwest Quarter of Section 15, Township 13 North, Range 5 East, of the Gila and Salt River Base and Meridian, Yavapai County, Arizona;

Being a portion of that parcel of land described in Book 3644, Page 144, Official record of the Yavapai County Recorder's Office, Record Source #1 (R1), said parcel being more particularly described as follows:

BEGINNING at the B.L.M. Brass Cap, marking the West Quarter corner of said Section 15, also being the Southwest corner of that parcel of land described in said (R1);

Thence North $00^{\circ} 22' 49''$ West, Basis of Bearing (R1) a distance of 553.25 feet, along the West line of said Section 15, also being the West line of that parcel described in said (R1), to a plastic cap atop a 1/2" rebar stamped L.S. 26925;

Thence South $70^{\circ} 40' 52''$ East, a distance of 306.10 feet, to the East line of that parcel of land described in said (R1) and a plastic cap atop a 1/2" rebar stamped L.S. 29263;

Thence South $23^{\circ} 17' 12''$ West, a distance of 491.78 feet, South $23^{\circ} 22' 02''$ West, a distance of 491.86 feet (R1) along the East line of that parcel of land described in said (R1) to a plastic cap atop a 1/2" rebar stamped L.S. 29263, marking the Southeast corner of said (RP);

Thence South $89^{\circ} 50' 19''$ West, a distance of 90.77 feet, North $89^{\circ} 53' 38''$ West, a distance of 90.07 feet (R1) along the South line of that parcel of land described in said (R1) to the TRUE POINT OF BEGINNING.

ATTACHMENT A

DRAFT MINUTES

REGULAR SESSION

**THE PLANNING AND ZONING COMMISSION
TOWN OF CAMP VERDE 473 S. MAIN STREET
CAMP VERDE, AZ. 86322
COUNCIL CHAMBERS STE. 106
THURSDAY, APRIL 13, 2023
6:00 PM**

7. Public Hearing: Discussion, Consideration, and Possible Recommendation to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for approval of an Agritourism Use Permit application for Trampus and Bonnie Mansker for a roping arena located on parcels 404-12-422D and 404-12-422C.

Community Development Director spoke as to what a Conditional Use is and the Commission is allowed to do. Explained what Agritourism is. This is not a commercial arena and this is not a nonconforming use.

Commissioner Scantlebury stated that applicant was more restrictive with his conditions. John Knight stated that the applicant is going above and beyond and some of his restrictions are not restrictions that the Town would put on anyone. However, your approval will or can include the applicants conditions as well as the Town's recommended conditions.

Commissioner Osses asked John, how this is not commercial. Does buying and selling cows make it commercial.

John replied that Agriculture is exempt under State Statute from being considered commercial.

Commissioner Osses asked if they still had to apply with the Animal Count.

John Knight replied yes. He would be allowed under his acreage 9 large animals.

Commissioner Foreman asked if they are voting on a draft.

John Knight stated that is correct but the motion can finalize the draft and include modifications.

Commissioner Foreman stated the in perpetuity with the land seems like a long time.

John Knight stated that Use Permits run with the land and that the permit can be reviewed for compliance.

Commissioner Faiella asked about the proposed draft if Commission approved, would Town be able to remove conditions.

John Knight stated it can happen during the annual review or with modification of the Use Permit, but staff does not have the authority once approved. Complaints will be reviewed and sited.

Commissioner Osses doesn't agree with John, she thinks they already did something like this. She has a problem with in perpetuity as well.

John Knight said this is starting to get into discussion but we should let applicant speak first.

Commissioner Faiella asked how many violations have been levied against the property.

John stated that there have been many complaints from one neighbor, but no violations have been sited.

Applicant Comments

Trampus Mansker spoke about why he wants the Agritourism Use Permit. He also spoke on putting strict restrictions on himself and his family so he can be a good neighbor. Acknowledges that he can lose this Use Permit, it can be revoked if he does not uphold the conditions of the permit. This is commercial, he does not make any money.

Commissioner Blue asked why Trampus needed 35 cows at a minimum. Mansker responded that he doesn't need that may full time, usually only 15 but that he needed grace for when he had events.

Commissioner Scantlebury asked if Mansker would be willing to live with a condition that stated, hauling manure to the dump two times per week.

Mr. Mansker responded yes he would do that.

Commissioner Scantlebury asked about manure pick up, how much are you willing to do. Trampus says that reasonable is six days per week.

Commissioner Scantlebury asked if Mr. Mansker is planning to put in special lights or run events past sunset.

Mr. Mansker said no.

Commissioner Scantlebury asked that sometimes he could get to 50 animals but more likely only 30 and no longer than a 2 week period of time.

Mr. Mansker said yes that is correct.

Commissioner Osses asked about bathrooms.

Mr. Mansker responded he would put one in but most of his events are less than a couple hours and he allows kids to use his house. Most of the time people there roping are not there long enough to need a restroom.

Commissioner Osses asked how long until he will put a cover in for his horses and a place for the cows too.

Trampus stated he has wanted to do it since day one and it is a heavy expense if he is not going to stay, but he is hoping to have it completely built by August realistically.

Commissioner asked what he will do in the meantime.

Trampus says nothing because most animals in the state are not under cover.

Commissioner Foreman asked that if he understood the conditions of approval correctly, Mr. Mansker is agreeing to the Town's conditions, as well as Mr. Mansker's nuisance mitigation plan.

Trampus said yes that is correct.

Chairman Faiella asked if Mr. Mansker ever planned to do a feedlot operation on the property.

Mr. Mansker responded no.

Public Hearing

Chairman Faiella opened the Public Hearing at 7:18 PM

Meeting went into recess at 7:18 PM.

Meeting resumed at 7:27 PM.

Public Hearing was reopened at 7:27 PM.

Chairman Faiella stated that the information given to them by the public was useful information, but being presented to the Commission tonight does not help them because they cannot read and digest appropriately during the meeting.

BJ Ratlief read two letters into the record. (Attachment of B and C of minutes) No one on Zoom wanted to speak.

Mr. Magoon spoke in opposition of the project.

Jill Irvin spoke in opposition.

Cheri Wischmeyer spoke in opposition.
David Grondin spoke in opposition.

David Dane spoke in opposition.

Janet Anderson spoke in opposition.

Peggy Murdock spoke in support of the project.

John Knight clarified that the Planning and Zoning Commission will make a recommendation to the Council, but this is the only Public Hearing.

Michael Black spoke in support.

Christa Brunori spoke in support.

Montana Renkema spoke in support.

Dorie Blair spoke in support.

Bob Ashcraft spoke in support.

Josh Blair spoke in support.

James Gregory spoke in support.

Planner Ratlief stated that there are no other Blue Cards and there was no one else on ZOOM who wanted to speak.

Chairman Faiella closed the Public Hearing at 8:09 PM.

Mr. Mansker came up and stated the people against the project have never approached him, but he has reached out to them with no response. He respects everyone's opinions but hopes the Commission sees that the Use Permit really is for the kids.

Commissioner Faiella asked if Mr. Mansker understands his neighbors' concerns. Mr. Mansker responded that he absolutely does, but that he had asked Mr. Magoon at the neighborhood meeting if there was any common ground or anything I could do to appease him and Mr. Magoon said no.

Commissioner Knight read the definition of Agritourism and the Commissions role for recommendation of approval.

Commission Discussion

Commissioner Scantlebury went through the conditions and went over codes from other communities with the Commission.

Commissioner Osses asked how many acres will be used for the arena.

Mr. Mansker stated probably 3 acres.

Commissioner Osses asked again about sanitary facilities.

Mr. Mansker stated that he will get a port-a-potty but thinks it will be a negative impact for the neighbors.

She is concerned that everyone in a residential area will want to have an arena if they approve this Agritourism Use Permit.

Chairman Faiella asked about EMS access.

John Knight said that he is not concerned.

Commissioner Blue has questions about the property being residential, the applicant and staff's proposal, he does not want to grant in perpetuity, concerned about the RV parking, and the number of animals.

John Knight responded that 10 days for RVs is out of the code.

Chairman Faiella asked again how long RVs can stay on property.

John Knight said any number of RVs can stay on any property as long as it is ten (10) days or less. John read the applicants' conditions that he submitted.

Commissioner Osses is still concerned about the number of cows.

Commissioner Scantlebury stated that the animal count is a starting point, but it is all about the management of the property.

Commissioner Osses thinks that we should follow the rules for everyone. This Use Permit is not fair.

Commissioner Faiella stated that the animal count that this is temporary and that the animals are not all there permanently.

Commissioner Osses counted 11 animals on the property today.

John Knight said that Commissioner Hough has been waiting to speak.

Commissioner Faiella asked because of the number Ms. Osses counted today, was Mr. Mansker in violation.

John Knight stated that he has legal use of his neighbor's contiguous property so he is not in violation.

Commissioner Hough spoke out about personal property rights and that the Commission's job is not to like or dislike the project but that we are to enforce the allowed or conditioned uses of property zoning.

Commissioner Osses states that she feels like this is a double standard.

Commissioner Tippett states that this and the conditions fit the General Plan and the allowed uses.

Commissioner Scantlebury wants to make a motion.

Commissioner Blue wants to review the Use Permit more often.

Commissioner Scantlebury pointed out that a one and 36 month review are in the conditions already.

John Knight reminded the Commission that the conditions that the applicant submitted for RVs is more restrictive than the Town Code.

Commissioner Scantlebury went through amendments he wanted to make to Attachment G from the Staff Report. Please see his attached redline ([Attachment D of Minutes](#))

Motion was made by Commissioner Scantlebury to recommend to the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona for approval of an Agritourism Use Permit Application for Trampus and Bonnie Mansker for a roping arena located on parcels 404-12-422D and 404-12-422C. The motion also includes approval of the applicants Letter of Intent, site plan, and conditions made by staff included in Attachment G, which we have just modified. Second was made by Commissioner Hough.

No further discussion by the Commission.

Roll Call

Chairman Faiella: aye
Vice Chairman Scantlebury: aye
Commissioner Blue: no
Commissioner Hough: aye
Commissioner Tippett: aye
Commissioner Osses: no
Commissioner Foreman: aye

Motion passes 5-2

Chairman Faiella poled the Commission for the reason for their vote.

Attachment E of minutes is documents provided by the public regarding this Use Permit application

DRAFT

Attachment A of Minutes

Note: This attachment applies to previous P and Z agenda item

Utilizing the practice of 2 persons per bedroom, new construction average daily flows would range from 80-120 gal/bedroom/day. The remainder of the research found average daily flows for typical single family dwellings to range from 40-100 gal/pers/day.

WA.gov
<https://doh.wa.gov/legacy/Documents/Pubs>

Residential Flow Rates

About featured snippets · Feedback

If we average 2 or 3 people in a household we have an average of 81,000 gal of sewer waste for the 450 houses approx.

For a RV Park is around probably more than 36000 gal if that RV has only one occupant for RV approx.

If we need to add the houses, RV Park, and other public facilities serving and using same system, it is more than 117000 gal a day.

4-13-2023

Rick Brentleck

I Lived next year for 27 years in May.
Does not think he can make it tonight.
He would like the Commission to know
since the Manskers moved in they have
been wonderful neighbors, and if granted
his permit he will operate in a considerate,
sensible way. ~~He~~ I have never had a problem
with his animals.

R E Brentleck

3

13 April 2023

Terry and Lori Dismant
1863 E. Country Lane
Camp Verde, AZ 86322

Re: Agritourism Use Permit Application for parcels APN 404-12-422C and 404-12-422D

To Whom it May Concern,

We are aware of the circumstances surrounding the above noted application under consideration as we live in the Sierra Verde Estates development (since 2018). We have noted the issues reported by other neighbors related to large numbers of animals being kept in the fenced lots directly adjacent to Sierra Lane. We confirm that during the warm / hot months there has been problems with large fly populations and excessive manure smells. We also confirm that we have observed that the Mansker family has made improvements to the property which has moved some of the animals further away from Sierra Lane and this has improved those conditions some. We are grateful for the efforts being made to ensure that the Mansker ranch does not pose an ongoing problem of flies and smells to neighboring properties.

We want to confirm that we support and even applaud the Mansker's plans and efforts to provide the opportunity for young people to learn about the western cowboy way of life through 4-H and FFA programs and to gain specific riding and roping skills through their workshops and programs.

Having said all that, it has been our ongoing observation that the horses and cattle on their property are not given appropriate shelter from either summer weather or winter weather. We have observed days last summer when between 8 and 15 horses (and a colt) were kept in full sun in temporary fenced pens in 110 degree weather. The fenced sections allowed the horses to move about some but did not allow any means of getting out of the direct sun and heat. Additionally, this past winter we noted that there were about 37 head of cattle being kept on the property without any sort of shelter from blizzard and/or sleet conditions. The cattle were noted to be standing in 4-6-inch-deep muck and sleeping in that same muck. According to the statements made by the Mansker family in their application letter "The experience can become a lifestyle, teaching them how to take care of animals properly, how to enjoy the abilities of animals...". We feel that in order for the experience on the Mansker property to teach proper care of animals the conditions for the animals must be humane.

We respectfully request that in addition to other listed conditions for approval of the Agritourism Use Permit that the Mansker family be required to construct shelters which would provide all animals on their property with protection from summer sun/heat and winter storms etc.

Thank you for your consideration,

Terry and Lori Dismant

Attachment D of Minutes

Conditions of Approval for Mansker Agritourism Use Permit

1. The applicant shall comply with the requirements contained in the submitted project narrative and application materials, unless modified by these conditions.
2. This permit shall run with the land in perpetuity, unless the use is discontinued for a period of six (6) months, or the permit is voided according to procedures outlined below.
3. Unless modified by these conditions, or the narrative and application materials, the applicant shall comply with all town code, zoning ordinance, and other laws and requirements. This includes obtaining building permits for all new improvement, as required by the Chief Building Official and Building Code.
4. Weather permitting, manure piles shall be removed from the property **2x/wk** weekly to control odor and insects. Manure stored on site in a trailer shall be tarped to reduce insects. **Manure picked up in event arena and pens atleast 1x every 2-days.**
5. Fly traps shall be hung around the perimeter of all livestock pens to help control insects. Traps shall be replaced as needed for maximum effectiveness.
6. If dry, the arena shall be watered ~~with an arena sprinkler system~~ before every major use in order to control dust. **Dry soil is a fly deterrent, and every effort will be made to prevent permanent areas of wet soil.**
7. ~~All outdoor lighting shall to be~~ **Events will not run past sunset, and any lights used shall be I** Dark Sky compliant. If required for new fixtures, building permits shall be obtained prior to installation of any new lighting.
8. Any lighting of the arena, and surrounding area, shall be turned off at the end of the event or by 10:00 p.m., whichever comes first.
9. The number of event attendees shall be limited by the available onsite parking and shall not exceed a maximum of 60 individuals at a single event.
10. There shall be no amplified sound systems used for any events.
11. For visitors health, safety and comfort, the applicant shall provide shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, and appropriate security during events. **no more than 2**
12. Use of RVs on the site shall be limited to a (10) day maximum stay in compliance with the Zoning Ordinance.
13. The applicant shall comply with Section 10-2-1 of the Town Code (Declaration of Nuisance) which states:

Property and Hazards: *No use or structure shall be operated or maintained in such a manner as to be an explosive or fire hazard; nor cause smoke, soot, dust,*

radiation, odor, noise, vibration, heat, glare, toxic fumes or other negative impact on the community to be emitted into the atmosphere at any time to such an extent as to constitute a nuisance; contribute to neighborhood deterioration; nor divert water-carried waste or pollutants into any open water course or groundwater supply. Any such condition determined by the Town to constitute imminent peril to public health, safety or welfare shall be ceased immediately.

14. Town staff shall be allowed to enter the property to investigate complaints received that are related to use of the property. These may include, but are not limited to, noise, odor, dust insects, and other potential nuisances. Town inspections will only be performed to investigate potential violations of this use permit, zoning ordinance, or other town ordinances. Town staff shall provide advance notice to and coordinate with the property owner or manager to schedule inspections.
15. The number of large animals (such as horses and cattle) shall be limited to a maximum of 35 at any time, including overnight. The maximum number of smaller animals, such as sheep and goats, shall not exceed 50 for events. At night, the number of smaller animals shall be in compliance with the animal point counts allowed under Section 305.B. of the zoning ordinance.
16. If there are more than two (2) violations received against this property related to non-compliance with the approved conditions, zoning ordinance, or town code, during a six (6) month period, the Agritourism Use Permit may be modified or voided according to the procedures contained in Section 601.C.2. of the zoning ordinance. Should this occur, the Community Development Director shall notify the permittee, by regular First-Class mail, of a violation or possible termination/modification of the use permit. If no attempt to change the violation is made within thirty (30) days after notification, a hearing will be scheduled before the Board of Adjustment and Appeals. Based on information provided at the hearing related to non-compliance, the Board may modify or void the Use Permit. Modifications could include new or additional mitigation measures to address nuisance impacts. Modifications could also include a decrease in the maximum animal count.
17. This Agritourism Use Permit shall be reviewed by the Town Council one (1) year from approval for compliance with the conditions and requirements of the use permit. The permit shall then be reviewed thirty-six (36) months from issuance. At time of review, the council may increase or decrease the number of animals, modify or add conditions to address nuisance impacts.
18. Any other modifications to the use permit shall be subject to submittal of a new use permit in accordance with the procedures outlined in Section 601.C. of the zoning ordinance.

In Opposition to Issuing an Agrotourism Special Use Permit for Parcels 404-12-422C and 404-12-422D

- Per our Ordinances **AGRITOURISM**: Is the act of visiting a **working** farm, ranch, agricultural or horticultural **agribusiness operation** for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle.
- Agritourism would have to occur on a property zoned and used for Agriculture. A property zoned for Agriculture must be 5 acres or more. This property is not.
- A Team Roping Training Facility is not Agriculture. Not a single morsel of food has ever been harvested on that property.
- The purpose of this facility is not to promote tourism. Mr. Mansker states clearly in the application that it is for **private** use. By no stretch of the definition of the term Agrotourism could this facility possibly comport.
- Adding references to 4H and FFA is pure window dressing. In the 2 years that Mansker has been in violation of the Animal Points Ordinances he has held exactly 1 such youth event and then it was post collaborating with the Community Development Department on this application.
- Over the last two years Mr. Mansker with the assistance of the Community Development Department has made every possible attempt to circumvent our Town's Ordinances regarding the number of animals allowed on his property. The CDD Recommending this permit is but another attempt to do the same. The sole purpose of this permit is to fully stock Mr. Mansker's Team Roping Training Facility for his personal use.

- When we purchased our property in 2019 there was **not** an overstocked Team Roping Training Facility across the street or anywhere else in our rural residential neighborhood. We read the Town's Ordinances regarding animal points prior to purchasing the property to ensure our hobby farm would be in compliance. We assumed that those codes would be enforced and the lifestyle of the neighborhood we were buying into would be protected. We did not suspect someone with connections inside the Community Development Department would be able purchase a property, immediately overstock it with large animals, then have those very same ordinances selectively unenforced and eventually a Special Use Variance granted as a method to nullify those very same ordinances in perpetuity for the sole benefit of a single individual.
- We were here first. Granting this permit for this personal Team Roping Training Facility will diminish property values in the neighborhood, ours included. It will forever change the character of the neighborhood and will become the dominating feature of it. We in no way will be compensated for these losses let alone the loss of our ability to use and enjoy or property the way we had intended when we purchased it.
- If this precedent is set. The Community Development Department will be emboldened to pass out these "Special Use Permits" to other friends and associates in residential neighborhoods throughout our community.
- We owe it to our friends in the roping community to find a way to facilitate the practice of the sport they and their families love without so dramatically affecting all our neighborhoods.
- We urge this commission in the strongest of terms to deny this variance in any form or with any conditions. There is ample evidence provided in our packet to show that any conditions set forth will not be complied with or enforced.

Good evening, Mr. Chairman, and Commission Members,

My name is Dorie Blair; I have been a resident of Camp Verde for 30 years. I am here in favor of the approval of the Mansker Agritourism Use Permit Application.

My parents moved here in 1992 from Phoenix to get me away from the negative influences that I was being exposed to. I didn't want to leave. I was a city girl and couldn't fathom the thought of moving to a Town that only had a Sprouse-Reitz for shopping. Thankfully, our neighbor had a daughter who raised and showed sheep in the local 4H club. I got to experience her ewe give birth to a set of twin lambs, and I fell in love. I bought one of the lambs and joined 4H with her. This opened a new door for my family.

My Mom juggled not only sheep meetings in between work, but also workshops for pigs, chickens, rabbits, and horses. I literally never stopped doing something that involved our local 4H and gymkhanas. It kept me busy and out of trouble. This new way of life continued for me throughout middle school and high school. I am also proud to say that I graduated High school as a Camp Verde Cowboy.

Knowing what Camp Verde offers with the agricultural lifestyle and opportunities that it provided for me, my husband and I have chosen to pass on the legacy of the Western lifestyle to our own kids. They have been involved with our local FFA and 4H, Local Team Ropings, and most recently the Queen Creek Junior Rodeo Association. We start the newly founded Yavapai County Junior Rodeo Association at the end of this month.

My husband and I were fortunate enough to get introduced to the Mansker family shortly after they moved to Camp Verde. Realizing that they hold the same values and expectations of themselves and raise their kids with a similar parenting style as ours, we hit it off immediately. We practice together. We travel to rodeos together. These friends have become family.

Our kids thrive in part, due to the continuous encouragement and support that the Mansker family provides. I work full-time, and my husband works in the Valley. We are not always able to leave work early to take the kids to practice at their house. Trampus, Bonnie, and their son have gone out of their way countless times to get our kids, and their horses loaded up and over to their house to be able to practice. All without expecting or accepting payment for their time, gas, etc.

Our youngest daughter competed in her first rodeo and trotted an agonizing time of just over a minute long. She was so nervous and unsure of herself, she didn't want to do it. The entire arena cheered her on, with her Dad and Trampus as her biggest fans! With hard work and tons of practice with Trampus' daughters, she gets faster every rodeo. She is so proud of herself. She has more than halved her time and because of her involvement in these activities, she is now a confident and well-adjusted 7-year-old rider. Our son, who is 12, turned his first steer with his Dad at Trampus' house. That was a memory we will never forget.

Trampus also accepts the parent role for rodeo events that require parent-kid participation for the Queen Creek Junior Rodeos. Without him stepping up, these kids would lose points and be disqualified from the event. It should be noted, he doesn't even know some of these kids. Trampus and Bonnie truly care about all Kids' welfare. They are always laughing, always having fun, and are always safe. It is the type of environment that breeds solid values, kindness, deep friendships, and a sense of community.

Please take into consideration all of this testimony and all of the other supporters in favor of the Agritourism Use Permit Application when making your decision.



Trampus and Ava at Ribbon Roping Event

Mansker Agritourism Application - Opposition

History

In April of 2021 the Manskers took ownership of the property located at 2083 E. Hardy Lane in Camp Verde. The property is two parcels of land consisting of a total of 4.69 acres. Upon moving in, the Manskers put up pens that housed 8-11 horses and began building an arena. Shortly thereafter, in May they placed approximately 20 roping steers on this property.

The Town of Camp Verde Planning and Zoning Ordinance, Section 305 clearly delineates the number of large animals allowed on properties within the Town of Camp Verde. This section of the P&Z Ordinance identifies animals by species and assigns a point value to each species. Horses and cattle have a point value of 12 points. An acre of land is given 24 points allowing for 2 large animals per acre. According to Zoning Interpretation 2023-01, issued by Community Development Director John Knight, Mr. Mansker is allowed nine (9) large animals on his 4.69 acre parcel. This would indicate that Mr. Mansker has been in noncompliance for almost two years at the date of this public hearing for an Agritourism permit. In fact, he has had two (2) to three (3) times the number of allowable large animals on his property for almost two years on an almost consistent basis.

There were complaints filed with the Town of Camp Verde, as early as May 27, 2021 relating to the large number of animals being housed on the property. The property was also being operated as a roping arena where friends and family came to practice. At one point, Town Employee Melinda Lee advised the Manskers they were out of compliance. She eventually gave them an agreement that allowed the animals to be there when they were roping, but they had to be removed after the guests left.

For a short period of time this was occurring, but the animals were being moved to National Forest Service property without proper authorization. The Forest Service advised that the animals could not be housed on Forest Service Property and the animals had to be removed. This resulted in them being returned to the Mansker property, day and night, without being removed, except occasionally to a neighboring property.

The complaints continued, and the Town continued to ignore them, allowing the excess animals to remain on property that not only is zoned RR, but abuts property that is zoned R1.

Finally a legal opinion was acquired by the Community Development Director in late March/early April and the result was Zoning Interpretation 2023-01. The document

Mansker Agritourism Application - Opposition

clearly indicated that there is an excess of animals and “the extent of the impact of this activity on the neighborhood is not disputed.” It also indicated that case law indicates that “it would be reasonable to conclude that a roping arena where friends and community members are invited for competitive and practice cattle roping events is not an accessory agricultural use.”

In Zoning Interpretation 2023-01 Mr. Knight recommended that the Manskers apply for an Agritourism Use Permit to increase the number of animals allowed on their property.

Mansker Agritourism Application - Opposition

Assessment of Opposition to Mansker's Agritourism Application

In both the Camp Verde Planning and Zoning Ordinance and the Arizona Revised Statutes, the definitions clearly stipulate that Agritourism relates to business activity that is conducted on a working farm or ranch. A.R.S. 3-111.2 takes this a step further, indicating "a business whose primary income is derived from producing livestock or agricultural commodities for commercial purposes."

Mr. Mansker's property meets none of these requirements, and therefore does not meet the criteria to be considered for the acquisition of an agritourism permit. In Mr. Mansker's public meeting, application, and letters he has repeatedly reiterated the fact that his arena is not to be a commercial enterprise.

Again, what Mr. Mansker is proposing in his Agritourism Application packet is not a business or commercial farm or ranch activity as required in both the Planning and Zoning Ordinance of Camp Verde and the state statute definitions of Agritourism.

Additionally, on page four of Zoning Interpretation 2023-01, Mr. Knight referenced a court case (*Murphy v Town of Chino Valley*). Mr. Knight wrote: "The Arizona Court of Appeals dealt with a similar fact pattern in *Murphy v. Town of Chino Valley*, 163 Ariz. 571 (app. 1989). Like the facts here, the Murphys used a roping arena on their property to host events that attracted up to 30-40 people on a regular basis and over 100 people at certain times. The Appeals Court concluded similar to the Camp Verde Zoning Code, that: 'A roping arena, where the owners and numerous others participate in competitive roping is not expressly within the scope of any of the listed uses for the zoning district. If the roping arena is to be considered a permitted use, it must come under the definition of an accessory use.'"

Mr. Knight continued with his interpretation by writing "The Town's Zoning Code defines 'Accessory Use' as a use of land or of a building or portion thereof customarily incidental and subordinate to and located on the same lot with the principal use."

Ultimately "The Court of Appeals (in *Murphy*) found that it would be reasonable to conclude that a roping arena where friends and community members are invited for competitive and practice cattle roping events is not an accessory agricultural use. *Murphy*, 163 Ariz 573, 577."

Mr. Knight further states "while the Mansker arena may be a lesser scale than the *Murphy* arena, the extent of the impact of this activity on the neighborhood is not disputed." In fact, this statement indicates there has been a negative impact on the neighborhood, yet the Community Development Department is recommending an Agritourism Permit that would allow four to five times the allowed number of large

Mansker Agritourism Application - Opposition

animals on these two parcels that total 4.69 acres. The requested number is almost double what Mr. Mansker is currently housing. (A number that far exceeds the allowable animal count on this parcel of land. In fact, during the neighborhood meeting Mr. Mansker indicated that he would be able to reduce the number of animals he currently has, but instead he is asking for a significant increase in head count.

Mr. Mansker has not demonstrated that he is an individual who follows the rules. From the time when he moved in, he has routinely housed large animals in excess of the allowed amount. When told this was a problem, he began housing the animals on National Forest Service property. Something that any reasonable person would know is not legal or acceptable. After he was not allowed to place the animals on Forest Service land, he began placing them on a neighbor's property, placing that individual over the limit for their property. He then attempted to circumvent the process by "borrowing" animal points from some of his neighbors through hand written notes, to allow for him to house excess numbers of animals on his property. Let's be clear, he never intended to house his animals on their property, simply to add the animal points from their properties to his own. Animal points are not a commodity and cannot be traded or given to another property or person. When he was told by the Town that this was not an acceptable use; that he must lease the property legally, he then simply housed the excess animals on his property anyway. These actions were and are still being done without consequence from the Community Development Office. He only moves them when he is notified that there is an impending inspection and then following the inspection the animals magically reappear.

The Camp Verde Zoning Interpretation 2023-01 stated "The allowed livestock on a lot is only increased under section 305 where a property owner owns or leases the contiguous area. It is not enough to have permission to use or temporarily move around animals on a neighboring lot."

This means, if Mr. Mansker legally owned or leased a neighbor's contiguous property, he could increase his animal counts, but his neighbors would lose or forfeit the animal counts. This interpretation is also suspect for the following reason.

Section 305 – Animals of the Planning and Zoning Ordinance was written to ensure that "the number, size, type or manner in which animals are maintained on any parcel shall not impair the enjoyment or use of nearby properties". In speaking with retired veterinarian Gail Pate, a person who was instrumental in writing Section 305, she indicated that the intent of the code was to house the animals in a manner that is good for the animals and the neighborhood. Borrowing points was never part of the equation, nor is housing 20-30 animals on a consistent basis on a portion of 4.69 acres that already has a home, a garden, a garage, parking for guests and animal trailers, and a roping arena.

Mansker Agritourism Application - Opposition

The Community Development Director then suggested an alternative would be to apply for an Agritourism Permit, but as previously discussed, Mr. Mansker's property and projected uses do not meet the criteria for this type of permit.

Additionally, the Community Development Director goes so far as to indicate that an Agritourism Permit is a viable solution for one who wishes to increase animal counts on their parcel of land. However, nowhere in the Planning and Zoning Ordinance is there any indication that animal counts can be increased by simply getting an Agritourism Permit. In fact, Section 203.B.1.j indicates that the keeping of farm animals is allowed, but limited to the restrictions of Section 305-Animals. In other words, individuals may keep farm animals in the RR zoning district, but they must comply with Section 305's limitation. This is not occurring. Additionally, though Agritourism is an acceptable use, it must meet the criteria outlined in the definition of Agritourism and there is no allowance stipulated for increasing the animal count outside Section 305's limitations.

There is no doubt that the Agritourism Application is nothing more than a weak attempt to circumvent the animal point system outlined in Section 305 of the Planning and Zoning Ordinance. Mr. Mansker has repeatedly failed to comply with the Ordinance as written and directions given to him by current and past Community Development staff. Each time an inspection was scheduled; Mr. Mansker moved the animals off his property, just long enough to satisfy the inspectors. He then moved them back until the next time, thus creating a vicious cycle of non-compliance.

In conclusion, a rodeo arena does not meet the definition of agritourism as defined by both the Town and Arizona Revised statutes definitions. In both definitions, it refers to a "business" which Mr. Mansker has repeatedly indicated his venture is not. In addition, the Community Development Director's Zoning Interpretation 2023-01 indicates that a roping arena does not meet the definition of an Accessory Use.

To take this a step further, if, the rodeo arena does not meet the criteria for the Agritourism use permit or the Accessory Use, then it is also unnecessary and unacceptable for him to house the large numbers of animals he is currently keeping on his property, all of which by his own admission are to be used in the roping arena.

Thank you for your time this evening. I would ask that you do not forward this Agritourism Use Application to the Town Council with a recommendation for approval.

Mansker Agritourism Application - Opposition

Definitions

Accessory Use: A use of land or of a building or portion thereof customarily incidental and subordinate to and located on the same lot with the principal use.

Agricultural Real Property (Arizona Revised Statutes 42-12151)

In this article, unless the context otherwise requires, "agricultural real property" means real property that is one or more of the following:

1. Cropland in the aggregate of at least twenty gross acres.
2. An aggregate ten or more gross acres of permanent crops.
3. Grazing land with a minimum carrying capacity of forty animal units and containing an economically feasible number of animal units.
4. Land and improvements devoted to commercial breeding, raising, boarding or training equine, as defined in section 3-1201 or equine rescue facilities registered with the department of agriculture pursuant to section 3-1350.
5. Land and improvements devoted to high density use for producing commodities.
6. Land and improvements devoted to use in processing cotton necessary for marketing.
7. Land and improvements devoted to use in processing wine grapes for marketing.
8. Land and improvements devoted to use in processing citrus for marketing.
9. Land and improvements devoted to use as fruit or vegetable commodity packing plants that do not cut or otherwise physically alter the produce.
10. Land and improvements owned by a dairy cooperative devoted to high density use in producing, transporting, receiving, processing, storing, marketing and selling milk and manufactured milk products without the presence of any animal units on the land.
11. Land of at least five acres and improvements devoted to algaculture. For the purposes of this paragraph "algaculture" means the controlled propagation, growth and harvest of algae.
12. Land and improvements devoted to agritourism as defined in section 3-111.

Mansker Agritourism Application - Opposition

Agritourism: (Town of Camp Verde P&Z Ordinance Section 103 – “Is the act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle. Visitors may participate in events and services related to agriculture which may take place on or off the farm or ranch, and that connect consumers with the heritage, natural resource or culinary experience they value. This may include but not limited to; farm stands or shops, U-pick, on-farm classes, fairs, festivals, pumpkin patches, wineries, barn dances, corn maze, hunting, fishing, guest ranches, agricultural tours, wildlife viewing or bird watching, wine tasting.”

Agritourism: (Arizona Revised Statutes 3-111.2 – “Agritourism” means any activity that allows members of the general public, for recreational or educational purposes, to view, enjoy or participate in rural activities, including farming, ranching, historical, cultural, u-pick, harvest-your-own product or natural activities and attractions occurring on property defined as agricultural real property pursuant to section 42-12151 if the activity is conducted in connection with and directly related to a business whose primary income is derived from producing livestock or agricultural commodities for commercial purposes.

Mansker Agritourism Application - Opposition

Planning and Zoning Ordinance – Section 305 – Animals

“Keeping of farm animals in appropriate locations and circumstances is regarded as being consistent with the Town’s rural character. However, the number, size, type or manner in which animals are maintained on any **parcel** shall not impair the enjoyment or use of nearby properties or violate other legal restrictions to which the properties are subject. Any lot where farm livestock are kept must be not less than one-half acre (21,780 sq ft.) in area.

Fowl (chickens, ducks, geese, turkeys, and peacocks) rabbits, guinea pigs, which are cared for the by the property owner or occupant as prescribed in Section 305.C.3, are not limited to a maximum number of animals.

A. Allowed Livestock

Any of the species listed below which are cared for by the property owner or occupant according to the following Animal Points. All livestock Activity within the Town limits will be considered an accessory use to the principal use on any parcel except in the Agriculture District.

1. Lots of one-half acre to one acre in area may maintain animals totaling up to 24 points as set forth below.
2. Lots of one acre or more may increase the allowable number of points by an increment of six points for each additional contiguous quarter acre.

B. Animal Points Allowed Per Acreage

The allowable type and number of animals permitted on a particular property is computed by the following allotment table:

| Species (or associated types) | Points | Species (or associated types) | Points |
|--------------------------------------|---------------|--|---------------|
| Alpacas: | 3 POINTS | Miniature horses, Ponies and Sicilian donkeys: | 6 POINTS |
| Emus: | 3 POINTS | Ostriches: | 6 POINTS |
| Pygmy goats: | 3 POINTS | Cattle: | 12 POINTS |
| Sheet, Goats: | 4 POINTS | Domestic deer: | 12 POINTS |
| Llamas | 6 POINTS | Horses, Mules, and Donkeys | 12 POINTS |

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

Mansker Agritourism Application - Opposition

2. Exceptions:

- a. Young nursing animals of allowed adult livestock are not counted.
- b. Swine may only be raised on property of an acre or more under the following conditions:
 1. One pet or butcher pig per parcel.
 2. Additional Swine, breeding or reproduction stock requires Use Permit approval in accordance with Section 305.C.1.
 3. All pens containing swine must meet the setback requirements for the zoning district.
 4. Additional 4-H or FFA swine will require a Temporary Youth Organization Use Permit as set forth in Section 305.C.2.d below.

C. Additional Requirements for keeping Animals

1. **Use Permit:** A use permit is required for any of the following:
 - a. Any Commercial Livestock Activity that exceeds allowed animal points and defined as raising livestock for sale for pecuniary gain and selling more than one litter or more than ten animals in one year, other than horses and cattle.
 - b. Any Livestock Breeding Activity as defined as an ongoing breeding project that involves two or more reproducing adults, other than horses or cattle. (Swine breeding is addressed in paragraph B.2.C).
2. **Temporary Youth Organization Use Permit:** The Community Development Director may issue a Temporary Use Permit allowing the following livestock under the following conditions and using reasonable discretion:
 - a. Supervised youth livestock market project of one market animal conducted on property less than one-half acre, or for one swine on less than one acre, for a period specified by a start and stop date not to exceed ten months in duration.
 1. One Additional market swine project will be allowed with each additional one-half acre, not to exceed 5 swine per parcel.

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2. Swine will be restricted to one market swine project per youth organization member.
 - b. Supervised youth livestock market project that exceed the number of animals allowed according to the animal points on property greater than one-half acre in size.
 - c. An application for the Temporary Use Permit shall be submitted to the Community Development Director, or designee, who shall determine that the application meets the criteria set forth in this Zoning Ordinance. There will be no charge for the Permit.
 - d. An Application shall bear the signature of the local livestock Youth Advisor acknowledging that the project is a valid youth project, and the signature of at least one parent or guardian, as well as the signature of the youth acknowledging and accepting complete responsibility for the project.
 - e. If the Youth Advisor agrees in writing to accept all enforcement responsibility for his/her members, no review will be required by the Community Development Director.
 1. In September the Youth Advisor must register with the Community Development Department agreeing to this commitment.
 2. The Youth Advisor will provide the following documentation to the Community Development Department by December 1st.
 3. A sign must be posted on the property where the livestock activity will be conducted, indicating membership in the Youth Livestock Organization, the year in which the project is conducted, and number of livestock.
 4. If complaints are received and compliance cannot be met, the Youth Advisor will notify the Code Enforcement Official and will support any action taken by the Town.
 5. The ultimate decision on whether the activity is in compliance with the current Town Code will be made by the Community Development Director or designee.

Mansker Agritourism Application - Opposition

- f. A decision of the Community Development Director or designee may be appealed to the Town Council pursuant to Section 602 B.
 - 1. The livestock market projects shall be of a limited duration specified by a start and stop date not to exceed ten months in one calendar year, allowing for care, feeding and grooming of such animals to be shown and/or sold annually at such events such as the Verde Valley, Yavapai County and/or Arizona State Fair.
 - 2. In the instance that a prize-winning animal is to be entered into competition for more than one time, an extension of the permit may be applied for, and after evaluation by the Community Development Department, conditionally extended.

3. Maintenance of Livestock Facilities.

- a. All structures and pens for animals shall be maintained in a clean and slightly (sic) manner so as not to be a nuisance to their neighbors.
- b. Stables, barns, or structures used for housing or feeding animals must observe the same setbacks or yards as the dwelling unit.
 - 1. Exception: lots directly abutting National Forest Service Land, Trust Land and BLM Land in the rear and/or lots directly abutting designated Open Space may encroach in the rear setback requirement. The distance from the rear setback is twice the height of the structure. The side setback and front setback must be maintained in all instances.
- c. Where the keeping of such animals becomes a nuisance, as defined in the current Town Code, the Code Enforcement Official shall have the authority to determine a reduction in the number of and/or removal of the animals as necessary to comply with the current Town Code.
- d. The Code Enforcement Official has the authority to determine that removal of the animals in circumstances where they constitute a health or safety hazard to human beings is necessary to comply with the current Town Code.

Good Evening Mr. Chairman and Commissioners:

This evening we are here to discuss the application for an Agritourism permit by Mr. & Mrs. Mansker.

I am here to speak in opposition of this permit. I have also prepared a packet that I hope each of you will take the time to review before taking any action this evening.

The Mansker property is in the RR designation and abuts R1L-70 property.

The acreage is 4.69 acres that includes a primary residence, a garage, a garden, an arena, parking for the arena guests, an area for RV guests, and the remaining property is to be utilized for housing a large contingency of livestock. The livestock will be housed directly across the street from the R1L-70 properties.

The Manskers have owned this property since 2021 and during that entire time they have been in noncompliance with Section 305 of the Town's Planning and Zoning Ordinance that outlines the number of large animals allowed properties within Camp Verde.

Additionally, they are requesting an Agritourism permit, however their property and uses do not meet the definition of Agritourism as defined by both the Town's P&Z Ordinance and the Arizona Revised Statutes. In both instances, the definitions require that the activity of Agritourism be conducted in conjunction with a "working farm or ranch". Mr. Mansker's property is not either a working farm or ranch. His property is a roping arena that is utilized for recreational activity. The Arizona Revised Statute definition actually goes further to require "if the activity is conducted in connection with and directly related to a business whose primary income is derived from producing livestock or agricultural commodities for commercial purposes." Again, the Mansker request does not meet this level of requirement.

The application is also flawed. I have repeatedly requested, through public records requests, confirmation of the requirements listed on the application form and the Town has not only failed to provide me with this information,

they have admitted that it does not exist. While being told it did not exist, I now see that there is information in this packet that was not made available to me through my records request. (I have provided you a list of the required items that are missing from that application packet.)

Additionally, Mr. Mansker has failed to demonstrate an ability to follow the rules from the time he moved into this particular property. He moved here with the intent of having a roping arena (not an approved accessory activity as defined in the P&Z ordinance for the RR zoning area and a zoning interpretation by the Community Development Director), he has consistently housed large animals that are far in excess of the allowed amount by code and he placed his animals onto forest service land without proper authorization to potentially avoid detection by local inspectors.

The Commission is in place to protect the property rights of all citizens and we depend on you to do so. Allowing this Agritourism Permit to proceed when it clearly does not meet the definition within the code is not acceptable. Please do not proceed with an affirmative vote to forward this to the Town Council for approval.

Errors and Omissions of Application

The rear side of the Use Permit Application has an Application Checklist of required information. In reviewing this checklist, there are items that are missing from the application and that we feel may have been omitted from the process.

Item 4 states: Written Legal Description of property

The property legal description is missing completely from the application. Additionally, the parcel numbers listed on the front page of the application are inaccurate. If you place these numbers into the interactive Yavapai County mapping system it indicates they do not exist.

Item 8 states: Site Plan, (24"x36" or as approved) ... See Section 400.D.1 for preparation of a Site Plan – Vicinity map

400.D.1 requires that the Site Plan be drawn to scale. The current site plan is not to scale.

It also requires Existing or proposed points of vehicular access. This too is missing from the site plan.

Location and layout of on-site parking spaces and driveways – This is also missing from the site plan.

There are numerous other missing items from the map that are outlined in 400.D.1

Item 11 identifies the requirements for the Neighborhood Meeting.

This section requires that the subject property is posted with information about the neighborhood meeting. The application requires a photo of the posting be included in the application packet.

The letter that is required in this section must include an option to provide written comments. This did not occur, nor did the letter contain the contact information for the applicant.

Finally, and probably most important is the fact that this meeting was not properly advertised. The meeting is to be posted in the identified locations and posted on the Town Website. Numerous checks of the Town Website where meetings for the P&Z are routinely advertised/posted did not reveal tonight's meeting. I was advised that those in the immediate neighborhood did receive an amended agenda, but there was not one located in the proper space on the Town's site. I was also told that there was an agenda posted under the P&Z Calendar, but that is not a location that is easily found on the Town's website.

In Opposition to Issuing an Agritourism Special Use Permit for Parcels 404-12-422C and 404-12-422C

- It does not appear as if the specifications outlined in the Planning & Zoning Ordinances were accurately followed.
 - In Section 103 Definition of terms... “shall” means mandatory.
 - **SECTION 103 - DEFINITION OF TERMS**
 - For the purposes of this Zoning Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. Words, phrases, and terms not defined in this Zoning Ordinance shall be given their usual and customary meanings except where the context clearly indicates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. **The word “shall” is always mandatory and not permissive; the word “may” is permissive and not mandatory.**
- On page 176 of the Planning & Zoning Ordinances regarding the citizen review and participation process for Use Permit applications:
 - 1. **Citizen review and participation process** is required for all zone change applications or **Use Permit applications**:
 - a. Prior to any public hearing, the applicant or an appointed representative shall arrange a meeting with the planning staff which identifies development issues as well as arrangements and scheduling for the neighborhood meeting described in subsection **b** below.
 - b. The applicant or an appointed representative shall conduct a neighborhood meeting designed to inform adjoining residents and property owners about the proposed zone change, specific plan application or Use Permit.
 - c. At least 15 days prior to the scheduled neighborhood meeting, the applicant shall notify all property owners within 300 feet of the subject site by first class mail and post the actual property with meeting date and time. The notification shall include the date, time and place for the neighborhood meeting, as well as a description of the proposed land uses. The applicant shall provide an affidavit attesting to this notification being accomplished.
 - d. It is the responsibility of the applicant or their representative to conduct the meeting, provide an opportunity for a question and answer period by the audience, and identify a point of contact to the public for follow-up questions and comments.
 - e. **The applicant shall prepare a written summary of the meeting by way of affidavit, including a list of attendees and the issues and concerns discussed and submit a copy of the summary, with a photo of the posting on the property and a copy of the meeting announcement letter, to the Planning Department within 15 days after the neighborhood meeting.**

- Only 1 meeting was ever held and that was in November of 2022. The summary of that meeting was not at all accurate and we have an audio recording of it that will prove the point. The application described in that meeting was never filed. In the meantime, a new application was drafted and was subsequently modified at least 3 times without public input or notice.
- We did not receive notice of this review by the Planning and Zoning Commission hearing until April 1st, 2023. This was only 13 days prior to the hearing instead of the requisite 30 day. This left us insufficient time to properly articulate our objections.
- In June of 2021 Mr. Mansker was issued a Special Use Agreement by the Community Development Department regarding excess animals on his 2 parcels with the following stipulations:
 - He must remove the animals within 14 days and comply with the ordinances. He then could have additional roping steers on the property under the following conditions.
 1. Only while it was in use by his Friends and Family
 2. The animals must be removed when his guests left.
 3. The animals must be removed by sunset.
- This “Agreement” was improperly issued by the Community Development Department and amounted to a Special Use Variance without going through the processes for such as stipulated in our Town’s Ordinances and bypassing this very Commission.
- Mansker has never complied with the ordinance or the original Special Use Agreement and, therefore, granting the permit creates a moral hazard. These violations have been well documented by my wife Jill Irvin and she has submitted it to you in a separate packet.
- Mansker has created a nuisance and granting the application will only make it a worse nuisance. This nuisance has been well documented by my wife Jill Irvin and she has submitted it to you in a separate packet.
- The power to grant a use variance like the one Mansker wants should be used “sparingly” because otherwise it nullifies the purpose in enacting the Ordinance: Those Ordinances specify the number of large animals that can be reasonably cared for on a property of that size without by definition creating a nuisance.
- **AGRITOURISM:** Is the act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle. Visitors may participate in events and services related to agriculture which may take place on or off the farm or ranch, and that connect consumers with the heritage, natural resource or culinary experience they value. This may include but not limited to; farm stands or shops; U-pick, on-farm classes, fairs, festivals, pumpkin patches, wineries, barn dances, corn maze, hunting, fishing, guest ranches, agricultural tours, wildlife viewing or bird watching, wine tasting.
- Agritourism would have to occur on a property zoned and used for Agriculture. A property zoned for Agriculture must be 5 acres or more. This property is not.
- A Team Roping Training Facility is not Agriculture. Not a single morsel of food has ever been harvested on that property.

- The purpose of this facility is not to promote tourism. He states clearly in the application that it is for private use.
- Adding references to 4H and FFA is pure window dressing. In the 2 years that Mansker has been in violation of the Animal Points Ordinances he has held exactly 1 such youth event and then it was post working with the Community Development Department on this application.
- Over the last two years Mr. Mansker with the assistance of the Community Development Department has made every possible attempt to circumvent our Town's Ordinances regarding the number of animals allowed on his property. This has been done with the sole purpose of fully stocking his Team Roping Training Facility for his personal use and that of his friends and family. By no stretch of the definition of the term Agrotourism could this facility possibly comport.
- When we purchased our property there was not an overstocked Team Roping Training Facility across the street or anywhere else in our Rural Residential neighborhood. We read the Town's Ordinances regarding animal points prior to purchasing the property to ensure our hobby farm would be in compliance. We assumed that those codes would be enforced and the lifestyle of the neighborhood we were buying into would be protected. We did not suspect someone with connections inside the Community Development Department would be able purchase a property then immediately overstock it with large animals, then to have those very same ordinances selectively unenforced and eventually a Special Use Variance granted as a method to nullify those ordinances for the benefit of a single individual, his friends and family.
- We were here first. Granting this permit for this personal Team Roping Training Facility will diminish property values in the neighborhood, ours included. It will forever change the character of the neighborhood and will be the dominating feature. We in no way will be compensated for these losses let alone the loss of our ability to use and enjoy or property the way we had intended when we purchased it.
- We urge this commission in the strongest of terms to deny this variance in any form or with any conditions. There is ample evidence to show that any conditions set forth will not be complied with or enforced.

Timeline ... (last update April 11, 2023)

My husband, Stephen Magoon, and I purchased 3510 S Sierra Ln in Camp Verde on **November 27, 2019**. We rented it back to the Fields (previous owners) until January 2020 and then began our move up there. We lived part time in Chandler and part time in Camp Verde until May 2020, when we were finally finished moving. We have lived at this address ever since. At the time, 2083 E Hardy Ln was an irrigated property with 2 horses who we would see grazing on occasion.

April 2021: The following year, Trampus & Bonnie Mansker took ownership of 2083 E Hardy Ln in April 2021, brought in sand and put up new fencing. They put up outdoor pens that held 8-11 horses. The property is 4.69 acres and the approved number of large animals by the Town of Camp Verde is 9-10.

May 25, 2021: A livestock truck dropped off 20 roping steers in addition to his 10 horses. **(Exhibit B)**

May 27, 2021: Initiated excess livestock complaint with Cliff Bryson, current Compliance Officer at Camp Verde.

Week of June 6-11, 2021: We called to follow up on our complaint and Melinda Lee explained that Cliff had moved on. She stated she was the new Compliance Officer and agreed to visit our property. She came out, talked to Stephen and agreed Mr. Mansker was out of compliance. She said she would work to resolve the issue.

June 12, 2021: We noticed some steers were removed but then returned sometime June 14 - 18. Sent email to Melinda Lee asking for an update.

June 21, 2021: Steers remained. We contacted Melinda again. She stated in an email to Stephen that "they were working on it."

Week of June 25 - 31: Steers were removed and Mansker was in compliance.

July 1, 2021: Melinda Lee sent email to Stephen with agreement attached.

On Jul 1, 2021, at 3:49 PM, Melinda Lee <Melinda.Lee@campverde.az.gov> wrote:

Mr. Mansker~

This is notification that your property is now in compliance with the P&Z Ordinance. A site visit today revealed that the excess animals have been removed.

As we discussed, you may use the arena on your property for personal use, including friends/family. Other animals may be brought to the property to use in the arena, but must be removed the same day. You must also make sure you manage potential nuisance issues such as dust, noise, lighting, or odors. The arena may not be used for public events until you receive an approved Use Permit.

We appreciate your quick response in resolving the issue with the excessive animals. If you have any questions or concerns about the future use of your property, please feel free to contact our office.

Info

Add a Title
IMG_1469.HEIC
June 10, 2021 9:05:08 AM

Apple iPhone 12 Pro
Telephoto Camera — 52 mm f/2
4032 x 3024 2.2 MB **HEIF**

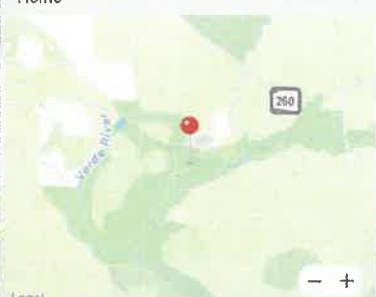
ISO 25 65 mm 0 ev f/2 1/3425 s

Add a Caption

Add a Keyword

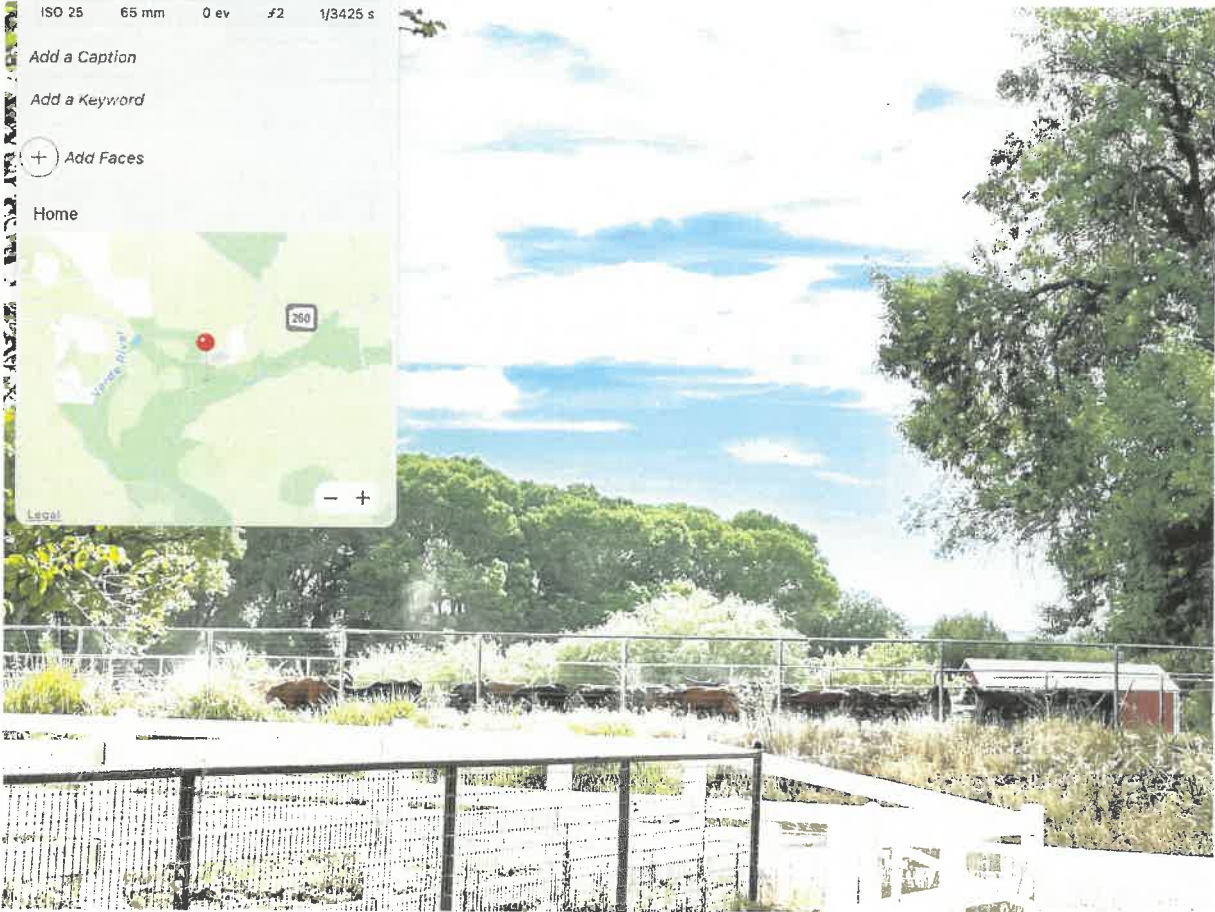
+ Add Faces

Home

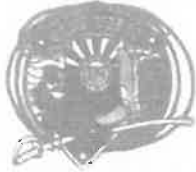


Legal

Exhibit B



We learned through a public records request that Mr. Mansker received three communications regarding this issue from Melinda Lee. 1) the email above 2) a phone conversation where Mansker inquired "if his arena could be used for personal use, as they do not intend to hold events for the public." Melinda: "I said that he could as long as they managed it well and did not create a nuisance to the neighborhood. They could bring in additional horses or steer, but they would have to be taken off the property when their guests left." (Exhibit C) and 3) A courtesy notice of violation:



**Town of Camp Verde
Community Development-Code Compliance
Melinda Lee, Director**

♦ 473 S. Main Street Suite 109 ♦ Camp Verde, Arizona 86322-7246 ♦
♦ Telephone: 928.554.0050 ♦
♦ www.campverdeaz.gov ♦
♦ communitycodecompliance@campverdeaz.gov ♦

Courtesy Notice for Planning and Zoning Ordinance Violation(s)

06/11/2021

Trampus & Bonnie Mansker
2083 E Hardy Ln
Camp Verde, AZ 86322

Compliant Number: 20210067
Parcel: 404-12-422D
Parcel Address: 2083 E Hardy Ln, Camp Verde, AZ 86322

**PLEASE READ THIS NOTICE COMPLETELY
YOUR RESPONSE IS REQUIRED WITH THIS NOTICE**

To: Owner-Occupant

This Courtesy Notice is to inform you that the Community Development Department has received a complaint about an alleged Planning and Zoning Ordinance Violation or has observed that a Planning and Zoning Ordinance Violation at 2083 E Hardy Ln parcel 404-12-422D.

A Code Compliance Officer or Building Inspector performed an inspection of the property on 06/10/2021 and determined that the above property is in violation of the following Planning and Zoning regulation(s):

This Courtesy Notice is being sent to the owner-occupant on record providing 16 days from the date of this Courtesy Notice to bring the above property up to the required Planning and Zoning Ordinance regulations. As such, you will have until 06/27/2021 to bring the above property into compliance.

THE FOLLOWING IS THE CORRECTIVE/MITIGATION ACTION NEEDING TO BE TAKEN BY 06/27/2021 TO BRING THE ABOVE PROPERTY INTO COMPLIANCE:

P&Z Ordinance, Section 305, Animals. A total of 4.69 acres, when combined, would allow 120 animal points. Large animals such as horses and cattle are 12 points each, thus allowing up to 10 large animals. There were 10 horses, with one young nursing animal (not included in the points) and 20 young steers. This is an excess of 20 total animals, which will need to be removed. Section 203.D, Use Districts, RR District, requires the approval of a Use Permit for Agri-Tourism activities. The development of a large arena on the site and the keeping of numerous horses and steers provides evidence of potential public gatherings on the property for the purpose of roping or other rodeo-related events. This level of activity is PROHIBITED on residential property without the proper public process, hearing, and approval by Town Council.

When the violation or violations have been corrected, please call Code Compliance at 928.554.0050 to schedule an inspection.

If the above referenced property is not brought into compliance by 06/27/2021, additional action can or will be taken by a civil or criminal citation being issued or the Town seeking prosecution by filing a complaint with the Camp Verde Municipal Court seeking fines and restitution. Please note that each day that a violation continues shall be a separate offense that is punishable.

If you have any questions or concerns about the violation(s) listed above, please contact Code Compliance at 928.554.0050. If you need additional information, please visit www.campverde.gov, email at www.communitycodecompliance.com or at Town Hall at 473 S. Main Street Suite 109, Camp Verde, AZ 86322-7246.

Case #: 20210067

EXHIBIT C

Case Date: 06/10/21

Priority Level:

Description: Two parcels of approximately 4.69 acres with 8 horses and more than 15 head of cattle.

Status: Closed

Date Open: 06/03/2021

Date Closed:

Inspection Date: 06/03/2021

Next Inspection:

Complainant Name: Stephen Magoon

Complainant Address:

Complainant Phone:

Email Address:

Responsible Party: Trampus Mansker

Complaint Reported via: Complaint Form, 5/27/21

Status: Case Closed- Successfully

Assigned To: Melinda Lee

Property

| Parcel # | Address | Legal Description | Owner Name | Owner Phone | Zoning |
|-------------|-----------------|-------------------|--------------------------|-------------|--------|
| 404-12-422D | 2083 E Hardy Ln | | Trampus & Bonnie Mansker | | RR-2A |

Activities

| Date | Activity Type | Description | Employee | Status |
|------------|----------------------------|---|----------------|-----------|
| 06/03/2021 | 1st Investigation | Observed at least 7 horses and 7 cows. Photos taken, but it is difficult to see the animals, they are at a distance. | Robert Foreman | Completed |
| 06/10/2021 | Complaint Filed | Steven Thomas, a second neighbor, filed a complaint via phone (said the website was not working right). Said they have approximately 10 horses and 30 cattle. Animals do not have shade. Concerned they may be setting up a rodeo ground. They are bringing in dirt and doing site work, as well as installing fences. He was advised that the Town does not deal with the shade structure portion, however, we are following up on a previous complaint filed for this property relating to animal counts. | Melinda Lee | Pending |
| 06/10/2021 | 1st Investigation | Did follow up to get additional photographs. Went to the Sierra Ln side of the property and observed 10 horses, plus a young nursing one and approximately 20 young bulls. Being held in pens on the south parcel. They are developing a large arena. They have 120 points available for animals, which is a total of 10 large animals. A large arena indicates possible public use, which will require a Use Permit. Will sent first notice to the property owners. | Melinda Lee | Completed |
| 06/18/2021 | Email | Received email from complainant that 10 steers were removed from the property. | Melinda Lee | Completed |
| 06/22/2021 | Email | Bobbi sent Trampus the Use Permit Application and associated documents. | Melinda Lee | Assigned |
| 06/30/2021 | Telephonic Meeting_Message | Mr. Mansker called to discuss his notice. Said he has removed all of the steer and one horse, so he is now compliant with the animal count. He asked if his arena could be used for personal use, as they do not intend to hold events for the public. I said that he could as long as they managed it well and did not create a nuisance to the neighborhood. They could bring | Melinda Lee | Completed |

in additional horses or steer, but they would have to be taken off the property when their guests left. He said they have a dumpster that is emptied weekly and plan to install a sprinkler system to keep the dust down.

He asked who filed the complaint; he wants to reach out to them and make sure he establishes a good neighbor relationship with them. I told him he could put in a records request and we would provide him with a copy of the complaint. He also mentioned that he was cutting trees for a neighbor and was reported to the Forest Service; the property in question extends over onto FS land and they were not aware of that. He has concerns about getting off with a bad start and wants to make amends and work with the neighbors.

| | | | | |
|------------|---------------------------|---|-----------------|-----------|
| 07/01/2021 | Final Investigation | Did site visit and observed all of the steer gone, with only 8 horses still on site. Sent email stating they were now in compliance. Also sent a bcc: to the complianant. | Melinda Lee | Completed |
| 09/22/2021 | Additional Investigations | Jill Irving [REDACTED] called to report that the property owner has brought in 6 additional steer that have been on site for a few days. This exceeds their allowed animal count, which is currently being used for horses. | Anthony Apodaca | Assigned |

Uploaded Files

| Date | File Name |
|------------|---|
| 07/02/2021 | 9158807-RE Records Request msg |
| 07/02/2021 | 9158803-Records Request msg |
| 07/02/2021 | 9158765-2021.0067.pdf |
| 07/01/2021 | 9156910-Compliance Case #20210067 msg |
| 06/28/2021 | 9122306-Re Zoning complaint form regarding 2083 E Hardy Trail msg |
| 06/28/2021 | 9122249-agri-tourism application msg |
| 06/11/2021 | 9002607-2021-0067 2083 E Hardy Ln 1stNOV 061121.pdf |

We were never told we could file an appeal and we never complained when Mr. Mansker was roping in his arena because of Melinda Lee's agreement. *It was only when he did not follow the agreement and started using his property as a feedlot, and we were overcome with flies and odors, that we filed complaints, as evidenced by the photographs.*

June 2021: The Coconino Forest across the street from our home was closed because of the Backbone fire that had been raging across Wingfield Mesa. We heard and saw Mansker with a chain saw, clearing a strip of forest service land across the street from our house and hauling the limbs and branches away in a trailer. We reported it to the Forest Service because we were worried the chain saw would start a fire.

July 7, 2021: Sent email to Amy Tinderholt, Coconino Forest District Ranger, regarding suspected encroachment on FS land. The Nature Conservancy had identified a potential encroachment/ditch irrigation issue and because of our proximity to the area, I was asked by our HOA to look into it. I mentioned that in addition to the encroachment, I had noticed clearing of FS land by Mr. Mansker next to the encroachment area.

July 18 - 24, 2021: Sean Murphy, FS Real Estate Specialist, visited the encroachment area.

July 29, 2021: I received a response from Amy saying they were working on the fire. She discussed with Sean another visit to the area. He said in addition to the encroachment, he had noticed an area adjacent to the encroachment area and behind Mansker's property that had been recently cleared. Sean became my point of contact with the FS for the encroachment issue. **(Exhibit D)**

September 25, 2021: Verified Mr. Mansker's cattle were grazing on FS land. He was keeping his cattle on forest service land and moving them onto his land for roping.

October 6, 2021: Received an email from a neighbor who lives on Hacienda Ln complaining about the smell from the cattle and asking when the issue would be resolved.

October 20 - 21, 2021: Stephen reported excess animals on Mansker's property to the Town of Camp Verde. He sent a map to Anthony showing where the excess animals were kept on Mr. Mansker's property and then moved onto FS land. He also showed that if Mr. Mansker was moving them onto an adjoining property, which he claimed, then that neighbor would have excess animals and be out of compliance. **(Exhibit E)**

October 20, 2021: Anthony sent an email stating he would "monitor" the property.

From: "Murphy, Sean -FS" <sean.murphy@usda.gov>
Subject: RE: [External Email]Encroachment question
Date: July 29, 2021 at 11:23:32 AM MST
To: Jill Irvin <jill.irvin@me.com>

Hi Jill,

So you live in the large green and white house with the magnificent cottonwoods in the front yard? I did not understand what I was seeing when I visited. After looking at Google Earth street view today I have a better understanding of where the old fence line was (the imagery was from 2012) and how it has been extended. I was loathe to start wandering around since I wasn't 100% certain where our property was in relation to where I was seeing fences.

I will be visiting the site again next week now that I have a better grasp of where the FS land is in relation to the structures and property lines. It seems the neighbor at the 90 degree corner of the street also has extended their fence into the Forest. Thanks for your time.

Sean Murphy
Realty Specialist
Forest Service
Coconino National Forest
p: 928-527-3418
c: 928-266-6154
sean.murphy@usda.gov
1824 S Thompson St
Flagstaff, AZ 86001
www.fs.fed.us
Caring for the land and serving people



3 Parcels were displayed

Please Select:

- Parcel 404-11-013
- Parcel 404-11-014
- Parcel 404-11-015
- Parcel 404-11-016
- Parcel 404-11-017
- Parcel 404-11-018
- Parcel 404-11-019
- Parcel 404-11-020
- Parcel 404-11-021
- Parcel 404-11-022
- Parcel 404-11-023
- Parcel 404-11-024
- Parcel 404-11-025
- Parcel 404-11-026
- Parcel 404-11-027
- Parcel 404-11-028
- Parcel 404-11-029
- Parcel 404-11-030

Exhibit E

October 21, 2021: Emails between Anthony & John Knight below

From: Anthony Apodaca
Sent: Thursday, October 21, 2021 3:35 PM
To: John Knight
Subject: Re: Code Case Number 20210185

Yeah possibly, I did explain it to his wife. I'm not going to respond right away, I'll wait till next week on Tuesday or so.

Anthony

Sent from my iPad

On Oct 21, 2021, at 3:32 PM, John Knight <John.Knight@campverde.az.gov> wrote:

He may not realize we don't have any authority on Forest Service Land. Sort of like we don't have any authority on tribal land.

John Knight

Community Development Director, Town of Camp Verde
473 S. Main Street, Suite 108
Camp Verde, AZ 86322
928-554-0050 (main)
928-554-0053 (direct)

From: Anthony Apodaca
Sent: Thursday, October 21, 2021 3:31 PM
To: John Knight <John.Knight@campverde.az.gov>
Subject: Re: Code Case Number 20210185

Well, really if they are on forest land then that's between Forest service and Mr. Mansker, but yes I will keep you posted.

Sent from my iPad

On Oct 21, 2021, at 3:28 PM, John Knight <John.Knight@campverde.az.gov> wrote:

Interesting. Magoon has done his research. Let me know how it goes on Monday.

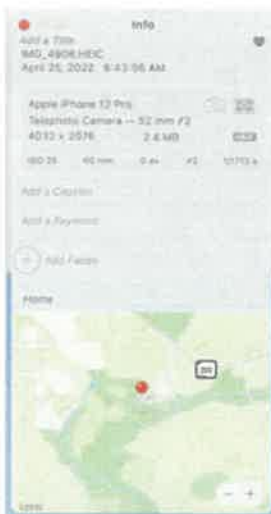
Thanks,

John

John Knight

December 16, 2021: Stephen reported excess animals on Mansker's property. (24 large animals). Mansker had put food on his land for them and they grazed all day. He was not roping them. I have photos from December 10,14,15,16,24,28,29,30,31 and January 2,3,4 showing cattle on his land eating large bales that had been put out for them. This was not the agreement made with Melinda Lee. **(Printed Dec 24 and January 4 as Exhibit F)**

December 28, 2021: Anthony responded, saying he was "monitoring the properties and did not see anyone out of compliance."



Twitter
April 25, 2022 at 8:43:06 AM · 1,705 retweets



Exhibit F

Info


Add a Title
IMG_3785.HEIC
December 24, 2021 10:49:31 AM

Apple iPhone 12 Pro
Telephoto Camera — 52 mm f/2
3952 × 2527 3.1 MB

ISO 25 101 mm 0 ev f/2 1/279 s

Add a Caption
Add a Keyword
+ Add Faces

Home



Info

Add a Title

IMG_3921.HEIC

January 4, 2022 10:43:31 AM

Apple iPhone 12 Pro

Wide Camera — 26 mm f/1.6

3593 x 610 4.3 MB

ISO 32 26 mm 0 ev f/1.6 1/2020 s

Add a Caption

Add a Keyword

+ Add Faces

Home

Camp Verde

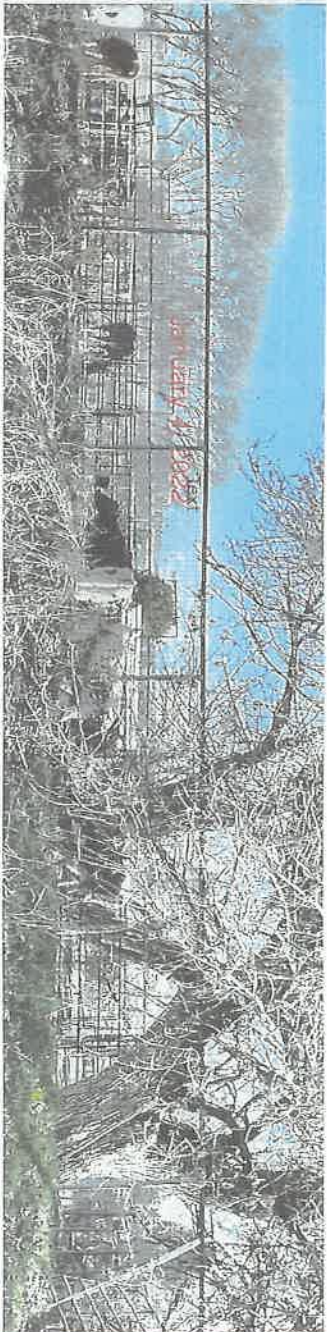


Exhibit F

December 30, 2021: Anthony sends an email to Mr. Mansker asking when he could “schedule an inspection.”

January 6, 2022: John Knight claimed there were no excess animals on Mansker’s property.

January 20, 2022: Anthony Apodaca closes the complaint, stating the complaint was “unfounded.”

Note: From approximately January 6 to March 26, the excess animals were mainly kept on FS land or out of sight on Ashcraft’s land, so we just worked with and waited for resolution from the Forest Service. I don’t believe we filed any more complaints with the Town of Camp Verde during this time.

March 26, 2022: FS issue was resolved and excess animals were back on Mr. Mansker’s land.

April 12, 2022: I reported excess animals to Anthony (13- 18 animals). I copied my email below so you have an idea of my approach: (please note “shall” is defined as “mandatory” in the Town Codes)

Compliance Officer,

As you know, the first paragraph of Section 305 - Animals, in the Planning & Zoning Ordinances And Subdivision Regulations for The Town of Camp Verde, states:

“Keeping of farm animals in appropriate locations and circumstances is regarded as being consistent with the Town's rural character. **However, the number, size, type or manner in which animals are maintained on any parcel shall not impair the enjoyment or use of nearby properties or violate other legal restrictions to which the properties are subject...Where the keeping of such animals becomes a nuisance, as defined in the current Town Code, the Code Enforcement Official shall have the authority to determine a reduction in the number of and/or removal of the animals as necessary to comply with the current Town Code.**”

For almost a year (May 2021), multiple residents of the Town of Camp Verde who live near 2083 E Hardy Trail have complained about the excess animals on parcel 404-12-422C and the resulting flies, smell, noise and dust the animals and their care generate. While there have been periods of time when Mr. Mansker has been in compliance, excess livestock (13 - 18 horses and steers) were noted on his property starting Friday, April 8 and have been present for at least 5 consecutive days. Previously we were told by your office that the allowed number of animals on Mr. Mansker’s property is 10. Because of the number of large animals confined to this small area, the enjoyment of a walk, bike ride or a drive down Sierra Lane is impaired by flies and the persistent odor of livestock. The residents who live along Sierra Lane and as far west as Hacienda Lane are also impacted by the smell and flies. After Mr. Mansker's first offense in May of last year, Melinda Lee, the Compliance Officer at the time, made an agreement with him that allowed him to bring in “excess livestock” with very specific instructions (hours, not days).

In July 2021, Melinda Lee wrote:

“Mr. Mansker,

This is notification that your property is now in compliance with the P&Z Ordinance. **A site visit today revealed that the excess animals have been removed.**

As we discussed, you may use the arena on your property for personal use, including friends/family. **Other animals may be brought to the property to use in the arena, but must be**

removed the same day. You must also make sure you manage potential nuisance issues such as dust, noise, lighting, or odors.”

Mr. Mansker has not kept his agreement with the Town of Camp Verde, however, as a short time later, as early as September 2021, the excess livestock returned. At that time, 10 head of cattle (in addition to his 7+ horses) had mostly remained on his property or moved just a few feet away and the result was constant flies, dust, noise, and odors. They were not being *“brought to the property to use in the arena but removed the same day”* as Melinda Lee stated they must be. This issue has continued intermittently since his first offense. Excess livestock are being fed and cared for and allowed to remain for days.

At this point, we believe the agreement between Melinda Lee and Mr. Mansker should never have been made because he does not follow it as specified. If Mr. Mansker does not have to comply with town ordinances or keep his agreement, none of the residents living in the Town of Camp Verde do. Some of the residents have been taking photographs every single day. They are all time and date stamped. If you would like written statements, we can gather those as well. I understand that it may be difficult for you to understand our situation when you are only out here for a short period of time, but we live in this neighborhood. This is our home. Some of the residents have been here for decades and are impacted by this situation almost every single day.

We have been told that Mr. Mansker is a business man in the area. We have difficulty believing he would intentionally want to negatively impact his neighbors and potential customers, so we aren't sure why this problem persists. All we are asking is that Mr. Mansker follow the same codes and ordinances as the rest of us do for the safety, comfort and enjoyment of everyone in the neighborhood. Please enforce the Town of Camp Verde's ordinances so that we may enjoy our properties and our neighborhood again.

Thank you, Jill Irvin

April 13, 2022: Anthony acknowledged receipt of this complaint.

Hello,

This email is to confirm that I received your email and complaint form. I will open a case on this and look into these complaints.

Thank you

April 13, 2022: Email from John to Anthony: “Is this the same one that complained before ? When we went out there I didn't see any issues.”

April 26, 2022: I sent the email below.

Good afternoon,

It has now been over two weeks since we first noticed the excess livestock on Mr. Trampus Mansker's property (2083 E Hardy Lane) and 13 days since you acknowledged receipt of our complaint. We have counted 15 head of cattle and 4 horses on Mr. Mansker's 4.69 acre property. The cattle and horses are allowed to graze and roam on his property all day until late afternoon, when the cattle were driven into a pen just out of sight. Your office told us Mansker had previously stated that he moves his excess animals to an adjoining neighbor's land. If those 15 head of cattle are being driven onto Ashcraft's 5.84 acre property, then Ashcraft is out of compliance (he also has horses of his own) when they are on his land. As I write yet another complaint this afternoon, there are at least 19 animals being fed on Mr. Mansker's property. They are not being used in the arena - they are allowed to remain and graze all

day. In the late afternoon, they are moved onto Ashcraft's land. When they are there, Mr. Ashcraft is out of compliance.

We cannot open our windows at night because of the smell. We have been driven off our patio by the flies. We have three mustangs on over 4 acres and take great care to remove our own manure every day. Unfortunately, it is all for nothing because of Mr. Mansker's unwillingness to simply comply with the same ordinances we do. Weather events have been the only thing that has given us any relief. We all want to enjoy our property and our neighborhood as we were able to before he brought in his excess livestock.

In fact, we have had no relief (except via weather) from Mansker's actions since we first reported the excess livestock (smell and flies) in May of last year. You only heard from us intermittently last summer because when Mansker's livestock were not on his property, they were illegally grazing on the Forest Service (FS) land across the street. We spent all last summer working with the FS to remove Mr. Mansker's excess livestock from illegally grazing on forest land and had to deal with flies and odors from his actions all last summer as a result. The FS issue was only resolved in March of this year and now that Mr. Mansker can no longer graze in the forest, he is feeding and caring for his excess animals on his own land again. When he told your office last year that he was moving the excess livestock to Mr. Ashcraft's land, he was actually moving them onto FS land. Sean Murphy, Real Estate Specialist has been our contact with the Coconino Forest. I spoke with him last week and told him I was passing along his information to you.

When Mr. Mansker was first approached about the compliance issue in May of last year, he stated he was not aware of the livestock limit and did not want to get rid of any of his horses (11 at the time) but wanted to be able to rope on his land. Melinda Lee made the agreement to allow him to keep his horses and bring in steers for roping for the day - "to be used in the arena" - not to be allowed to roam and to graze. He cannot say that he is not aware of the livestock limit, nor that he does not understand the agreement. At this point, we believe the agreement needs to be rescinded completely as he is not using it as intended.

We have a beautiful property and neighborhood that we love and want to enjoy. My only child graduates from ASU next month and I am hesitant to schedule a party here because of the smell and odor. Please resolve this compliance issue so we can.

Thank you,
Jill Irvin

April 27, 2022: John Knight emailed us and said they should probably have another visit with Mr. Mansker. (8:30am) I emailed him and suggested he visit our property so he could see the impact Mr. Mansker was having on our property. (1:27 pm)

April 27, 2022: Anthony's response below (4:55pm)

My apologies just getting back to you, I have been busy with meetings and inspections all day today in addition to closing out several cases. Because it's the end of the month, I have a few items I am working on to close out. Tomorrow I have a busy schedule as well, I will reach out to you on Monday after John and I have a meeting.

Thank you.

I have photos April 8,9,10,11,12,14,15,16,18,19,20,21,23,24,25,26,27, & 29 of cattle eating on his land. They would remain there all day and were not roped. Mr. Mansker continued to violate his agreement with Melinda Lee. **(Printed April 8 & 12 as Exhibit G)**

May 4, 2022: - I sent an email to Anthony & John requesting an update on the excess livestock.

Good afternoon,

I would sincerely appreciate an update on the ongoing excess livestock issue between Mansker and Ashcraft's properties. Since they are no longer able to illegally graze livestock on forest service land, within every 24 hour period either Mr. Mansker or Ashcraft has excess livestock. In addition to his horses (7), Mr. Mansker has fed and allowed 15 head of cattle to roam on his 4.69 acre property. In the evening, he moves them onto Ashcraft's 5.84 acres, causing Mr. Ashcraft to have excess livestock (15 head of cattle and at least 2 horses) until the next morning. Starting on April 30, Mr. Ashcraft has had excess livestock continuously, except for a few hours a day when Mr. Mansker has used them in the arena. From at least April 8 to April 29, Mr. Mansker was out of compliance except for the evenings when he moved them to Ashcraft's land.

As I stated previously, until March of this year, Mansker illegally grazed his excess animals on forest service land. Now that he no longer has that option, both he and Mr. Ashcraft are out of compliance at some point every 24 hour period. Residents who live, or want to walk or ride along Sierra Lane, get no relief from the smell and the flies unless there is a weather event. We all have been dealing with this issue since May of last year.

As I also stated previously, the agreement made by Melinda Lee needs to be rescinded completely. Mr. Mansker has repeatedly demonstrated an unwillingness to follow the same codes we all do and the agreement means nothing to him. As residents of the Town of Camp Verde, we all have the right to enjoy our properties. My only child's college graduation is next week, but because of the flies and smell, I had to send out his graduation announcements with a note stating his post graduation party will be "sometime this summer." We have tried to be patient, but this has become beyond ridiculous. Mr. Mansker and Mr. Ashcraft need to comply with the same ordinances the rest of us do.

The most efficient way to resolve this issue is to either inspect both properties simultaneously or to come to our property, so that we can show you where the excess livestock are kept if they are not on Mansker's property. If Mr. Mansker is out of compliance, the livestock can be viewed from Sierra Lane. If they are on Ashcraft's property, they can be seen from FS land. Mansker has already figured out that when a complaint is filed, you call him first, allowing him to continue to have excess livestock on his property, and then move them onto Ashcraft's prior to your inspection. I would like to resolve this issue as soon as possible so that we can enjoy our property this summer. If you have visited his place prior, you are aware that Mr. Mansker keeps his livestock nowhere near his own residence. It is the same with Mr. Ashcraft. They suffer no consequences from having excess livestock, but the rest of us do.

I look forward to your response.

Thank you,
Jill Irvin

May 4, 2022: Anthony to John Knight email saying he doesn't think they should rescind Melinda's agreement.

May 5, 2022: (from John Knight)

Exhibit G

Info

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April 8, 2022 4:03:06 PM

Apple iPhone 12 Pro
Telephoto Camera — 52 mm f/2
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ISO 25 1/8 mm 0 ev f/2 1/1896 s

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April 12, 2022 12:25:49 PM

Exhibit G



iPhone 12 Pro
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December 30, 2021 12:06:12 PM

Apple iPhone 12 Pro
Telephoto Camera — 62 mm f/2
3827 x 2868 4.2 MB

ISO 32 68 mm f/4.0 1/320 s

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Ms. Irvin,

Thank you for the information and explanation. It does sound like things have changed since Mr. Mansker originally discussed this and came to an agreement w/Melinda Lee, our former Director.

Anthony is at a training seminar this week. When he's back next week, we'll sit down together and take another look at the site.

Thank you for bringing this to our attention. John
May 6, 2022: Mansker had a roping event.

May 10, 2022: I sent another email.

Good morning,

While I appreciate your response, it has now been over a month since we filed our most recent excess livestock complaint against Mr. Mansker. To date, we have not seen any change. Excess livestock continue to be moved between Mansker's and Ashcraft's property. As I write this email again this afternoon, Mr. Mansker is out of compliance. The only thing that allowed us to enjoy our property this weekend was the breezy conditions (flies) and wind direction. Mr. Mansker and Mr. Ashcraft continue to have excess livestock without any consequences.

Please see that photograph below that I just took of his 15 head of cattle along with his 7 horses, which are in the background. As you can see he just put out more food for them to graze on. Please detail the timeline for your enforcement of the excess livestock code. Again, we suggest visiting both properties simultaneously or you may also come to our property if you like. We want this issue resolved sooner as opposed to later. It has now been a year since the first excess livestock complaint was filed against Mr. Mansker.

Thank you,
Jill Irvin

May 10, 2022: (from Anthony Apodaca):

Hello Jill,

I do not have an update at this moment, I apologize I was out of the office most of the week last week and John and I just got out of a Hearing. I hope to have an update for you soon, we are still discussing this case and monitoring the property.

Thank you

May 11, 2022: (my reply)

Good morning,

I appreciate the quick response to my email but would be even more appreciative of action on this issue. I am not sure what you mean by "monitoring the property" because if you had been out here to do an inspection, a code violation would have been issued to either Mr. Mansker, Mr. Ashcraft or both, and based on their actions, that has not happened. Mr. Mansker just moved fresh bales onto the area where he

typically allows his excess livestock to graze. Shortly after, he moved his excess livestock from Mr. Ashcraft's land onto his own and did exactly that.

This situation will only escalate as they continue to operate (already knowing they are out of compliance) with impunity. As time passes and the temperatures rise, the flies and odors will become even more unbearable. Unfortunately, Mr. Mansker seldom picks up after his animals. We have only seen manure removal once in the last month.

From page 89 of the January 25, 2021 version of the Town of Camp Verde's Planning & Zoning Ordinances and Subdivision Regulations:

Maintenance of Livestock Facilities.

1. All structures and pens for animals shall be maintained in a clean and slightly manner so as not to be a nuisance to their neighbors.

I am again asking you for a timeline. Do you have a rough idea of when you will be out to do an inspection?

Thank you,
Jill Irvin

May 16, 2022: (from Anthony Apodaca)

Ms Irvin,

John and I meet with Mr. Mansker and he showed us what he does to keep the area clean and how he pro actively keeps the fly population down. I have also visited his property multiple times and I have not seen his animal count over or his property in violation. In addition, Mr. Mansker is following the direction that was given to him by our previous Director Melinda Lee.

As of today this case will be closed, however I will continue to monitor the property to make sure he stays in compliance.

Photos May 10 & 11 show cattle continue to be fed on his land without being roped. (**May 10 Exhibit H**)

May 11, 2022: Letter from Mansker to Anthony and John Knight stating he has reached out to "one particular neighbor" and "they're just not having it." (not sure who he is talking about – Mr. Mansker has never reached out to us.)

May 16, 2022: Anthony sends email to us stating "Mr. Mansker is following the direction that was given to him by our previous Director Melinda Lee."

May 16, 2022: Case is closed "no violation" (although we now have dozens of photographs that prove he was not following the agreement and was using his land as a feedlot.)

May 18, 2022: John Knight sends Mr. Mansker an email telling him the "definition in our code for agritourism is fairly broad. As I understand it, the main purpose is to connect visitors to Camp Verde's heritage and lifestyle." He suggested including "offering to hold 4-H or FFA events. There are other possibilities. You just need to demonstrate that there's a link to the CV heritage and rural lifestyle." He stated that he copied both Cory and Jessica on his email as "they may have additional thoughts/ideas on

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May 10, 2022 3:18:03 PM

Apple iPhone 12 Pro
Telephoto Camera -- 52 mm f/2
4032 x 2408 2.2 MB
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Exhibit H



how you could prepare the application and potential uses.” Mr. Knight also encouraged him to “start with a larger issue of proposed uses than you currently anticipate.” (Exhibit J)

June 1, 2022: The excess livestock had finally been removed so I wrote Anthony and thanked him for his efforts. I told him we could notice a difference with flies and smell. He responded that “he was glad to hear that.”

June 14, 2022: Reported excess animals to Anthony Apodaca. Mr. Mansker had purchased a new group of calves which had been on his property since June 8, in addition to his 8 horses. Anthony said he would reopen a case. The livestock remained through at least June 20.

June 29, 2022: John Knight to Anthony “thanks for the heads up. Didn’t know we had another complaint. Same neighbor? Same issues? As long as he abides by his animal count he is ok.” (Mansker is not abiding by his animal count.)

August 25, 2022: Reported excess animals beginning August 22 (18 large animals). I received a response from Anthony stating he had opened a case.

I have photos & some videos August 25,26,27,29,31 of Mansker’s property again being used as a daytime feedlot. The animals were fed on his land and allowed to remain all day. Sometimes he roped them, sometimes he would not.

September 2, 2022: By September 2, I was really frustrated and left Anthony messages on both his cell and his work number; asking for an update. The smell and flies were overwhelming. I also sent the following email:

Good morning,

I have left messages for Anthony on both his cell number and his work number. My husband also left a message for him earlier this week. I am sure our frustration over this ongoing issue is evident. Mr. Mansker’s actions continue to negatively impact our enjoyment of our property. He has had excess livestock on his property since August 22 and as I type this, he has 18 animals on his (less than) 5 acres, 14 of which are at the end of our driveway. Out of the past 12 days, only once did we see him “use” them for roping, which was the reason for the agreement with Melinda Lee. The rest of the time, they have been allowed to graze and roam freely.

We pick up after our three horses every morning and spend over \$100 each month to store and remove their manure. We do this not only for ourselves and our horses, but out of courtesy for our neighbors. What is the point if we are still not able to open our windows at night or enjoy our patio without being besieged by flies and livestock odor from across the street? We have scheduled an outdoor family gathering for next weekend. Are we going to have to cancel yet another event because of this issue?

A reminder that our lives have been impacted by his actions for over a year now. When this issue was first addressed by Melinda Lee in May of last year, he stated he did not know he was out of compliance. Surely he knows by now?

Please resolve this issue. And (hopefully after you resolve this issue), I hope you both have a wonderful weekend.

Thank you (again),
Jill Irvin

Virginia Jones

From: John Knight
Sent: Wednesday, May 18, 2022 4:51 PM
To: Trampus Mansker [REDACTED]
Cc: Cory Mulcaire; BJ Ratlief; Jessica Bolton; John Knight; Anthony Apodaca
Subject: Agritourism Use Permit
Attachments: UsePermitApplication.pdf

Trampus,

Nice to talk w/you this afternoon. I wanted to send you some additional information about the Agritourism permit.

You are zoned Rural Residential. In the RR Zone, you can obtain a Use Permit for Agritourism. The definition in our code for agritourism is fairly broad – see definition below. As I understand it, the main purpose is to connect visitors to Camp Verde's heritage and rural lifestyle. This can be accomplished through a variety of means, including classes/clinics, events, and tours. Your suggestion of bringing in middle school or high school kids would likely qualify. You could also offer to hold 4-H or FFA events. There are many other possibilities, you just need to demonstrate that there's a link to the CV heritage and rural lifestyle.

I pulled up the General Plan provisions that apply to your area. You are in the Quarterhorse/Rancho Rio Verde Character Area. There are several references to preserving the agricultural and rural character of the area.

Note that a Use Permit is a public process. This has to be approved by the Planning and Zoning Commission and Council. The site will be posted, a notice will be placed in the newspaper and neighbors w/in 300' will be notified of a public hearing and the opportunity to testify. The fee is currently \$1,751 for a Use Permit. This is scheduled to increase to just over \$1800 in August. There's also an additional \$100 fee for the Fire District.

The next step would be a pre-application conference here in our office. We will need a preliminary site plan and a list of proposed uses. You will also need to identify how you will address parking, dust, noise, and smells. You should also note how you would mitigate any potential neighbor concerns.

A copy of the Use Permit application is attached.

I've copied both Cory and Jessica on this e-mail. They may have some additional thoughts/ideas on how you could prepare the application and potential uses. I would encourage you to start with a larger list of proposed uses than you currently anticipate. You can always narrow them down later but if you add a use, you would have to go back to P&Z and Council for a modification.

Feel free to call me if you have any questions.

Thanks,

John

From Zoning Ordinance Definition:

AGRITOURISM: Is the act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle. Visitors may participate

Anthony's response later that day:

Hello,

I do not typically work on Fridays so I apologize I missed you and I have received your complaint and the voicemails, I have been working on other cases. I did go out to his property twice since the 25th when you submitted the new complaint, that case number you and your husband referenced is closed so I opened a new case. I did a count of his cattle and I have emailed Mr. Mansker to set up a meeting with him, also Mr. Knight and myself will meet regarding this case. ***(NOTE: This was the first time Anthony acknowledged to us that Mr. Mansker actually had his roping steers on his property).***

Anthony Apodaca, Code Compliance Officer
Town of Camp Verde

September 2, 2022: In emails, Anthony tells Trampus how much he appreciates Trampus's "cooperation" and apologizes: "sorry we have to go through this again." **(Exhibit K)**

September 6, 2022: I wrote an email apologizing for bothering Anthony on his day off, told him I would sincerely appreciate a permanent resolution of the issue and thanked him for his efforts.

I have photos September 2, 6, 11, 12 of Mr. Mansker's roping steers being fed on his land.

September 14, 2022: I sent the following email.

Sent: Monday, September 12, 2022 8:00 AM
To: Anthony Apodaca <Anthony.Apodaca@campverde.az.gov>; John Knight <John.Knight@campverde.az.gov>
Subject: Ongoing compliance issue

Good morning,

We continue to wait for the compliance issue which began on August 22 and I filed August 25 to be resolved. Mr. Mansker has turned his property into a day time feedlot for his excess livestock and occasionally (a day or two a week) he also ropes them for an hour or two. This is not the agreement that was made with Melinda Lee.

We continue to be negatively impacted by flies and the smell of all of his livestock. As I write this, 18 animals are roaming freely on his less than 5 acre property.

Mr. Mansker has repeatedly violated the Camp Verde code for excess livestock and his roping agreement with Melinda Lee. He will be in compliance for a time, but then turns his land into a feedlot for sometimes weeks at a time. When he does this, it appears he is not even home because we see others taking care of the excess livestock on his property and there is not a single day when those calves are "used" for roping. Typically no one is picking up after them during that time either. When we report this to you, it sometimes takes weeks for you to get to our case. Once you do, he appears to comply for a few days, or sometimes even a few weeks, but seemingly just long enough for you to consider the "case closed" and then the cycle begins again. He operates with impunity and the rest of the neighborhood has to suffer from the consequences. We have to keep our windows closed at night and are driven off our beautiful patio by flies, even though we pick up after our own animals every day and spend over \$100 a month to have their manure stored and removed. If I could bottle the flies and smell to help you understand how we have been negatively impacted, believe me I would. As it is, I believe we have

Virginia Jones

From: Anthony Apodaca
Sent: Friday, September 2, 2022 12:17 PM
To: Trampus Mansker
Cc: John Knight
Subject: Re: Animal count

Exhibit K

Hello,

Yes and the Town appreciates your cooperation in this, all the things you have been doing to correct the issues are all being considered, I will give you a call on Tuesday when i am back in the office and after John and I have had a conversation about this.

Anthony Apodaca

Sent from my iPad

> On Sep 2, 2022, at 11:58 AM, Trampus Mansker [REDACTED] wrote:

>

> Hello Anthony,

>

> I have really tried to help. I have bought a new piece of property and have moved my horses there. I do have roping cattle turned out to pasture but I never have more than 10 turned out. I have hired a stall cleaner that cleans the pasture 4 times a week. I am not sure what else that could be done??

>

>> On Sep 2, 2022, at 11:40 AM, Anthony Apodaca <Anthony.Apodaca@campverde.az.gov> wrote:

>>

>> Hello

>>

>> So we have received more complaints regarding the number of cattle and the smell and flies, they have been calling me all week and submitted a new official complaint form in the 25th. John Knight and I are going to be having a meeting to discuss your property next week and then I will reach out to you again to see how we can resolve this.

>>

>> Sorry we have to go through this again, hope you have a great weekend.

>>

>> Anthony Apodaca, Code Compliance Officer Town of Camp Verde

>>

>> Sent from my iPad

considerable proof of the excess livestock, including photographs, videos and neighbor statements.

We know you have remedies for this situation including rescinding the agreement made with Melinda Lee and/or removal of the excess livestock. How many more complaints do we have to file to resolve this issue? We are beyond frustrated. Please resolve this issue.

Thank you,
Jill Irvin

September 14, 2022: Anthony's response.

Hello Jill,

I apologize I am just getting back to you, John and myself have been sick last few days and I was working from home, I must of missed this email, my apologies. John and myself will be having a meeting with Mr. Mansker next week, I will be in touch after out meeting.

Thank you
September 26, 2022:

Good Morning Jill and Stephen,

I wanted to reach out to you regarding this case for an update. This past Monday John and I had a meeting with Mr. Mansker to discuss the complaints on his property. One of the options that Mr. Mansker is considering is applying for an Agri-Tourism Use Permit. This would require a public hearing and review and approval by the Planning Commission and Town Council. As part of the permit, Mr. Mansker would be required to identify the number of animals proposed, activities proposed, hours of operation, sizes of events, etc. This would also include provisions for addressing/mitigating nuisances such as noise, odor, sound, etc. The first step in the process is for Mr. Mansker to set up and schedule a Neighborhood Meeting. This meeting would require notice to neighbors within 300' of his property. This meeting would be the first opportunity for neighbors to address any concerns they might have.

Mr. Mansker has been cooperating with the Town and he has shown that he is working toward a solution that works for both him and the neighbors. He has even hired a full-time employee to help care for the animals and clean up manure on daily basis.

The Town will continue to monitor Mr. Mansker's property in the meantime.

Feel free to call us if you have any questions.

Thank you and have a great day.

Anthony Apodaca
Town of Camp Verde
Code Compliance Officer
473 S. Main St, Ste 108, Camp Verde, AZ 86322
Anthony.apodaca@campverde.az.gov

After over a year of asking for relief from the smell and flies of Mr. Mansker's excess animals, we were told they recommended that Mansker apply for an Agritourism permit. It was obvious by now that the Community Development Department staff had no intention of requiring him to comply with the same codes the rest of us follow, but instead were going to help him remain out of compliance, even providing him a mechanism to avoid future complaints. At this point, we knew definitively that the Community Development Department was going to continue allow Mr. Mansker to have excess animals and not enforce the codes as written. We stopped filing complaints and started searching for an attorney. Our attorney told us that we should consider filing a nuisance lawsuit against Mr. Mansker.

Week of September 30: Manure dumpster parked at the end of our driveway where it sat all week, full of manure. Photographs of trailer on October 1 & 2. Manure was finally dumped on October 3. They started picking up more regularly but would leave the manure for a week or more at the end of our driveway or in front of our orchard. I stopped taking photographs as often and started keeping a journal. **(Exhibit K)**

Late September/early October 2022:- RV brought onto property and people would often stay in it.

October 9, 2022: Cory Mulcaire offers to help Mr. Mansker draft the letter for the Agritourism application.

Photos of excess animals on October 17,18,19,21.

October 19, 2022: Emails sent between Jessica Bolton, John Knight, Cory Mulcaire, BJ Ratlief and Anthony Apodaca indicate they are all corroborating on Mr. Mansker's Agritourism application. Jessica Bolton suggests using "4-H adviser" instead of her name as she is a town employee. Cory Mulcaire sent him the letter along with the addresses to which it needed to be distributed.

October 22, 2022: Photograph of trailer full of manure

October 31, 2022: Per a records request, we learned that Mr. Mansker sent an email to Cory Mulcaire, John Knight and Anthony Apodaca stating, "I just wanted to give a heads up. Looks like Mr. Magoon is on another one... my neighbors have shared this with me." Mr. Knight suggests "keeping it in a file."

November 2, 2022: Manure trailer at the end of our driveway again.

November 2 & 3, 2022: We attended a Planning & Zoning Meeting and Town Council Meeting and distributed a letter from our attorney asking for relief. The mayor directed the then Town Manager, Russ Martin, to follow up with us. Russ Martin called us and told us that no formal agreement had ever been recorded between the Town and Mansker and Mansker should not be allowed to have excess animals.

In the supporting documents attached to the agenda, the following claim is made by the Community Development Department, "In April of 2021, Governor Ducey signed Senate Bill 1448. The main purpose of the new law was to prevent unwarranted lawsuits that are filed for the sake of harassing or seeking damages from lawfully operating agriculture operations... this is a common problem throughout the country, including Camp Verde. Our code enforcement officer regularly receives "nuisance complaints" from residents who complain about animals, noise, insects, dust and odor being generated by a nearby agricultural operation(s) and livestock. Upon investigation, the majority of these complaints are found to be either "unfounded" or quickly resolved through education, often of both the complainant as well as the neighbor with the complaint or question." (Note: Of course these complaints are "unfounded" when an "inspection" is scheduled with the violator first, giving them time to remove the excess animals and clean up after them. This is what has happened to us, residents in the Rio Verde area and the residents

Exhibit K



Revised 06/05/18

Application #: 20230137

RR-2A
NO Flood

RECEIVED

MAR 7 2023



Land Use Application Form

1. Application is made for:

- | | | |
|---|---------------------|----------------------|
| Zoning Map Change | Use Permit | Temporary Use Permit |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Final Site Plan Review | Variance | Appeal |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Administrative Review | Lot Line Adjustment | Zoning Verification |
| Development Standards Review (Commercial) | Other: _____ | |

2. Project Name: Mansker Agri-Tourism

3. Contact information: (a list of additional contacts may be attached)

| | |
|--|--|
| Owner Name: <u>Trampus Mansker</u> | Applicant Name: <u>Trampus Mansker</u> |
| Address: <u>2083 E. Hardy Lane TX</u> | Address: <u>2083 E. Hardy Lane TX</u> |
| City: <u>Camp Verde</u> State: <u>Az</u> Zip: <u>86322</u> | City: <u>Camp Verde</u> State: <u>Az</u> Zip: <u>86322</u> |
| Phone: <u>928-660-1396</u> | Phone: <u>928-660-1396</u> |
| E-mail: <u>mansker2121@hotmail.com</u> | E-Mail: <u>mansker2121@hotmail.com</u> |

4. Property Description: Parcel Number 404.12.42201/404.12.42200 Acres: 2.30/2.39 = 4.69

Address or Location: 2083 E. Hardy Lane Camp Verde Az 86322

Existing Zoning: _____ Existing Use: _____

Proposed Zoning: _____ Proposed Use: _____

5. Purpose: (describe intent of this application in 1-2 sentences)

We are applying for the AGR1-Tourism Permit, our goal is to Allow the youth to come + Learn About Wester Heritage

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action. I have also attached a completed Permission to Enter form for consent to access the property regarding this action.

Owner: [Signature] Date: 10.19.22

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: [Signature] Date: 10.19.22

785.00
 100.00 Fees
 56.55 3%
 1941.55

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MAR 7 2023



Use Permit Application Checklist

| | |
|-----------------------|-----------|
| Staff Use Only | |
| Application Number: | 20230137 |
| Received By: | _____ |
| Date: | _____ |
| Fees Paid: | \$1941.55 |
| Complete: | Y N |

Required Items

Complete sets of these documents are required at the time of application.

Please provide (1) paper copy with original signatures and a PDF version of the complete application, except the Site Plan, which requires (5) paper copies and (1) PDF version.

- | | | <u>Staff Use only</u> |
|------|---|-----------------------|
| 1. ✓ | Pre-Application meeting with Staff Date: _____ | Y N |
| 2. | Application fee as per the current fee code | Y N |
| 3. | Completed <i>Land Use Application</i> | Y N |
| 4. | Written Legal Description of property | Y N |
| 5. | Neighborhood Meeting Documents (See below) | Y N |
| 6. | Letter of Intent (See attached sample) | Y N |
| 7. | Town Engineer or ADOT approval of site access (if applicable) | Y N |
| 8. | Site Plan (24"x36", or as approved) (5 paper copies and 1 PDF version) -See Section 400.D.1 for preparation of a Site Plan- Vicinity map -North arrow, scale (1" =100' or 1" =200'), and date of preparation. -Subdivision or block and lot name of the area to be utilized for a Use Permit (if applicable) -Locations and boundaries, including dimensions, of property(s) proposed for Use. -Acreage or square footage contained within property proposed for Use. -Zoning and existing land uses on all lands adjacent to the proposed Use. -Location and dimensions for all existing right-of-way within, and adjacent to, the Use. | Y N |
| 9. | Completed <i>Permission to Enter Property</i> statement, signed by the property owner. | |
| 10. | Completed <i>Waiver of Diminution of Value</i> , signed and notarized by the property owner. | |
| 11. | Neighborhood Meeting Requirements: Property owner or designated agent must provide the Community Development Department the following information on the neighborhood meeting with application submittal. a. At least 15 days prior to the meeting, mail letters notifying all neighbors within 300' of the subject property that includes a description of the proposed use; the meeting place, date, and time; and an option to provide written comments. (See attached sample. Please have the letter approved by Community Development before sending out to insure proper representation of the issue). Include copies of the notices with your application submittal. b. Post the subject property with the meeting place, date, and time. Provide Community Development with a photo of the sign(s) posted on the property. d. The applicant shall prepare a written summary of the meeting by way of affidavit, including: -A sign in sheet of attendees. -A summary of questions and answers which were discussed with the neighbors. e. Affidavit must be completed and notarized. f. Include copies of all written comments that were received from the public or agencies. *The application must be submitted within 6 months of the neighborhood meeting; otherwise, the neighborhood meeting must be held again. | |

Please Note: A request will not be scheduled on an agenda until the application is complete. Submittal of an application does not constitute a complete application until it has been verified as complete and confirmation has been given by the planning division to the applicant verbally. Once an application is deemed complete, the application will be scheduled for a public hearing before the Planning & Zoning Commission; if a recommendation is made, then the application will be scheduled for action by the Town Council. The applicant or their designated representative must attend the public hearings when their application is being considered. Failure to attend may result in postponement of action by the Planning and Zoning Commission.

SAMPLE LETTER OF INTENT

To Whom It May Concern:

In July of this year, we purchased a property approximately twenty-two (22) acres in size in the vicinity of the community of Black Canyon City adjacent to the Old Black Canyon Highway. The property is currently vacant and is surrounded on three (3) sides by State Trust Land and residential properties. We are proposing to develop this property for the purposes of constructing and operating a twenty (20) space RV Park.

The business will operate year-round, seven (7) days per week. RV spaces will be rented, not sold, on both a short term and long term basis with some spaces for overnight camping. There will also be a manufactured home placed on-site for the caretaker's/manager's residence. There will only be three (3) employees for the operation of the park, including the following: a manager/caretaker, a part-time office employee for evenings/weekends, and a maintenance person. The registration office will be located in a 20'x40' site-built structure and will be open from 7:00 A.M. to 10:00 P.M. The office building will also contain a small convenience store. The store will sell small items such as chips, soda, batteries, aspirin, beer and wine. We have submitted an application for a class 10 liquor license to sell packaged beer and wine for the residents and/or patrons of the park, as well as the general public.

We are proposing to install a self contained package water treatment facility, which we have already discussed with the Yavapai County Environmental Services Unit and ADEQ. The property will be heavily landscaped, as indicated on our site plan, with a variety of trees and bushes and will be watered with the treated effluent from the package treatment facility:

We have spoken to all of our neighbors in the immediate area and they have indicated that they are not opposed to our project and the traffic impact should be minimal on the area due to the small size of the park.

Sincerely,

Mr. and Mrs. John Doe

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MAR 7 2023

20230137



Town of Camp Verde

Community Development

◆ 473 S. Main Street, Suite 108 ◆ Camp Verde, Arizona 86322

◆ Telephone: 928.554.0050 ◆ www.campverde.az.gov ◆

PERMISSION TO ENTER PROPERTY

APPLICATION #: _____ PARCEL NO: 404-12-422C1 / 404-12-422D0

PROPERTY ADDRESS: 2083 E. Hardy Lane Camp Verde Az 86322

PROPERTY OWNER'S NAME: Trampus & Bonnie Mansler

ADDRESS: 2083 E. Hardy Lane Camp Verde Az 86322

PHONE NO.: 928-660-1396

I, the undersigned, hereby give permission to the Town of Camp Verde Community Development Department or Public Official, in the discharge of duties stated herein, and for good and probable cause, to enter the above described property to inspect same in connection with the application made under the terms of Camp Verde Town Codes or Ordinances. Such investigation may be made to determine whether or not any portion of such property, building, grading or other structure is being placed, erected, maintained, constructed, or used, in violation of the Codes or Ordinances of the Town of Camp Verde or any other agencies that they have agreements with that pertain to the building, grading, placement of structures, or use associated with the property. Such entry shall be within 90 days of the date of my signature or within the active limitations of any permits issued to me by the Town of Camp Verde for land use, building, grading, erecting, maintaining or constructing. Such entry shall be limited between the hours of 7AM and 6PM MST. I understand that this permission to enter property is OPTIONAL and VOLUNTARILY GIVEN and may be withdrawn or revoked (either in writing or orally) at any time.

Property Owner or Designated Agent

10-19-22

Date

(Must have signed Designation of Agent from Property Owner on file)

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MAR 7 2023
20230137

Affidavit

I, Trampus Mangler, owner/agent of parcel 404.12.42261/404.12.42200 have notified the neighbors within 300' of above property, by sending letters on November 1st, 2022 to notify them of the neighborhood meeting that I conducted on the 16th day of November 2022.

I posted my property with meeting the date, time, and place, on the 1st day of November 2022, and taken a photograph of such posting.

I, Trampus Mangler, owner/agent of parcel 404.12.42261/404.12.42200 will provide a summary of neighborhood meeting I conducted to the Planning & Zoning Department of Camp Verde with the associated application submittal, attesting to the issues and concerns discussed at the above neighborhood meeting.

Summary Statement: See Attached

If Summary statement is too long, attach a copy.

State of Arizona }

County of Yavapai }

[Signature]
Signature of Document Signer No. 1

[Signature]
Signature of Document Signer No. 2

Subscribed and sworn to (or affirmed) before me this 7th day of March 2023.



[Signature]
Signature of Notary

When Recorded Return To:
Town of Camp Verde
473 S. Main St
Camp Verde, Arizona 86322

**AGREEMENT
TO WAIVE CLAIM FOR DIMINUTION IN VALUE
REGARDING ACTION
PROPOSED BY TOWN OR REQUESTED BY PROPERTY OWNER**

This Agreement to Waive Claim for Diminution in Value Regarding Action Proposed by Town or Requested by Property Owner ("Agreement") made as of this _____ day of _____, 20____, by and between the Town of Camp Verde, a municipal corporation of Arizona ("Town") and:

_____, ("Owner(s)");

WITNESSETH:

WHEREAS, on December 4, 2006, the Governor of Arizona signed into law the Private Property Rights Protection Act (Proposition 207) approved by the voters on November 7, 2006; and

WHEREAS, Proposition 207 added a new Article 2.1 to Chapter 8, Title 12 of the Arizona Revised Statutes (comprising §§12-1131 through 12-1138) dealing with eminent domain and regulatory takings; and

WHEREAS, ARS §12-1134 permits an owner of private real property to seek just compensation from the state or a political subdivision thereof that enacts or applies a land use law which (subject to certain exceptions) reduces existing rights to use, divide, sell or possess said property and thereby reduces the fair market value of the property; and

WHEREAS, "land use law" includes any statute, rule, ordinance, resolution, or law enacted by the state or political subdivision that regulates the use or division of land or any interest in land; and

WHEREAS, ARS §12-1134(I) recognizes that the state or political subdivisions may reach agreements with private property owners to waive claims for diminution in value resulting from land use law actions proposed by the state or political subdivision or requested by the property owners; and

SECTION SEVEN. The parties agree that this Agreement may be filed in the Official Records of the County Recorder's Office, Yavapai County, Arizona.

SECTION EIGHT. This Agreement runs with the land and is binding upon all present and future owners of the Property.

SECTION NINE. This Agreement is subject to the cancellation provisions of ARS §38-511.

SECTION TEN. The Owner(s) warrant(s) and represent(s) that the Owner(s) is/are the owner(s) of fee title to the Property, and that no other person(s) has/have any ownership interest(s) in the Property. The person(s) who sign(s) on behalf of the Owner(s) personally warrant(s) and guarantee(s) to the Town that he/she/they have the legal authority to bind the Owner(s) to this Agreement.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement by and through their authorized representatives the day and year first-above written.

TOWN OF CAMP VERDE, a municipal corporation of Arizona, (Town)

Dee Jenkins, Mayor

ATTEST:

Cindy Permberton, Town Clerk

APPROVED AS TO FORM:

Trish Stuhan, Town Attorney

Dated this 7th day of March, 2023

OWNER:

Trampus Mansker
Print Name

[Signature]
Signature

OWNER:

Bonnie Mansker
Print Name

[Signature]
Signature

STATE OF ARIZONA)
) ss.
County of Yavapai)

On this 7th day of March, 2023, before me, the undersigned Notary Public, personally appeared Trampus and Bonnie Mansker, who acknowledged that this document was executed for the purposes therein contained.



[Signature]
Notary Public

My Commission Expires: 08/01/2025

RECEIVED

MAR 7 2023

November 1, 2022

Trampus and Bonnie Mansker

Re: Agritourism Permit Application

To Whom It May Concern:

We are applying for an Agritourism permit for our property (APN 404-12-422D) to help increase the opportunities for youth in agriculture for the Town of Camp Verde. Our goal is to have a safe environment for families to come and learn about Camp Verde's agriculture and western heritage. At this time, we plan on having our local 4H-club host their workshops at our facility, which will only be a few hours during the day once a month. In addition, we will have some daytime horsemanship, farrier, and team roping clinics/practice.

All clinics will be one day events, that are held during daylight hours. There will not be overnight or nighttime use. Clinics will be limited to a manageable number of participants, so that there will be no overflow parking or excessive traffic on the street. There will not be a sound system installed on the property. We will continue to maintain our property as we already have, hauling manure to the dump weekly or more if needed.

We have found that a lot of the youth enjoy these activities, and want to help the youth as much as possible!

Sincerely,

Trampus Mansker

Neighborhood meeting notes from November 17th.

Trampus read his neighborhood letter and explained his intentions with the Agritourism Permit.

Steve Magoon: Concerned about animal, traffic, lights and no recourse for complaining about animal counts, and that he has retained attorneys.

Trampus, replied that he is not in violation and he has an agreement with the city and his neighbors to put excess animals on there property.

Loraine, Stated we are a neighbor and don't mind what is going on, It does not bother us at all.

Tanner Bryson, Is in full support of Trampus and what he wants to do for the youth,

Christa Brunori, Asked what harm is it causing Mr. Magoon if the property is well kept?

Mr. Magoon replied and said they had to cancel a graduation party due to the flies.

Trampus let Mr. Magoon know he could move the animals further from his property and asked if that would help and Mr. Magoon declined.

Claudia Hauser, stood and said she is in full support of the Mansker Family and what we are trying to do for the youth.

Mr. Magoon argued about Town Ordiances with Claudia.

Mrs. Phelps- President of Camp Verde Arena Stated we have her full support and she will make sure that the right to farm bill will pass.

Bob Ashcroft, Trampus is my Neighbor I am in full support of Trampus and his family.

Christa, If You get this permit will Mr. Magoon still be able to complain?

Trampus, No Mr. Magoon can not complain about the animal count. He could only complain if I was not keeping up with the property. Or not following the laws of the application.

Linda serves on the county commission she met Trampus over irrigation issues and Trampus helped with the issue right away. I believe Trampus is a man of his word and she believes I am a good neighbor. She is in full support.

Rick Neighbor I have never experienced any issues with flies, smells or livestock. I am in full support of Trampus

Jordy, I would love to have someone like Trampus move next to us,

Tanner There should be a clause to fine people who complain too much.

Mr. Magoon I am not a constant complainer, I have only complained 5 times.

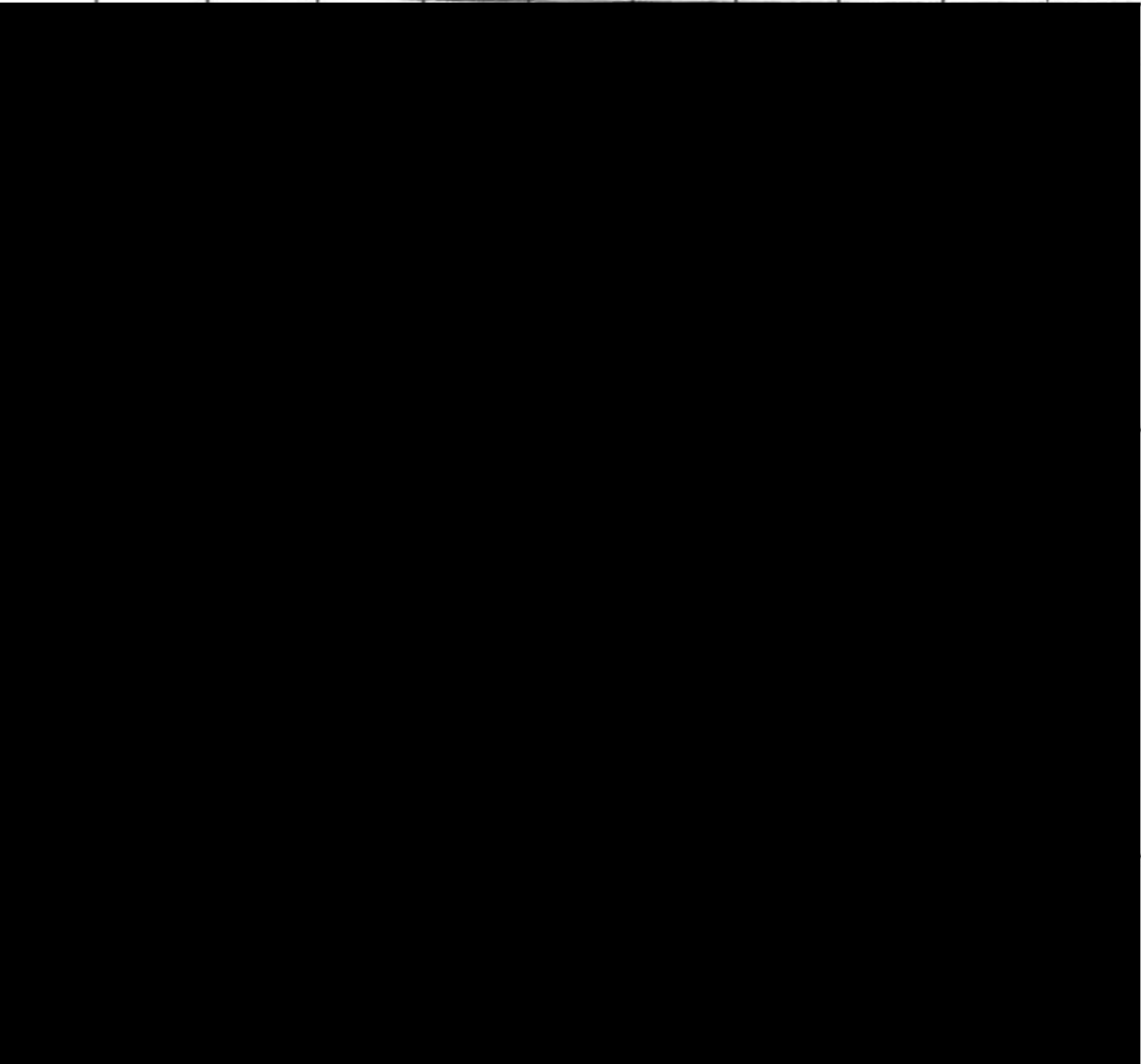
Becky, Thank you for being a kind neighbor and supporting our western lifestyle.

Montana I have never had flies,dust I have never heard noise I do not know anyone is there unless I go look. I am the closest neighbor.

Ari, I am in full support they will complain no matter what you have obviously tried to do everything you can.

**Neighborhood Meeting
Sign in Sheet**

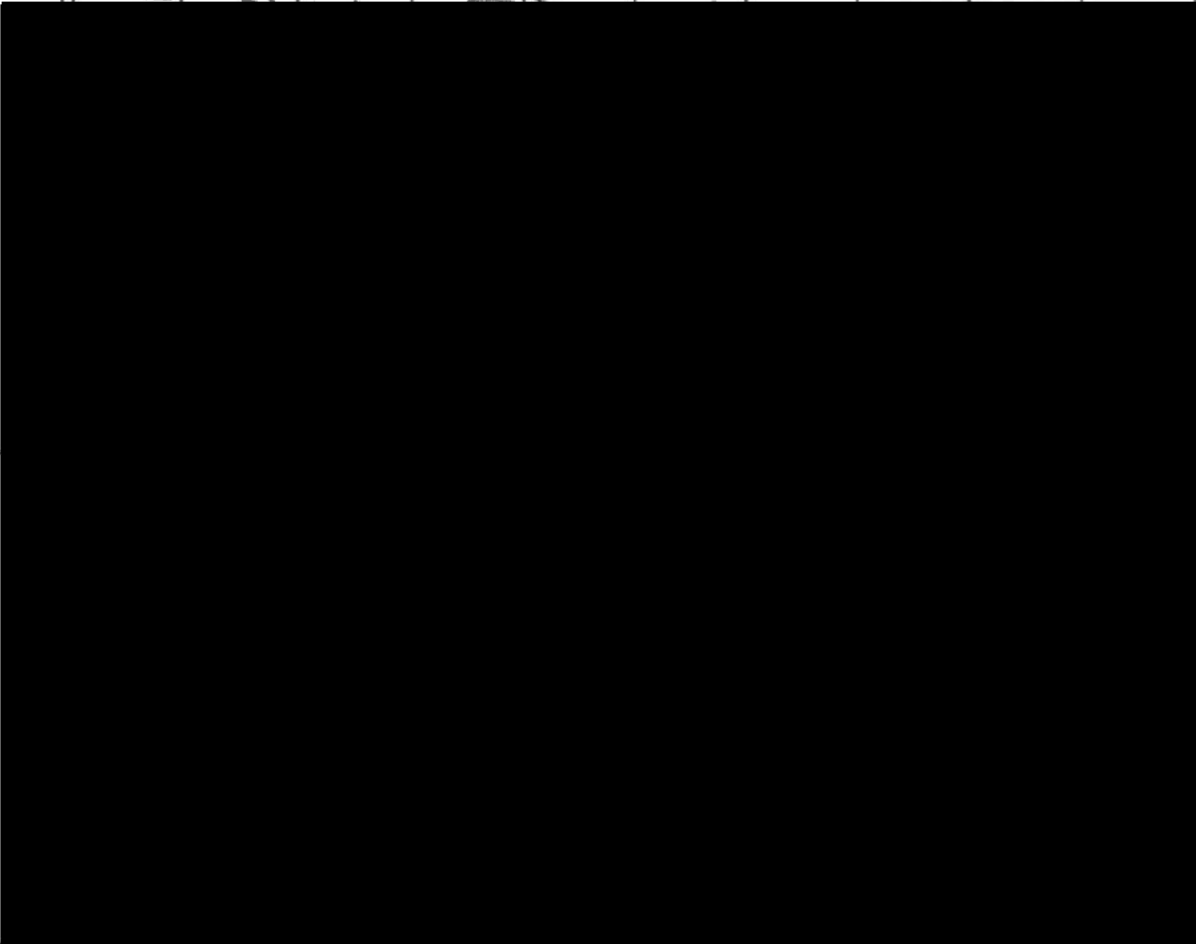
PLEASE PRINT

| Name | Address | E-Mail |
|------------------|---|--------|
| HERSHYL McCAUSTH |  | |
| Carrie Stone | | |
| Linda Zuckerman | | |
| Cory McLean | | |
| Dennis Seaton | | |
| Josh Blair | | |
| Dorie Blair | | |
| Michael Black | | |
| Ray Sanders | | |
| JUSTIN SMITH | | |
| Christa Brunori | | |

Neighborhood Meeting

Sign in Sheet

PLEASE PRINT

| Name | Address | E-Mail |
|------------------|---|--------|
| ✓ Annee Bryson |  | |
| Rick Brenfleck | | |
| Tye Reddell | | |
| Tordy Wecker | | |
| Clemente Hausser | | |
| John F. Lacy | | |
| Bekky R. Ridd | | |
| Jovan Muebeck | | |
| Ariana Dodge | | |
| Calvin Baker | | |

November 1, 2022

Trampus and Bonnie Mansker

Re: Agritourism Permit Application

To Whom It May Concern:

We would like to invite our neighbors and interested parties to a neighborhood meeting.

- **November 17, 2022**
- **5:30 PM**
- **Camp Verde Public Library**

We are applying for an Agritourism permit for our property (APN 404-12-422D) to help increase the opportunities for youth in agriculture for the Town of Camp Verde. Our goal is to have a safe environment for families to come and learn about Camp Verde's agriculture and western heritage. At this time, we plan on having our local 4H-club host their workshops at our facility, which will only be a few hours during the day once a month. In addition, we will have some daytime horsemanship, farrier, and team roping clinics.

All clinics will be one day events, that are held during daylight hours. There will not be overnight or nighttime use. Clinics will be limited to a manageable number of participants, so that there will be no overflow parking or excessive traffic on the street. We will not be hosting contests of any type. There will not be a sound system installed on the property. We will continue to maintain our property as we already have, hauling manure to the dump weekly or more if needed.

We look forward to seeing everyone at the meeting.

Sincerely,

Trampus Mansker

ARENA PETITION

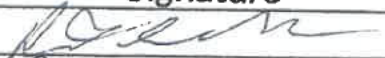




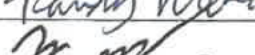
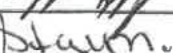
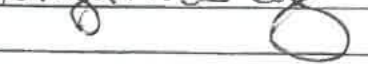
We, the undersigned support Trampus and Boinnie Mansker Arena at 2083 E Hardy Ln. They should be able to operate as they are

| Name | Address | Signature |
|-------------------------|---------|-----------------------|
| Michael Bluck | | M Bluck |
| Tamara Nieto | | Tamara Nieto |
| Carol (Montana) Kenters | | Carol Montana Kenters |
| Ariana Dodge | | Ariana Dodge |
| Scott Stone | | Scott Stone |
| Carrie Stone | | Carrie Stone |
| Elaine EATON | | Elaine Eaton |
| Herstel McCants | | Herstel McCants |
| LEWIS PENDER | | Lewis Pender |
| Ray Sanders | | Ray Sanders |
| Michelle Bueler | | Michelle Bueler |
| Cynthia Zellner | | Cynthia Zellner |
| David Zellner | | David Zellner |
| Judi Farr | | Judi Farr |
| Polores Lucas | | Polores Lucas |
| Calvin & Valerie B... | | Calvin & Valerie B... |
| Erica Benally | | Erica Benally |

Signatures appeared herein is voluntary and no unlawful force contained upon specimen.

ARENA PETITION

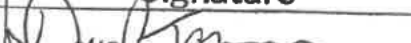
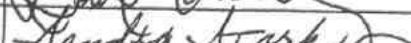
We, the undersigned support Trumpus and Boinnie Mansker Arena at 2083 E Hardy Ln. They should be able to operate as they are

| Name | Address | Signature |
|------------------------|---------|--|
| Rich Sherlock | |  |
| Jamie Kile | |  |
| Bonnie Andersen | |  |
| Ken Dinnitt | |  |
| Lyman Lauthman | |  |
| Randy Wilber | |  |
| JAMES GREGORY | |  |
| Stacy Gregory | |  |
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Signatures appeared herein is voluntary and no unlawful force contained upon specimen.

ARENA PETITION

We, the undersigned support Trumpus and Boinnie Mansker Arena at 2083 E Hardy Ln. They should be able to operate as they are

| Name | Address | Signature |
|--------------|------------|---|
| DAVID TENNY | [REDACTED] |  |
| Sandra STARK | |  |
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Signatures appeared herein is voluntary and no unlawful force contained upon specimen.

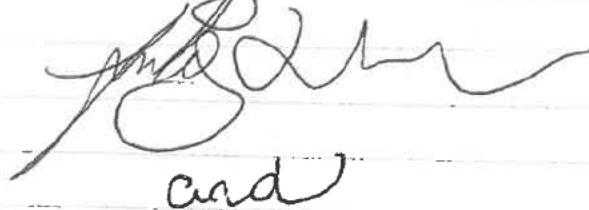
To Whom it may Concern,

11/17/2022

We have Spent a lot of Time at the Monsker's home and the place is always well care for and Clean. They take great Care of their Animals and ensure the place is Clean & well groomed. This is a great family and we know they will take everyones Concerns into Consideration.

Thank you

Tordy Weaver



and

Tye Reddell



Vision Statement:

The Town of Camp Verde will maintain its rural, friendly, historic atmosphere, and natural scenic beauty while offering local shopping, employment, and diverse housing opportunities. We embrace the existing business community, welcome new businesses, and encourage appropriate development that is well balanced in its respect for our natural environment and culture. Natural resources will be a priority to preserve, including the Verde River, tributaries, and open space areas. Commercial, residential, and industrial areas will be neat and visually appealing so as to enhance existing and future neighborhoods, our cultural heritage, and the natural beauty of the mountain vista setting that is Camp Verde. The clear blue sky by day and the dark sky by night, sprinkled with stars, will lift the spirits of generations of the people yet to come.

Purpose:

The purpose of the Town of Camp Verde 2016 General Plan, is to update the framework that helps Camp Verde make the most of its opportunities to cultivate a dynamic economy and improve the overall quality of life for its residents. The update to the General Plan is a collaborative effort involving residents, business owners, appointed and elected officials, town staff, and others various stakeholders who contributed to developing goals and implementation strategies that will help the Town achieve its desired results. As an outcome of the public’s involvement, the updated plan expresses the importance of highlighting Camp Verde’s uniqueness while having practical measures for desired growth that will maintain our cultural heritage and natural environment.

When describing their town, residents of Camp Verde continue to use terms such as western, rural, friendly, and historic. As in all former plans and updates the public and residents continue to list the community’s biggest assets as the Verde River, open space with mountain scenery, rural lifestyle, and friendly people. When asked about the future of their community, residents overwhelmingly stated a desire for more local shopping opportunities while still maintaining the rural character of the Town, its visual attractiveness, as well as the need for additional employment and diverse housing opportunities, and recreational parks/ball fields.

Similar comments were given during the update process of the 2016 General Plan by Camp Verde residents at National Night Out and Cornfest, two town events that took place in the Summer of 2015. Preliminary remarks given by residents at these community events maintained the opinion that the community’s strongest assets are the Verde River, open space, and rural lifestyle. Future concerns were expressed as a need for creating more local businesses and job opportunities, protecting the Verde River, sustaining water quality and quantity, maintaining the rural character and visual attractiveness of the Town, and having a variety of options available for local, affordable housing.

State Requirements:

A general plan serves as the primary tool and blueprint for guiding future growth and development. It integrates the ideas and desires of residents, businesses, elected and appointed officials, and other various stakeholders into a strategy for managing the town’s future. Arizona Revised Statute Title 9 – Cities and Towns, Chapter 4 – General Powers, Article 6 – Municipal Planning, Section 9-461.05 requires that every municipality have a plan to guide future land use and development, and to define a vision for its future identity.

In 1998 and 2000, the State Legislature passed the Growing Smarter and Growing Smarter Plus Legislation that mandated the elements required to be included in the general plan. For communities with populations of more than two thousand five hundred (2,500) people, such as the Town of Camp Verde, seven (7) elements

2. Ensure that citizens, property owners and neighbors have an adequate opportunity to learn about applications that may affect them and to work with applicants to resolve potential concerns at an early stage of the process; and
3. Facilitate ongoing communication between the applicant, interested citizens, property owners, and town staff, throughout the application review process.

The Public Participation Plan is not intended to produce consensus on all applications, but will encourage all applicants to be good neighbors and to allow for an informed decision-making process enabling the Town Council to meet its commitment to ensure that public participation is used in enhancing development and uses throughout Camp Verde.

Public Participation Results:

A series of presentations were conducted from January – March of 2016 to gather public input for the General Plan amendment process. During that time, nine presentations were given. Listed below are the main concerns voiced by members of the public who attended the presentations and provided input:

TABLE 1.1 – General Plan Public Participation Results:

| 2004 | 2016 |
|--|--|
| GENERAL PLAN PUBLIC PARTICIPATION RESULTS: | GENERAL PLAN PUBLIC PARTICIPATION RESULTS: |
| Top Qualities To Preserve: | Top Qualities To Preserve: |
| 1. Friendliness | 1. Friendliness; Historic; Western Rural Character |
| 2. Historic | 2. |
| 3. Western/Rural Character | 3. |
| 4. Small Town | 4. Maintained Roads |
| 5. Maintained Roads | 5. Small Town |
| Top Assets/Characteristics For The Future: | Top Assets/Characteristics For The Future: |
| 1. More Business | 1. More Business |
| 2. Job Opportunities | 2. Job Opportunities |
| 3. Health/Medical Care | 3. Health/Medical Care |
| 4. Verde River Access; Wildlife/River Protection | 4. Verde River Access |
| 5. | 5. Wildlife/River Protection |
| Three Greatest Needs: | Three Greatest Needs: |
| 1. Job Opportunities | 1. Job Opportunities |
| 2. Preserving Open Space | 2. Neighborhood Upkeep |
| 3. Neighborhood Upkeep | 3. Preserving Open Space |
| Three Biggest Future Concerns: | Three Biggest Future Concerns: |
| 1. Water Quality/Quantity | 1. Water Quality/Quantity |
| 2. Increase In Traffic | 2. Lack Of Medium Priced Homes |
| 3. Lack Of Medium Priced Homes | 3. Increase In Traffic |
| Three Strongest Assets: | Three Strongest Assets: |
| 1. Verde/River | 1. Verde/River |
| 2. Western/Rural Lifestyle | 2. Open Space/Scenery |
| 3. Open Space/Scenery | 3. Western/Rural Lifestyle |
| Top Five Attributes You Want Camp Verde Recognized For By 2026: | Top Five Attributes You Want Camp Verde Recognized For By 2026: |
| 1. Western/Rural Character | 1. Verde River Wildlife Protection |
| 2. Visually Attractive | 2. Visually Attractive |
| 3. Historic Preservation | 3. Western/Rural Character |
| 4. Verde River Wildlife Protection | 4. Historic Preservation |
| 5. Open Space/Scenic Views | 5. Open Space/Scenic Views |

Goals & Implementation Strategies:

A. Goal: Preserve and enhance the prehistoric and historic past.

Implementation Strategy:

- A. 1. Continue to support and promote organizations such as the Camp Verde Historical Society, Verde Valley Archaeology Center, Fort Verde State Historic Park, and others to preserve and interpret Camp Verde's agricultural heritage and unique historical past.
- A. 2. Continue to work cooperatively with the Yavapai-Apache Nation and other Native American cultures to preserve and interpret our collective past.
- A. 3. Enhance the Town's "sense of place" by promoting projects throughout the community that recognize, interpret and preserve our prehistory, history, arts and culture.
- A. 4. Encourage the identification of historic buildings, residences and landscape features with descriptive markers which recognize their place within our community's past.
- A. 5. Support the continued designation, preservation and interpretation of historic trails, districts and landmarks.
- A. 6. Encourage the restoration and reuse of historic properties.
- A. 7. Encourage new development to be compatible with the Town's history and architecture.

B. Goal: Support and enhance arts and culture.

Implementation Strategy:

- B. 1. Support and encourage local art.
- B. 2. Support programs which preserve and enhance cultural events.
- B. 3. Support and encourage recognition of our agricultural heritage.
- B. 4. Develop cooperative programs with citizens, groups, schools, businesses, governmental agencies and non-profit organizations with the goal of celebrating our prehistory, history, arts and culture.

Introduction for Quarterhorse/Rancho Rio Verde Character Area

The Quarterhorse/Rancho Rio Verde character area represents Camp Verde's agricultural history, being one of the first settled places in the late 1860s. Although most of the large farms and ranches are gone, a few still exist, such as Shield's Ranch. Reminders of old farms and ranches can still be seen, and active agriculture continues with growing corn, alfalfa, hay, pecans, and other crops. This is coupled with pasturing cattle, horses, sheep, goats, and other livestock. This area, along with a few others, personifies the rural character of Camp Verde.

Primarily a residential neighborhood, it is comprised of mostly custom homes built on large lots or acreage, many of them irrigated by the historic ditches and bordered by the Verde River and West Clear Creek. It is a landscape that continues to offer opportunities for vineyards, wineries, and more local agriculture. It is also home to the original settlement in the Verde Valley, the Historic Clear Creek Church and the Clear Creek Cemetery, the last resting place of many Camp Verde pioneers.

The Verde River curves along the west border of Quarterhorse/Rancho Rio Verde. At the lower end, Clear Creek joins the Verde River. From White Bridge or Clear Creek landing, boaters have a scenic ride with views of riverside homes, pastures, and thick riparian habitat, making it a popular run to Beasley Flat.



*Aerial Imagery Of A Portion Of The Quarterhorse/Rancho Rio Verde Character Area
Photo Courtesy Of Yavapai County GIS*

ATTACHMENT E

SECTION 103 - DEFINITION OF TERMS

For the purposes of this Zoning Ordinance, the following terms, phrases, words, and their derivations shall have the meaning given herein. Words, phrases, and terms not defined in this Zoning Ordinance shall be given their usual and customary meanings except where the context clearly indicates a different meaning. When not inconsistent with the context, words used in the present tense include the future, words in the plural number include the singular number, and words in the singular number include the plural number. The word "shall" is always mandatory and not permissive; the word "may" is permissive and not mandatory. Words used in the present tense include the future tense; words used in the future tense include the present tense. The word "person" includes individuals, partnerships, corporations, clubs, and associations and other forms of business enterprise. The following words or terms when applied to this Zoning Ordinance shall carry full force when used interchangeably; lot, plot, parcel, or premises; used, arranged, occupied, or maintained; sold or dispensed; construct, reconstruct, erect, place, or alter (structurally or otherwise), If more than one provision, standard, or requirement of any chapter of this Zoning Ordinance applies in all instances the most restrictive, provision, standard or requirement shall control.

DEFINED TERMS, PHRASES AND WORDS:

ABANDONMENT: The discontinuation of use for a period of one year.

ACCESSORY USE: A use of land or of a building or portion thereof customarily incidental and subordinate to and located on the same lot with the principal use.

ADJACENT: Adjoining or across a road from each other.

ADULT CARE CENTER: An establishment enrolling four or more adults where fees or other forms of compensation for the temporary care of the adults are charged, and which is licensed and approved to operate by the State.

AGRICULTURE: The production, keeping or maintenance, for sale, lease or personal use, of plants or animals useful to man, including the breeding and grazing of any or all of such animals; or lands devoted to a soil conservation or forestry management program. This includes farm stands for the temporary or seasonal sales of agricultural products grown on site or other grown on other properties owned or leased by the farm operator.

AGRITOURISM: Is the act of visiting a working farm, ranch, agricultural or horticultural agribusiness operation for the purpose of enjoyment, education or active involvement of visitors to experience a rural lifestyle. Visitors may participate in events and services related to agriculture which may take place on or off the farm or ranch, and that connect consumers with the heritage, natural resource or culinary experience they value. This may include but not limited to; farm stands or shops, U-pick, on-farm classes, fairs, festivals, pumpkin patches, wineries, barn dances, corn maze, hunting, fishing, guest ranches, agricultural tours, wildlife viewing or bird watching, wine tasting.

ALLEY: A passageway that has been dedicated or deeded for public use affording a secondary means of access to abutting property.

AMENDMENT: A change in the wording, context, or substance of these regulations or an addition, deletion, or a change in the zone boundaries or classifications upon the Zoning Map; Also a change in the wording, context, or other correction of a final plat.

SECTION 601 - ZONING DECISIONS

A. Zoning Ordinance Amendment Applications and Hearings

Any amendment to this Zoning Ordinance, which changes any property from one zone to another, imposes any regulation not previously imposed, or which removes or modifies any regulation previously imposed shall be adopted in the manner set forth in this section.

1. **Applications for Zoning Ordinance text amendments, rezoning amendments, Use Permits**, or other requests requiring Town Council approval shall be filed in the office of the Community Development Department on a form provided, along with such supplemental information required by the Department, and shall be accompanied by a fee established by approval of the Town Council. No part of any such fee shall be refundable after an application is filed and such fee paid, except at the discretion of the Town Council.
 - a. The Planning and Zoning Commission shall hold a public hearing within 90 days of the date of a complete application submittal. After such hearing the Council may adopt the recommendation of the Planning and Zoning Commission without holding a second public hearing provided there is no objection, request for public hearing or other protest.
 - b. The Town Council shall hold a public hearing if requested by the party aggrieved, any member of the public or of the Town Council, or in any case, if no public hearing has been held by the Planning and Zoning Commission.
2. **Notice of the time and place** of Council or Commission hearing shall be given in the time and manner provided for:
 - a. Notice of public hearing before the Commission or Council for all amendments to the Zoning Ordinance text, the zoning map, Use Permits, or other requests, shall be done in accordance with the provisions of Arizona Revised Statutes 9-462.04 as they exist now or as they are amended from time to time. Such notice includes at a minimum the posting and publishing of public hearing notices as specified in the statute.
 - b. Written protests of any recommendation action taken by the Commission shall be filed in the office of the Community Development Department before noon on the Monday of the week preceding the Council meeting at which such amendment will be considered. If such written protest constitutes twenty percent (20%) or more of the immediate area involved in a request for rezoning as specified in ARS 9-462.04.H, as may be amended, a favorable vote of three-fourths of the Council shall be required.
 - c. A decision made by the Council involving rezoning of land which is not owned by the Town and which changes the zoning classification of such land may not be enacted as an emergency measure and such a change shall not be effective for at least 30 days after the final approval of the change in classification by the Council.
 - d. In the event an application has been denied by the Council, the Commission shall not consider a similar application within 12 months of the application date.
3. **Citizen review and participation process** is required for all zone change applications or Use Permit applications:
 - a. Prior to any public hearing, the applicant or an appointed representative shall arrange a meeting with the planning staff which identifies development issues as well as arrangements and scheduling for the neighborhood meeting described in subsection **b** below.

- b. The applicant or an appointed representative shall conduct a neighborhood meeting designed to inform adjoining residents and property owners about the proposed zone change, specific plan application or Use Permit.
 - c. At least 15 days prior to the scheduled neighborhood meeting, the applicant shall notify all property owners within 300 feet of the subject site by first class mail and post the actual property with meeting date and time. The notification shall include the date, time and place for the neighborhood meeting, as well as a description of the proposed land uses. The applicant shall provide an affidavit attesting to this notification being accomplished.
 - d. It is the responsibility of the applicant or their representative to conduct the meeting, provide an opportunity for a question and answer period by the audience, and identify a point of contact to the public for follow-up questions and comments.
 - e. The applicant shall prepare a written summary of the meeting by way of affidavit, including a list of attendees and the issues and concerns discussed and submit a copy of the summary, with a photo of the posting on the property and a copy of the meeting announcement letter, to the Planning Department within 15 days after the neighborhood meeting.
4. **Zoning Ordinance text amendments:** If the Town adopts any zone change or any amendment that imposes any regulation not previously imposed or that removes or modifies any such regulation previously imposed, it must comply with the citizen review process as set forth in ARS §9-462.03, as may be amended, and the public hearing notice procedures set forth in ARS 9-462.04.A as may be amended.

B. Site Plan Review and Development Standards

Key to obtaining compliance with the regulations of this ordinance and achieving the objectives of the Town's General Plan is the administrative review of Site Plans for new development as regulated in Part 4 Development Standards. The Site Plan entails preparation of drawings for proposed uses and buildings that conform to the Development Standards, depicting adequate grading/drainage and Appearance Compatibility (Section 402), landscape and screening (Section 402), parking and loading (Section 403), signs (Section 404) and outdoor lighting (Section 405) as required in these regulations.

The Site Plan Review process is administered by the Community Development Department in conjunction with other Town departments. The Community Development Director is authorized to approve minor modifications to strict adherence of zoning regulations due to physical constraints of the project site. Appeals may be scheduled for hearing by the Board of Adjustment and Appeals. Major development projects may also be referred to the Commission and Council for a hearing, review and approval, which hearing and review process is mandatory if so stipulated by prior Council action such as rezoning or PAD approval.

For non-residential and multi-family developments as described in Section 400B, additional review of Appearance Compatibility Drawings is required (Section 402 C). Appearance Compatibility Drawings are reviewed by Town staff simultaneously with the Site Plan Review process, in accordance with the process specified in Section 400C.

C. Use Permit Approvals

Use Permits are provided to ensure the orderly use of land in conformance with the General Plan and applicable Town standards where uses are proposed that may require special limitations or conditions to provide compatibility with other uses. The application for Use Permit approval is applicable to those uses that are specifically listed as "Uses and Structures Subject to Use Permit" in each Zoning Use District in Part Two Section 203.

1. Review and Approval

- a. Use Permits will be granted only upon a finding by the Council that the use covered by the permit, the manner of its conduct, and any structure which is involved, will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood, or to the public welfare in general, and that the use will be in conformity with any conditions, requirements, or standards prescribed by the Town Code or Council.
- b. Use Permits may contain specific limitations on the scope, nature and duration of the use, as deemed proper in accordance with the following criteria:
 - 1) Any significant increase in vehicular or pedestrian traffic;
 - 2) Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - 3) Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with goals, objectives or policies of the General Plan;
 - 4) Compatibility with existing surrounding structures and uses; and
 - 5) Adequate control of disruptive behavior both inside or outside the premises, which may create a nuisance to the surrounding area or general public.
- c. The burden of proof for satisfying the above requirements shall rest with the applicant. A refusal of a Use Permit shall not be interpreted as the denial of right, conditional or otherwise.
- d. Where an application involves a definite development scheme, the applicant must submit a layout and landscape plan, building elevations and other pertinent data as may be requested, and the Council may condition the Use Permit to fully carry out the provisions and intent of the Zoning Ordinance.
- e. The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

Within 30 days of any change, permittees shall notify the Community Development Department of any changes.

2. Duration and Voiding of Use Permit

- a. To secure the objectives of this Zoning Ordinance, Use Permits may be for a fixed time period, and a Use Permit does not grant a vested right beyond the term of the permit.
- b. The permittee must obtain building permits within six months from the date the Use Permit was issued. Failure to obtain a building permit or begin the use shall void the permit unless a delay to start the construction has been granted or an extension has been applied for with the Community Development Director prior to the expiration of the six-month period. Additional extensions must go to Council.
- c. If the use or uses for which a Use Permit has been granted are discontinued for a continuous period of six months, the Use Permit is voided.
- d. Violation of the terms of the Use Permit or this Zoning Ordinance voids the Use Permit.
- e. Decisions by the Community Development Director, which result in the voiding of the Use Permit, may be appealed to the Board of Adjustment and Appeals; subject to an application for appeal being on file in the Community Development Department within 30 days of notification of the Use Permit being voided.

B. D. R-R DISTRICT (Residential-Rural), (Formerly RCU)

1. Purpose:

The R-R District is intended to provide a zoning classification for portions of the incorporated area of Camp Verde not presently characterized by urban uses, and to provide for rural, large lot residential uses. Manufactured, Modular or Site Built. Mobile Homes Prohibited (See Part 3 Section 306.B.1.b.3).

Permitted Uses and Structures:

- a. Accessory Dwelling Unit (ADU).
- b. Agriculture and cultivation.
- c. Bed and Breakfast.
- d. Community parks, playgrounds or centers.
- e. Dwelling unit for one family on any one lot (See D.1).

Educational institutions (including private schools, provided they offer curriculum of general instruction comparable to similar public schools).

- f. Flood control facilities.
- g. Golf courses with accessory uses such as pro shops, shelters, and rest rooms.
- h. Historical Landmarks.
- i. Home occupations (See Section 303).
- j. Keeping of farm animals, limited (See Section 305).
- k. Open land carnival and recreation facilities (religious & educational institutions).
- l. Other accessory uses commonly associated with primary permitted use. (See Section 301 C.)
- m. Religious institutions (in permanent buildings).

2. Uses and Structures Subject to Use Permit

- a. Government facilities and facilities required for the provision of utilities and public services.
- b. Veterinary Services.
- c. Mobile/manufactured home and recreational vehicle parks subject to the requirements of Section 306.
 - 1) Notwithstanding the foregoing, in the event a Planned Area Development (PAD) District is established per Section 203, this use may be included in any Development Plan thereunder and approved without being subject to a Use Permit application and hearing procedures set forth in Section 601.
- d. Temporary Use Permits, subject to administrative approval (See Section 601.C):
 - 1) Occupancy of temporary housing, including travel trailers, during the construction of a permanent dwelling is allowed during the 12-month period after issuance of a building permit.
 - 2) Model homes, temporary offices (construction and pre-construction sales offices/showrooms), construction sheds and yards incidental to a recorded residential development or other construction project (subject to District setbacks) for a period not to exceed 12 months.

e. All uses with a valid Use Permit for expanded uses, including those uses listed in items a.-d., above, in effect as of June 24, 2011 will retain all rights associated with the Use Permit for the term of that Use Permit. Prior to the expiration of the said Use Permit, the owner may apply for a Use Permit, subject to all the requirements of Section 601.A-C, to continue the existing uses and any proposed new uses at the sole discretion of and as may be modified by the Town Council. (Ord 2013 A388).

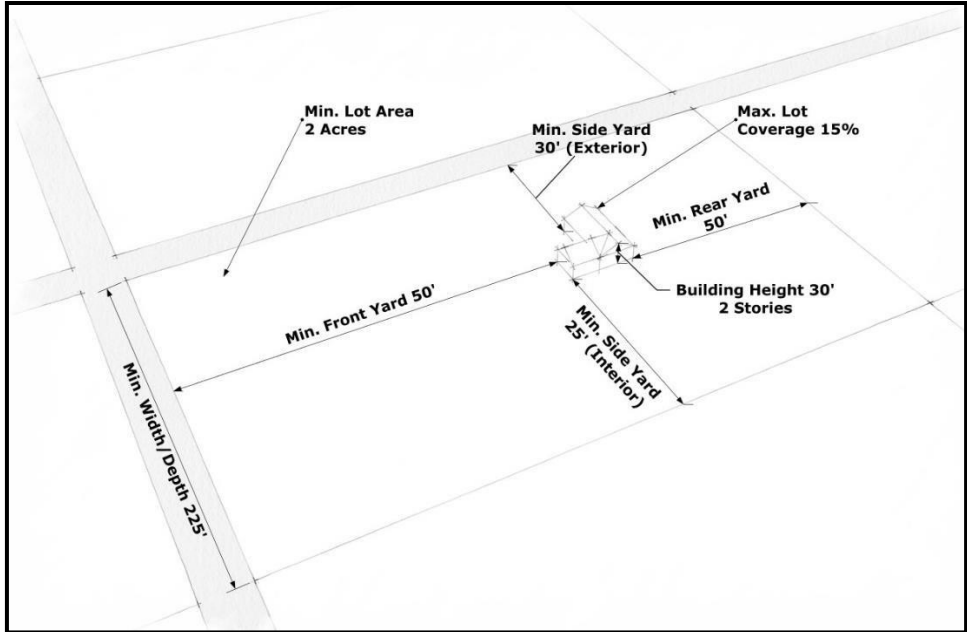
f. Agri-Tourism, Application submission, required information, procedures and review are subject to Use Permit and criteria and specific showings of:

- 1) Adequate points of direct ingress and egress for patron safety and direct emergency vehicle access;
- 2) Ample on-site parking for normal business activity and provisions for special event overflow parking;
- 3) Adequate separation distance limitation of hours of operation, and/or additional measures to mitigate negative effects of lighting, noise, traffic, dust and other detrimental environmental factors on nearby residential uses or vacant residentially zoned property.
- 4) Provision for patrons' health, safety and comfort including but not limited to shade, first aid and water stations, sanitary facilities, food and beverages, trash receptacles/removal, and appropriate security.

5) A full two (2) acres (87,120 square feet) parcel is required to obtain a Use Permit for Agri-Tourism (Ord 2015 A206).

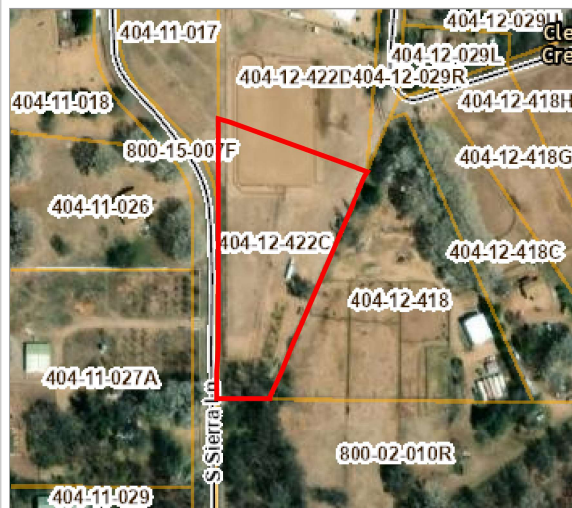
| Table 2-4: R-R Dimensional Standards | "R-R" |
|--------------------------------------|-------------------|
| Minimum Lot Area (sq.ft.) | 87,120' (2 acres) |
| Minimum Width OR Depth (feet) | 225' |
| Maximum Bldg Ht (stories) | 2 |
| Maximum Bldg Ht (feet) | 30' |
| Maximum Lot Coverage (%) | 15% |
| Minimum Front Yard (feet) | 50' |
| Minimum Rear Yard (feet) | 50' |
| Minimum Side Yard Interior (feet) | 25' |
| Minimum Side Yard Exterior (feet) | 30' |

Table 2-4: R-R Dimensional Standards



ATTACHMENT F

Yavapai County Print Parcel



| | |
|--|-------------------------------|
| Parcel ID | Check Digit |
| 404-12-422C | 1 |
| Owner | |
| Mansker Trampus & Bonnie RS | |
| Owner's Mailing Address | |
| 2083 E Hardy Ln Camp Verde, AZ 86322-6213 | |
| Secondary Owner | |
| Recorded Date | |
| 2/7/2008 12:00:00 AM | |
| Last Transfer Doc Docket | Last Transfer Doc Page |
| 4572 | 991 |
| Physical Address | Incorporated Area |
| 2083 E Hardy Ln | Town of Camp Verde |

| | | |
|---------------------------|--------------------------------|-------------------------|
| Assessor Acres | Subdivision | Subdivision Type |
| 2.3 | N/A | N/A |
| School District | Fire District | |
| Camp Verde Unified SD #28 | Copper Canyon Fire And Medical | |
| Improvements (0) | Local Zoning | |
| No Improvements found. | Town Of Camp Verde RR-2A | |

Assessment
Starting with the 2015 tax year, the Limited Property Value is the only value considered for taxation purposes, the Full Cash Value is no longer used for taxation.

| Tax Year | 2024 | 2023 |
|---------------------|-----------------|-----------------|
| Assessed Value(ALV) | \$10,629 | \$10,123 |
| Limited Value(LPV) | \$70,860 | \$67,486 |
| Full Cash(FCV) | \$195,979 | \$200,377 |
| Legal Class | Vacant or Other | Vacant Or Other |
| Assessment Ratio | 15% | 15% |
| Usage Code | 0011 ? | 0011 ? |

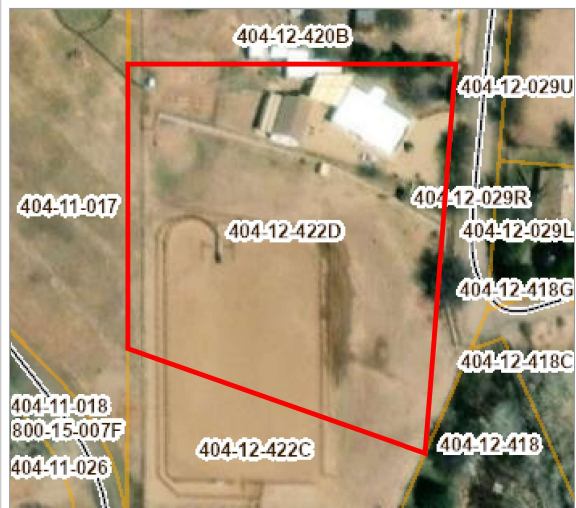
| | |
|----------------------|--------------------------|
| Taxes | 2022 Taxes Billed |
| Tax Area Code | |
| 2877 | \$1,050 |

| Recorded Documents & Sales (4) | | | |
|---|--------------|-------------------|-----------|
| Date | Book/Page | Type | Cost |
| 4/2/2021 | 2021-0023800 | Warranty Deed | \$459,500 |
| 4/2/2021 | 2021-0023799 | Death Certificate | \$0 |
| 2/7/2008 | 4572-991 | Other - Sale | \$0 |
| 9/15/2005 | 4311-629 | Other - Sale | \$0 |

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. Users should independently research, investigate and verify all information.

By using this website, the user knowingly assumes all risk of inaccuracy and waives any and all claims for damages against Yavapai County and its officers and employees that may arise from the use of this data and agrees to indemnify and hold harmless Yavapai County and its officers and employees to the fullest extent permitted by law. By using this website, the user also agrees that data and use of this website may not be used for commercial purposes.

Yavapai County Print Parcel



| | | | |
|---------------------------------|--|-------------------------------|--------------------|
| Parcel ID | 404-12-422D | Check Digit | 0 |
| Owner | Mansker Trampus & Bonnie RS | | |
| Owner's Mailing Address | 2083 E Hardy Ln Camp Verde, AZ 86322-6213 | | |
| Secondary Owner | | | |
| Recorded Date | 2/7/2008 12:00:00 AM | | |
| Last Transfer Doc Docket | 4572 | Last Transfer Doc Page | 991 |
| Physical Address | N/A | Incorporated Area | Town of Camp Verde |

| | | | | | |
|-------------------------|---------------------------|--------------------|----------------------|--------------------------------|-----|
| Assessor Acres | 2.39 | Subdivision | N/A | Subdivision Type | N/A |
| School District | Camp Verde Unified SD #28 | | Fire District | Copper Canyon Fire And Medical | |
| Improvements (3) | | | Local Zoning | | |

Type: Affixed Mobile Home
Year Built: 1999
Floor area ?: 1765
Multi Level: No
Below Grade Area ?: None
Basement ?: No

Type: Garage
Year Built: 2002
Floor area ?: 1120
Multi Level: No
Below Grade Area ?: None
Basement ?: No

Type: Mobile Home Yard Improvements
Year Built: 2002
Floor area ?: 1
Multi Level: No
Below Grade Area ?: None
Basement ?: No

Town Of Camp Verde
RR-2A

Assessment
 Starting with the 2015 tax year, the Limited Property Value is the only value considered for taxation purposes, the Full Cash Value is no longer used for taxation.

| Tax Year | 2024 | 2023 |
|---------------------|-------------------|-------------------|
| Assessed Value(ALV) | \$14,157 | \$13,482 |
| Limited Value(LPV) | \$141,566 | \$134,825 |
| Full Cash(FCV) | \$257,107 | \$258,945 |
| Legal Class | Primary Residence | Primary Residence |
| Assessment Ratio | 10% | 10% |
| Usage Code | 0819 ? | 0819 ? |

| | |
|--------------------------|---------|
| Taxes | |
| Tax Area Code | 2877 |
| 2022 Taxes Billed | \$1,179 |

| Date | Book/Page | Type | Cost |
|-----------|--------------|-------------------|-----------|
| 4/2/2021 | 2021-0023800 | Warranty Deed | \$459,500 |
| 4/2/2021 | 2021-0023799 | Death Certificate | \$0 |
| 2/7/2008 | 4572-991 | Other - Sale | \$0 |
| 9/15/2005 | 3914361 | Warranty Deed | \$500,000 |
| 8/15/2005 | 4311-629 | Other - Sale | \$0 |

Disclaimer: Map and parcel information is believed to be accurate but accuracy is not guaranteed. No portion of the information should be considered to be, or used as, a legal document. Users should independently research, investigate and verify all information.

may arise from the use of this data and agrees to indemnify and hold harmless Yavapai County and its officers and employees to the fullest extent permitted by law. By using this website, the user also agrees that data and use of this website may not be used for commercial purposes.

Attachment G

Active Agritourism Use Permits

| Resolution | Information |
|------------|--|
| 2014-919 | Jackpot Ranch, allowing for large events including family gatherings, weddings, group picnics, horse motel, equestrian events, charitable and civic events, corporate retreats, etc. |
| 2015-946 | Ignacio Mesa, operate a wine tasting room. |
| 2017-982 | Salt Mine Winery, operate a wine tasting room |
| 2017-992 | Animal Guardian Network, operates an animal sanctuary and healing ranch. Public can go on pre-arranged tours. |
| 2018-1005 | Nashwa Farms, event ranch |



RESOLUTION 2014-919

A RESOLUTION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA, YAVAPAI COUNTY, ON USE PERMIT 20140060, AN APPLICATION SUBMITTED BY MR. BILL MOORE, AGENT FOR THE SHUSTER FOUNDATION, OWNER OF JACKPOT RANCH LOCATED ON THE FOLLOWING PARCELS: 403-17-006K 64.75 ACRES AND 403-18-001H 2.43 ACRES AND 403-18-107C 4.94 ACRES FOR A TOTAL OF 72.12 ACRES. THE FOLLOWING PROPOSED USES ARE FOR THE ENTIRE 72.12 ACRES INCORPORATING ALL THREE PARCELS: HORSE MOTEL, CORPORATE, SPIRITUAL AND GOVERNMENTAL OVERNIGHT RETREATS, GROUP ACTIVITIES WHICH WOULD INCLUDE; WEDDINGS, FAMILY GATHERINGS, GROUP PICNICS, EQUESTRIAN EVENTS, CHARITABLE AND CIVIC EVENTS, ICE SKATING RINK AND MOBILE WESTERN TOWN LOCATED AT 2025 W. RESERVATION LOOP RD. MEETING FACILITY WITH KITCHEN & OUTDOOR ASSEMBLY AREA LOCATED AT 1879 W. CIMMARON DR.

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 20140060 was filed by Mr. Bill Moore Agent for the Shuster Foundation owner of parcels 403-17-006K, located at 2025 W. Reservation Loop Rd., 403-18-107C location is vacant land with no address assigned & 403-18-001H located at 1879 W. Cimarron Dr. These parcels are zoned RR (Rural Residential) and the proposed uses are permitted under such zoning with a Use Permit.
- B. The request was reviewed by the Planning and Zoning Commission on April 03, 2014 and by the Common Council on April 23, 2014 in public hearings that were advertised and posted according to state law.
- C. A neighborhood meeting was held on March 18, 2014 by the applicant to provide for citizen review pursuant to ARS § 9-462.03 and as required by the Town of Camp Verde Planning & Zoning Ordinance, Part 6, Section 601 (Zoning Decisions) A.3.a-e.
- D. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town Planning & Zoning Code.

The following proposed stipulations would be in place:

- All Events are to end by 10:00 pm.
- Up to Six (6) large events (defined as 300 or more people) are allowed per year.
- Notification will be made to the neighbors, Community Development Department, Camp Verde Fire District and the Town Marshal's Office with the dates and times for any activity or event that will have 300 or more participants.

- The sound from amplified music must be minimized utilizing all of the following methods: A) Decibel Monitoring; B. Deflection of sound through the use of barriers; C. Aligning speakers in a location that would direct the sound away from the closest neighbors.
- All building modifications must be permitted, completed and a Certificate of Compliance issued by the Town before any of the approved activities may be conducted in new or modified facilities. A time limit to meet all compliance issues being 180 days after Use Permit approval or as determined by the Building Official as based on the owners progress of completion.
- The Use Permit requires the Octagon building which has been converted from a single family residence to a meeting and reception area to be properly permitted, with as built plans submitted by an Arizona Registered Design Professional including wet seal stamp on the as built plans certifying that the plans were followed, along with a list of all contractors, including Registrar of Contractors license numbers who performed the conversion work.
- The Use Permit requires the garage which has been converted from a utility building into a commercial kitchen to be properly permitted, with as built plans submitted by an Arizona Registered Design Professional including wet seal stamp on the as built plans certifying that the plans were followed, along with a list of all contractors, including Registrar of Contractors license numbers who performed the conversion work.
- The Use Permit requires the existing tree house to be properly permitted, with as built plans submitted by an Arizona Registered Design Professional including wet seal stamp on the as built plans certifying that the plans were followed.
- For all events over 300 or more people, and Event Plan will be submitted to the Community Development Department, Camp Verde Fire district and the Town Marshal's Office. The Event Plan shall include, but not limited to, a detailed description of what precautions and actions will be followed for the specific event in order to address the following critical concerns: Event Hours, Traffic Control Plan, Parking, Noise, Dust Abatement, Trash Service in the event and in the neighborhood, Sanitation, Security, and Emergency Services.

Maximum number events per calendar year based on number of visitors at each event. The number of authorized events in each calendar year is cumulative (e.g. in one calendar year an unlimited number of events with attendees of less than 50 could be held, plus two events with attendance between 300-499 could be held, and one event with attendance between 1250-1499 could be held.)

| <u>Number of visitors</u> | <u>Number of events</u> |
|---------------------------|-------------------------|
| 1-49 | unlimited |
| 50-149 | 25 |
| 150-299 | 4 |
| 300-499 | 2 |
| 500-749 | 1 |
| 750-999 | 1 |
| 1000-1249 | 1 |
| 1250-1499 | 1 |

This parking table will be utilized in determining appropriate parking for all events of 300 or more people:

| Daily Visitors to Ranch | Maximum Estimate # of Vehicles | On-site Parking (including 10 handicap) | Off-Site Parking | On-Site Temporary Parking | Shuttle Service |
|-------------------------|--------------------------------|---|------------------|---------------------------|-----------------|
| 0-250 | 150 | 212 | N/A | N/A | N/A |
| 250-500 | 300 | 212 | N/A | N/A | N/A |
| 500-700 | 450 | 212 | 260 +/- | 815 | N/A |
| 750-1000 | 600 | 212 | 260 +/- | 815 | Possible |
| 1000-1250 | 750 | 212 | 260 +/- | 815 | Possible |
| 1250-1499 | 900 | 212 | 260 +/- | 815 | Possible |

- **Mobile Western Town**

To include structures which will either be mounted on trailers or capable of being removed within a matter of hours:

Horseback Trails, Pellet gun shooting gallery, Cantina, Pony Express Depot, Cottonwood Gulch Jail, Livery Stable, Blacksmith Shop Pavilion, Catering trailer and Mineshaft with Gold Panning.

In the event that the applicant is unable to proceed with the above referenced facilities due to floodway considerations or any reason whatsoever, the following basic activities may be substituted to occur in the area down by the river (with or without any new structures): a) campfire subject to county/town burn restrictions, b) cowboy activities and games such as trick roping, tomahawk toss, horseshoes, gun spinning, etc., c) an area to picnic or eat meals likely on picnic tables, and d) non-amplified entertainment such as acoustic guitar, etc.


All of the requested uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 (Zoning Decisions), C. 1 & 2 of the Town of Camp Verde Planning & Zoning Ordinance.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, ARIZONA ON May 28, 2014.



Charles German, Mayor

Date: 6-11-2014

Approved as to form: 
Town Attorney

Attest:  - Deputy Town Clerk
Deborah Barber, Town Clerk



RESOLUTION NO. 2018-1005

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, FOR A REQUEST BY TONYA WIERTZEMA OF NASHWA FARMS, FOR USE PERMIT 2018-0012 TO ALLOW FOR AGRI-TOURISM IN A R-R (RESIDENTIAL-RURAL) ZONING DISTRICT FOR THE PURPOSE OF AN EVENT RANCH ON AN APPROXIMATELY 60 ACRE PARCEL, APN 403-13-002A, LOCATED AT 3500 W MAHONEY RD.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby resolve as follows:

1. The Common Council hereby finds as follows:
 - A. A request for approval of Use Permit 2018-0012 was filed by Tonya Wiertzema owner of Parcel 403-13-002A, located at 3500 W Mahoney Rd., Camp Verde, Arizona. The parcel is zoned R-R (Residential-Rural).
 - B. A neighborhood meeting was held on June 24 & 25 2017 by the applicant to provide for citizen review pursuant to ARS §9-462.03 and as required by the Town of Camp Verde Planning and Zoning Ordinance, Part Six, Section 601 (Zoning Decisions) A3. – Citizen review and participation process.
 - C. The request was reviewed by the Planning and Zoning Commission on June 7, 2018, in a public hearing that was advertised and posted according to State Law and by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona on June 27, 2018.
 - D. The purpose of the use will not constitute a threat to the health, safety, welfare or convenience to the general public and should be approved and the Council hereby finds that the uses covered by the Use Permit and the manner of its conduct will not be detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or to the public welfare generally and the uses shall be in conformity to the conditions, requirements and standards of the Town of Camp Verde Planning and Zoning Ordinance.
 - E. The Waiver of Diminution of Value has been signed by the owner and is attached as Exhibit A.

The Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona do hereby approve Use Permit 20170327 in perpetuity, subject to the limitations of Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, Subsection 2, for the purpose of establishing an Event Ranch and all other uses allowed under Agri-Tourism with the following findings:


1. The use of this property shall be operated and maintained in a manner consistent with the general provisions of the Town of Camp Verde Planning and Zoning Ordinance per Part Two, Section 203 – Use Districts, D. - R-R District (Residential-Rural), 3.f. Agri-Tourism.
2. Per Part Six, Section 601 – Zoning Decisions, C – Use Permit Approvals, 1.e The Use Permit is valid and operable only for the specific use as granted and subject to any specified time limit. No such use may be modified, changed, altered or increased in intensity, in any manner that conflicts with the Use Permit and/or required conditions of approval, without approval of a new Use Permit.

The following stipulations shall apply:

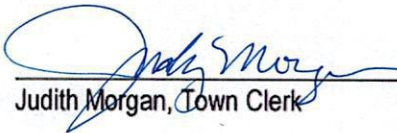
1. This Use Permit will be not be implemented until all structures relating to this permission have passed final inspections by the Building Department.

All of the requested uses to continue with no time limit, but are subject to the requirements of Part 6, Section 601 – Zoning Decisions, C. – Use Permit Approvals, 1. and 2. of the Town of Camp Verde Planning and Zoning Ordinance.

PASSED AND ADOPTED AT A REGULAR SESSION OF THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA ON JUNE 27, 2018.


Charles C. German, Mayor Date: 6/28/2018

Attest:


Judith Morgan, Town Clerk Date: 6/28/2018

Approved As To Form:


Town Attorney

MAR 26 '18 PM 5:26



Land Use Application Form

1. Application is made for:

- | | | |
|---|---------------------|------------------------------------|
| Zoning Map Change | <u>Use Permit</u> | General Plan Amendment |
| Conceptual Plan Review | Preliminary Plat | Final Plat |
| PAD Final Site Plan Review | Variance | Sign |
| Street Abandonment | Minor Land Division | Wireless Tower |
| Appeal | Lot Line Adjustment | Verification of Non-Conforming Use |
| Development Standards Review (Commercial) | | Other: _____ |

2. Project Name: NASHWA Farms, LLC # 403 13 002A

3. Contact information: (a list of additional contacts may be attached)

Owner Name: Tonya Wiertzema Applicant Name: Same
 Address: 3500 W MA Honey Rd Address: _____
 City: Camp Verde, State: AZ Zip 85009 City: _____ State: _____ Zip: _____
 Phone: 602-525-0630 Phone: _____
 E-mail: tonyaw@CustomXRAY.com E-mail: _____

4. Property Description: Parcel Number 403-13-002A Acres: 60

Address or Location: 3500^W MA Honey Road, Camp Verde, AZ

Existing Zoning: RR2A Existing Use: Boarding facility

Proposed Zoning: N/A Proposed Use: Boarding facility & Horse Events

5. Purpose: (describe intent of this application in 1-2 sentences)

Boarding, Horse events, Sheriff posse events
FFA Events, Team roping, Barrel racing,
Horse shows, Clinics, Rodeos

6. Certification:

I certify that I am the lawful owner of the parcel(s) of land affected by this application and hereby consent to this action.

Owner: Tonya Wiertzema Date: 3-19-2018 AND

I certify that the information and attachments I have submitted are true and correct to the best of my knowledge. In filing this application, I am acting with the knowledge and consent of the property owner(s). I understand that all materials and fees required by the Town of Camp Verde must be submitted prior to having this application processed.

Applicant: Tonya Wiertzema Date: 3-19-2018

To: Camp Verde Community Development Department
473 S. Main Street, Suite 108

Subject : Hearing on Trampus and Bonnie Mansker's application for use permit
Application # 20230137

To Whom it may concern:

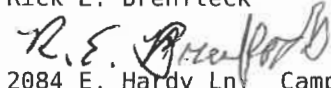
I am writing this letter in support of the Manskers' application for a permit to operate an agritourism facility. Due to health issues, my wife and I will likely not be able to attend the hearing set for June 7th, but we want to be heard.

We live directly across the street from the Manskers, and since they moved in and constructed a roping arena, my wife and I have experienced no problems with noise, odor, dust or excessive traffic.

The Manskers have been consistently good neighbors, and we believe if they receive the permit for their agritourism facility, they will operate with care and consideration. Therefore, my wife and I believe their application should be approved.

Sincerely,

Rick E. Brenfleck



2084 E. Hardy Ln. Camp Verde, AZ 86322
email: reb301@gmail.com
Phone: 928-592-8778



Agenda Item Submission Form – Section I

Meeting Date: June 7, 2023

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

Requesting Department: *Town Clerk*

Staff Resource/Contact Person: *Cindy Pemberton*

Agenda Title (be exact: *Discussion, Consideration and Possible approval of Resolution 2023-1112, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring Chapters one (1) two (2) and Three through and including Section 3-2-1.1 of the Camp Verde Town Code dated June 7, 2023 to be a public record. Staff Resource: Cindy Pemberton*

List Attached Documents: Copy of Town Code Chapter One (1) Thru Three (3-2-1) Red Line Version
Copy of Town Code Chapter one (1) Thru Three (3-2-1) Clean Draft Version

Estimated Presentation Time: 45 Minutes

Estimated Discussion Time: 45 Minutes

Reviews Completed by:

Department Head: _____ Town Attorney Comments: N/A

Finance Department N/A
Fiscal Impact: None
Budget Code: _____ Amount Remaining: _____
Comments:

Background Information: Staff has been working on updating the Town Code. A Group of employees from each department worked together to identify errors. Council held a work session on April 19, 2023 and reviewed the changes.

Recommended Action (Motion): *Move to approve Resolution 2023-1112, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, declaring Chapters one (1) two (2) and Three through and including Section 3-2-1.1 of the Camp Verde Town Code dated June 7, 2023 to be a public record.*

Instructions to the Clerk:



RESOLUTION 2023-1112

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING CHAPTERS ONE (1), TWO (2) AND THREE (3), INCLUDING SECTION 3-2-1.1 SECTION 3-2-1.1 OF THE CAMP VERDE TOWN CODE DATED JUNE 7, 2023 TO BE A PUBLIC RECORD.

Whereas, A.R.S. Section 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled Chapters one (1), two (2) and three (3) Including Section 3-2-1.1 of the Town of Camp Verde Town Code, dated June 7, 2023 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2023-A481, and which would qualify for enactment by reference by law.

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE CHAPTERS ONE (1), TWO (2) AND THREE (3) INCLUDING SECTION 3-2-1.2 OF THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2023-A481, AND ORDER THAT THREE (3) COPIES, OR ONE (1) PAPER COPY AND ONE (1) ELECTRONIC COPY, OF CHAPTERS ONE (1), TWO (2) AND THREE (3) OF THE TOWN CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 7th day of June 2023.

PASSED AND ADOPTED:

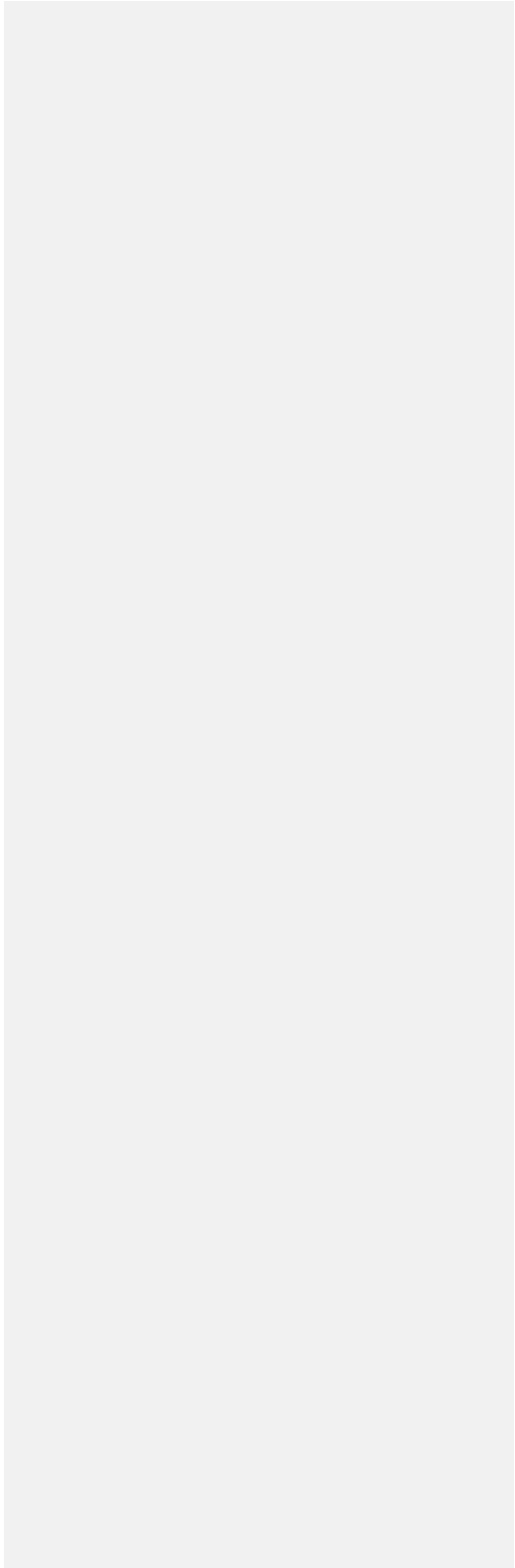
Dee Jenkins, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Trish Stuhan-Town Attorney



TOWN OF CAMP VERDE TOWN CODE
CHAPTER 1
GENERAL

ARTICLE 1-1

HOW CODE DESIGNATED AND CITED (1996-A116) (2006-A332) (2023-A481)

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Camp Verde, Arizona," and may be so cited. Such code may also be cited as the "Camp Verde Town Code."

ARTICLE 1-2

CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the obvious intent of the Council, the context of this code or the ordinances of the Town.

ARTICLE 1-3

DEFINITIONS

SECTION 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 1-3-2 DEFINITIONS (2021-A460)

Acts by Agents. When an act is required to be done which may by law be done by an agent as the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.

Code. When the word "code" is used, it shall mean the Town Code of the Town of Camp Verde, Arizona unless the context indicates otherwise.

Council. When the word "Council" is used, it shall mean the Town Council of the Town of Camp Verde.

County. When the word "county" is used, it shall mean Yavapai County, Arizona unless the context clearly indicates otherwise.

Day. "Day" is the period of time between any midnight and the midnight following.

Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context indicates otherwise.

Gender; Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Month. "Month" means a calendar month.

Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Open Space. land owned and/or managed by the Town or other government agency for the purpose of public access or public recreation or for preservation of scenic, cultural or natural resource values. Open Space includes trails and waterways passing through or adjacent to public land. FOR THE PURPOSE OF THIS SECTION, OPEN SPACE DOES NOT INCLUDE DESIGNATED PARKING AREAS.

Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.

Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes lands, tenements and hereditament and personal property.

Real Property. The term "real property" includes lands, tenements and hereditament.

Shall, May. "Shall" is mandatory and "may" is permissive.

Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.

Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

Town. When the word "Town" is used, it shall mean the Town of Camp Verde, Yavapai County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

Week. A week consists of seven consecutive days.

Trails. a trail, lane, path, or other publicly owned right-of-way, that because of its scenic value, access to publicly owned open space, or because of its topographical nature, has as its primary purpose recreational use of the trail itself.

Waterways. perennial rivers and streams, located within the Town limits, to include the Verde River, Oak Creek, wet Beaver Creek, and West Clear Creek.

Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

Year. "Year" means a calendar year unless otherwise provided.

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ARTICLE 1-4

REFERENCE TO CHAPTERS, ARTICLES, OR SECTIONS:

SECTION 1-4-1 ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this Article shall be observed in the construction of this code.

SECTION 1-4-2 REFERENCES TO THIS CODE

All references to chapters, articles, or sections are to the chapters, articles, and sections of this code unless otherwise specified.

SECTION 1-4-3 CONFLICTING PROVISIONS--DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

SECTION 1-4-4 CONFLICTING PROVISIONS--SAME CHAPTER

If conflicting provisions are found in different sections of the same chapter, the provisions of the section that is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

ARTICLE 1-5

SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

ARTICLE 1-6

EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

ARTICLE 1-7

SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

ARTICLE 1-8

PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as herein described.

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ARTICLE 1-9

REPEAL OF EXISTING ORDINANCES

SECTION 1-9-1 EFFECTIVE DATE OF REPEAL

All Ordinances of the Town listed in the adopting Resolution, except those ~~specifically~~ specifically -exempted, now in force and effect are hereby repealed ~~effective at twelve o'clock noon on November 1, 1996~~ but all rights, duties, and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

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SECTION 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonment's, or zoning.
- B. Any Ordinance making an appropriation.
- C. Any Ordinance affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.

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- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.
- H. Any Ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

ARTICLE 1-10

EFFECTIVE DATE OF CODE (2006-A332)

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force thirty (30) days after approval. Execution and Signature and fully executed document, except for emergency measures and that where a later effective date is provided, it shall prevail.

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CHAPTER 2
MAYOR AND COUNCIL

ARTICLE 2-1

COUNCIL

SECTION 2-1-1 ELECTED OFFICERS (2008-A355) (2023-A481)

- The elected officers of the Town shall be a Mayor and six (6) Council members. The Mayor and Council members shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors.
- The term of office of the Mayor shall be two (2) years.
- Council members shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with three (3) members in each class.

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SECTION 2-1-2 CORPORATE POWERS (2008-A355)

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

SECTION 2-1-3 ASSUMPTION OF OFFICE (2008-A355) (2016-A415) (2019-A444) (2020-A456)

In the event that any offices up for election are filled in the Primary Election, those members of the Council Elected at that time shall assume the duties of office at the first Regular meeting of the Council in November, following the date of the General Election, and are seated after the meeting is called to order and before business is conducted. In the event that all Offices are not filled in the Primary Election, and a General Election is to be held in November, all members of the Council shall assume the duties of office at the first Regular Meeting of the Council in December next following the date of the General Election at which any remaining Council Members were elected. If a Council candidate, including Mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS § 9-821.01, as may be amended, such candidate shall be declared elected to the office, but effective as of the date of the General Election, to be seated as set forth herein.

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SECTION 2-1-4 VACANCIES IN COUNCIL (2008-A355) (2009-A362) (2009-A364) (2012-A381)

If a vacancy occurs more than thirty (30) days before the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall, within sixty (60) days of the vacancy, fill the appointment until the next regularly scheduled Town Council election. If the vacancy occurs thirty (30) days or less prior to the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall fill the vacancy for the unexpired term of the office being filled. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the oath-Oath of office-Office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

Commented [TS1]: The 60 day time period to fill a vacancy is not required by law. It may create timeline crunches that are not necessary (particularly if there is ever a divided Council or a lack of candidates, making appointment challenging). On the other hand, if Council wants to encourage prompt action, this is fine. Council can require action in a shorter period than required by law. It's a policy decision. I just wanted to flag this as upon closer review the Town is going above and beyond legal requirements.

SECTION 2-1-5 OATH OF OFFICE (2008-A355)

Immediately before assumption of the duties of office, the Mayor and each Council member shall, in public, take and subscribe to the Oath of Office.

ARTICLE 2-2

MAYOR (2008-A355) (2010-A370)

SECTION 2-2-1 DIRECT ELECTION OF MAYOR (2004-A270) (2008-A355)

- A. The Mayor shall be directly elected by the people pursuant to ARS § 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared Mayor effective as of the date of the general election, and no general election shall be held for that position.
- B. The term of the Mayor shall be for two (2) years. In every election one of the declared vacancies on the Council shall be reserved for the election of the Mayor.

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- C. A candidate may not run for both Mayor and Council member at the same election, a seated Council member whose term is not expiring may not run for the office of Mayor. A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member.

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SECTION 2-2-2 VICE-MAYOR (2008-A355) (2016-A415)

The Council shall select a Vice Mayor, after the official canvass is certified and approved following the date of the General Election, who shall serve for a two-year (2) term at the pleasure of the Council. The Vice Mayor shall assume the duties of the Mayor in the absence, disqualification, **incapacitation** or resignation of the Mayor.

SECTION 2-2-3 ACTING MAYOR (2001-A210) (2008-A355)

In the absence or disability of both the Mayor and Vice Mayor, the Mayor or Vice Mayor will designate one of the current Council members to serve as acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability. In the event, the Town Council objects to any such designation, the Council may vote in a public meeting called pursuant to the provisions of this code, to override the Mayor's or Vice-Mayor's designation and select an alternative person to serve as Acting Mayor.

SECTION 2-2-4 POWERS AND DUTIES OF THE MAYOR (2008-A355) (2019-A443)

The Mayor shall be the Chief Elected Official who is the Chief Executive Officer of the Town; except as to the administrative duties delegated to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.

- A. The Mayor shall be the Chairperson of the Council and preside over its meetings and its agenda. The Mayor may make and second motions and shall have a voice and vote in all its proceedings.
- B. The Mayor shall execute and authenticate by his/her signature such instruments as the Council or any statutes, ordinances, or this code shall require.
- C. The Mayor and members of the Council may make such recommendations and suggestions to the Council, as they may consider proper.
- D. The Mayor may, by Proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:
 - 1. Imposition of a curfew in all or any portion of the Town.
 - 2. Ordering the closing of any business.
 - 3. Closing to public access any public building, street, or other public place.
 - 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- E. The Mayor shall perform such other duties required by state statute and this code as well as those duties required as the Elected Official who is chief executive officer of the Town.

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F. At the first meeting in January of each year, or as soon as practicable, Council may adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they affect the Town's interests and require an immediate response.

SECTION 2-2-5 ABSENCE OF MAYOR (2008-A355) (2010-A370)

The Mayor shall not absent himself/herself from the Town for a greater period than SEVEN consecutive days without the consent of Council. In addition, the Mayor shall leave emergency contact numbers with the Town Clerk during the absence.

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SECTION 2-2-6 FAILURE TO SIGN DOCUMENTS (2008-A355)

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five consecutive working days, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his/her absence, an acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

ARTICLE 2-3

COUNCIL PROCEDURES (2002-A218)(2008-A355)

SECTION 2-3-1 REGULAR MEETINGS, ~~HOURS OF OPERATION~~ (2003-A262) (2005-A311) (2005-A314) (2008-A355) (2012-A385)(2019-A449)

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Regular Council Meetings.

The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesday of the month at the ~~Town Hall~~ Council Chambers complex on Main Street for general business, Planning & Zoning ~~Matters~~ matters, and Public Hearings as may be required by law, with the second and fourth Wednesday set aside for Work Sessions, or Special Sessions as needed. A Work Session, in lieu of or in conjunction with a Regular meeting, may be called. If a Regular meeting is cancelled, such as near a holiday, notice of the cancellation shall be posted.

~~Hours of Operation/Meeting Dates and Times.~~

~~At the first meeting in December, or as soon as practicable, Council shall set by Resolution, the hours of operation for all Town Offices, and setting next meeting dates and times for Council, Commissions, and Committees meetings for the coming year. This action does not preclude Council from making adjustments as needed during the year.~~

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SECTION 2-3-2 SPECIAL MEETINGS AND TIMES AND PLACES OF SPECIAL MEETINGS

(2008-A355)(2010-A370)

- A. The Mayor, after public vote of the Council to schedule a Special Session within the jurisdiction of the Town, shall direct staff to schedule a Special Session of the Council, to begin at a time and place designated in the motion. In addition, the Mayor or Vice Mayor if the mayor is absent pursuant to Section 2-2-5, and the Town Manager may jointly schedule a Special session to be held at a time and in appropriate facilities within the Town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the availability of a quorum. Special Meetings shall be posted in the same manner as Regular Meetings by the Town Clerk.
- B. Notices and Agendas will be posted for the Special Sessions as required by law.
- ~~C. Special Sessions herein will not be scheduled away from Town Hall if the Agenda involves public hearings on controversial topics likely to interest citizens of the Town in general rather than a particular neighborhood.~~

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SECTION 2-3-3 POSTING OF NOTICES (2008-A355)

- A. Notice of Council, ~~Board, Commission, and Committee~~ Meetings and ~~Zoning Matters~~ Agendas, and ~~other public notices~~ shall be posted at Town Hall, ~~and on the Town Website, the local grocery store at Outpost Mall, and on the Town's website. Other public notices, such as public meetings of commissions, committees, or boards, bidding, holidays, auctions, and zoning matters, will be posted at Town Hall only,~~ but shall also be posted on the Town's website. Additional locations may be selected ~~for courtesy postings and may be designated through Resolution of the Council. Locations for posting may be changed by Council Resolution.~~
- B. All notices shall contain a statement of posting signed by the Town Clerk or a designated representative showing the date and time of posting.
- ~~C. Posting of Alternate Meeting Locations. In addition to the locations and content specified by 2-3-3 (Posting of Notices),~~

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SECTION 2-3-4 MEETINGS TO BE PUBLIC (2008-A355)

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed Executive Session pursuant to the provisions of state law.

The Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled ~~for the gymnasium, school auditorium, or in an~~ alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town ~~Hall~~ Council Chambers. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

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SECTION 2-3-5 QUORUM (2008-A355)

No action shall be taken unless a quorum is present. Four or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, Resolution, Ordinance, or other business on the agenda.

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SECTION 2-3-6 PREPARATION OF AGENDA (2002-A255) (2008-A355)

A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an Agenda, whichever is earlier, the Clerk shall collect all written reports, communications, Ordinances, Resolutions, contracts and other documents to be submitted to the Council and prepare an Agenda in consultation with the Manager and Mayor, and no more than two (2) Council members, of the Council according to the order of business. Following finalization of the agenda, the Clerk shall and furnish each Council member, the Mayor and the Attorney with a copy of the agenda and other necessary reports and materials together with a copy of the minutes of the last preceding Council meeting. From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.

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All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk. If the number of scheduled agenda items prevents the scheduling of a requested agenda item, the Mayor (with the consent of the requesting Council member) may schedule the requested item to be heard at the next meeting of the Council.

B. The Town may use a consent agenda to address routine matters coming before the Council.

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SECTION 2-3-7 ORDER OF BUSINESS (2008-A355)

The business of the Council shall be the following items, not necessarily in that order:

A. Call to Order: The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the Clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the chair Mayor and Council.

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B. Pledge of Allegiance.
C. Roll Call. Before proceeding with the business of the Council, the Clerk or the Clerk's designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.

- D. Consent Agenda: The Council may consider any business that is considered to be routine and non-controversial items (minutes, meeting dates, Resolutions, disbursements, etc.) on a Consent Agenda. Items on the consent agenda may be approved by one motion, unless a member of the Council requests that an item be pulled for consideration. ~~(Routine business, meeting dates, disbursements, and Resolutions). Unless a member of the Council requests a reading of the minutes of the Council meeting. The minutes of the preceding meeting shall be considered approved if correct, and errors rectified if any exist.~~
- E. Call to the Public for items not on the agenda: At this time, the public may address the Council on matters that are not listed on the agenda. ~~The Council on items designated for public input may hear petitions, remonstrances, communications, comments or suggestions from citizens present.~~ All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to three (3) minutes. ~~No person other than the individual speaking shall enter into the discussion without the permission of the presiding officer. There will also be a Call to the Public for items NOT on the agenda.~~ During the meeting, Council Members may not answer questions of the speaker or discuss the concerns raised with staff or other members, but at the conclusion of the Call to the Public, Council Members may respond to criticism, ask staff to review the matter, or ask that the matter be placed on a future agenda. ~~Council may direct staff to follow up on the item with a report or placement on an upcoming agenda.~~
- F. Ordinances/Resolutions/Other actions requiring Council approval. The Council shall consider any Ordinances or Resolutions or other actions requiring Council approval as may be listed on the agenda.
- G. Reports by Officers. Town Officials and Committees/Commissions/Boards shall present any reports required by the Council.
- H. Information and Updates.
- I. Adjournment. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

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SECTION 2-3-7.1 MANAGEMENT OF MEETINGS (2008-A355) (2008-A358) (2022-A475)

- A. Where practicable, Executive Sessions will be held prior to the Regular business meetings, as opposed to during or following a meeting.
- B. Meetings will conclude at 10:00 p.m. or prior to 10:00 p.m. ~~The the Mayor shall~~ may call for a vote of the Council to allow the meeting to continue past the deadline.
- C. If an item is opened for public input, the public may address the item one time. Public input is limited to three (3) minutes.
- D. ~~All routine, administrative type items such as Contract awards and approvals, Proclamations, etc. may be placed on the Consent Agenda.~~
- E. ~~Previously approved items, such as budgeted items do not require further Council action and will not be placed on an agenda.~~
- F. ED:- All presentations are limited to ten (10) minutes for the presentation and discussion period.

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SECTION 2-3-8 VOTING (2008-A355)

- A. The Mayor shall vote as a member of the Council.

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- B. ~~If requested by a Council member~~, Per ARS 38-431.01 the minutes shall show the ayes and nays of any question to be taken. Council Members wishing to ~~declare abstain declare for~~ a conflict of interest shall state such on the record prior to any discussion or vote on the item, ~~and~~ shall file a written declaration with the Clerk as soon as possible following the meeting, ~~and shall refrain from voting on the matter~~. Any ~~other~~ abstention must be declared at the time of the calling for a vote. ~~The abstention is a null/void vote. or a silence will be recorded as an affirmative vote~~. The Mayor, or ~~chairman the Mayor's~~ designee ~~of the meeting~~ will announce on the record whether the motion passed or failed.

SECTION 2-3-9 DECLARATION OF VACANCY (2008-A355)

The office of any Council member is deemed vacant pursuant to ARS § 38-291, as may be amended, if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend Council meetings unless otherwise authorized by the Council.

ARTICLE 2-4

ORDINANCES, RESOLUTIONS AND CONTRACTS

SECTION 2-4-1 PRIOR APPROVAL

All Ordinances, Resolutions, and contract documents shall, before presentation to the Council, have been reviewed as to form by the ~~attorney~~ Attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person shall have an opportunity to present his/~~her~~ objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

SECTION 2-4-2 INTRODUCTION

Ordinances, Resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the Attorney or the Manager may present Ordinances, Resolutions and other matters or subjects to the Council, and any member of the Council may assume sponsorship thereof by moving that such Ordinance, Resolution, matter or subject be adopted; otherwise, they shall not be considered.

SECTION 2-4-3 READING OF PROPOSED ORDINANCE

Ordinances shall be read before adoption, but may be read by title only, if the Council is in possession of printed copies of said Ordinance. A member of the Council may request that the Ordinance under consideration be read in full.

SECTION 2-4-4 REQUIREMENTS FOR AN ORDINANCE

Each Ordinance shall have one subject only, the nature of which is clearly expressed in the title. Whenever possible, each Ordinance shall be introduced as an amendment to this code or to an existing Ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

SECTION 2-4-5 EFFECTIVE DATE OF ORDINANCES

A. ~~No AN Ordinance, Resolution, or Franchise~~ Except for measures permitted by law to be adopted as an emergency, Ordinances, Resolutions and Franchises shall become operative ~~until~~ thirty (30) days after its passage by the Council and full execution and signature by the Attorney, Mayor and Clerk. ~~execution by the Mayor, except~~ Measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, shall become immediately operative as long as ~~but such an emergency measure shall not become immediately operative unless it states in~~ a separate section is included in the measure stating the reason why it is necessary that it should become immediately operative. ~~and unless it is approved by~~ The affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays is required for any action approved with an emergency clause.

~~B. In addition to the provisions of subsection A of this section, the Clerk shall certify the Minutes of any Council meeting at which an Ordinance, Resolution or Franchise, except an emergency measure, is passed. The thirty day period specified in subsection A shall be calculated from the date of passage by the Council, execution by the Mayor, and approval as to form by the Town Attorney, and a copy available to the public pursuant to ARS 19-142.C, as may be amended.~~

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CHAPTER 3
ADMINISTRATION

ARTICLE 3-1

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY (2013-A390) (2023-A481)

Residency ~~within Town limits for Department Heads or other personnel~~ may be required for certain positions as reflected in the advertising for the position. To satisfy the residency requirements, persons are required to establish residency within the Town of Camp Verde ~~Town limits or the 86322 zip code area~~ within 180 days of the date of hire. ~~There are no exceptions to this requirement. The residency requirements for the Town Manager is set forth in Section 3-2-1 of the Town Code, and residency requirement for the Town Marshal is set forth in Section 3-2-4 of the Town Code. Extensions for more than up to an additional 180 days may be~~ ~~by~~ granted by action of the Town Council if, in the Council's discretion, extenuating circumstances warrant such extension.

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SECTION 3-1-2 DUAL POSITIONS (2007-A346)

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3.B. In the event that a person has a dual position, such as Town Manager/Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3.B.

SECTION 3-1-3 REMOVAL PROVISIONS (2000-A160) (2007-A346)

A. **Removal for Cause.** (2000-A160) (2007-A346)

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. **Termination Other than For Cause.** (2006-A160) (2007-A346)

The Town Manager, and the Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. ~~A The Manager or Department head~~ shall provide the Council with thirty (30) days' written notice of intention to resign his/her position. Department **H**eads shall provide **the** Town Manager with thirty (30) days written notice **of intention to resign**.

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ARTICLE 3-2

OFFICERS (2000-A160)(2001-A211) (2007-A346) (2008-A355) (2010-A370)

Pursuant to ARS §9-237, as may be amended, in addition to the Common Council, The Officers of The Town Include the Town Clerk, ~~Town Marshal, Town Marshal, Director of Public Works~~/Town Engineer, and Town Manager, Town Attorney, and other officers (department heads) deemed necessary by the Common Council, who shall be appointed as provided by ordinance of the Town. ~~In the temporary absence of the Town Manager, the Town Manager shall appoint a temporary replacement pursuant to Section 3-2-1.1a. In the temporary absence of an officer other than the Town Manager the Town Manager may appoint a temporary replacement.~~

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SECTION 3-2-1 TOWN MANAGER (2000-A160) (2001-A211) (2008-A355)(2013-A391)

- A. Office Established. The Office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. ~~Prior to January 2014, the Town Manager shall be a resident of the Town, unless such requirement is waived by the Council. After January 2014, The Town Manager is required to establish residency. The terms of the residency requirement are provided in Section 3-1-1, within the Town limits of the Town of Camp Verde or the 86322 Zip Code area within 120-180 days of the date of hire NOT TO EXCEED A YEAR AND MAY REQUEST ADDITIONAL TIME WITH LEGITIMATE REASON., There are no exceptions to this requirement.~~
- D. Powers and Duties of Town Manager. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this Article. He shall be responsible for the efficient administration of all the affairs of the Town that are under his control. In addition to his general powers as administrative head and not as a limitation thereon, it shall be his/~~her~~ duty and he/~~she~~ shall have the following powers:
 - 1. Law Enforcement. To see that all laws and Ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
 - 2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his/~~her~~ jurisdiction through their department heads.
 - 3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, except the Town Attorney and the Town Magistrate, all of whom shall be appointed by the Council. As to these officers, he shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations, and state statutes.

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4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his/her direction as may be indicated in the interest of efficient, effective, and economical conduct of the Town's business.
5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.
6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him/her individually or unless the Council excuses him/her, except when his/her removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Law (A.R.S. § 38-431 *et seq.*, as may be amended). He may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.
8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the Manager to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with Federal law, State law, or Town Ordinances.
12. Salary Schedule. To recommend to the Council, a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime, pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.
13. Documents. To sign contracts for budgeted items and other documents that are necessary to conduct the business and affairs of the Town per the Town ~~Financial, Policy and~~ Operations Guide.
14. Communication: The Town Manager shall strive to keep the Town Council adequately and equally informed on issues of importance within the Town. The Town Manager will engage in discussions with the Town Council in order to solicit their preferences for methods of communication.
15. Monthly Reports. The ~~Manager clerk~~ shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.

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E. Internal Relations.

1. Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.

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F. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the Town's ~~Planning and Zoning Commission and all other~~ Commissions, Boards or Committees created by the Council. He/She shall cooperate to the fullest extent possible with the members of all Commissions, Boards, or Committees appointed by the Council.

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G. ~~Other Departments, Appointment of Officers and Employees.~~ The Town Manager may, with the concurrence of the Council, establish other departments (in addition to the departments set forth in this Code) to conduct the business and affairs of the Town.

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~~Before appointing a person to fill the positions of Town Clerk, Town Marshal, Director of Public Works, Town Engineer or any other Department Head position, the Town Manager shall solicit input from no more than three persons serving on the Council.~~

H. With regard to officers and employees appointed by the Town Manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his/her removal or suspension from, such office by the Town Manager or any of his subordinates, or in any manner take part in the appointment or removal of such officers and employees in the administrative services of the Town.

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Commented [CP14]: Town Manager Recommendation

The Town Manager may, in his/her sole discretion, invite individual members of the Town Council to participate as members of interview panels for Department Director positions. Members of the Town Council serving in this capacity shall provide input as would any other interview panel member, but shall not direct or request the Town Manager to select a specific candidate

Commented [CP15]: Town Manager Recommendation

SECTION 3-2-1.1 ACTING TOWN MANAGER (2010-A370)

In the absence of the Town Manager from his their office, or upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Manager or the termination of his/her contract by action of the Town Council, the Acting Town Manager shall be appointed as follows:

~~1.A. For a temporary absence or disability of the Town Manager, the Town Marshal will serve as Acting Town Manager. If the Town Marshal is not available, the Town Clerk will serve as Acting Manager. The Town Manager shall appoint a qualified employee of the Town to perform his/her duties during routine absences such as vacation, sick leave, training, other temporary absences or disability. Such appointment shall not exceed a period of thirty (30) days.~~

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Commented [CP16]: Town Manager Recommendation

2-B. For a vacancy in the position, the Acting Town Manager shall be appointed by resolution of the Council, which may also resolve to keep the position vacant until filled by later selection and contract. If the Town Manager will be absent for more than thirty (30) days, is suspended by the Council, or if there is a vacancy in the office of the Town Manager, the Council shall appoint a qualified Acting Town Manager to serve until the Town Manager returns, the suspension ceases, or until another Town Manager is appointed. ~~and qualifies, as the case may be.~~

Commented [CP17]: Town Manager Recommendation

3-C. The Acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute. ~~except that he/she shall not without prior approval of the Council:~~

1. ~~Incur any unbudgeted indebtedness on behalf of the Town.~~
2. ~~Discharge any Town employee except for extreme cause.~~
3. ~~Substantially change duties and authorities assigned to other staff members.~~

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4-D. ~~The Acting Town Manager may assign, in writing, temporary duties to other staff members for a period not to exceed twenty working days.~~

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RESOLUTION 2023-1112

A RESOLUTION OF THE MAYOR AND COMMON COUNCIL OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, DECLARING CHAPTERS ONE (1), TWO (2) AND THREE (3), INCLUDING SECTION 3-2-1.1 SECTION 3-2-1.1 OF THE CAMP VERDE TOWN CODE DATED JUNE 7, 2023 TO BE A PUBLIC RECORD.

Whereas, A.R.S. Section 9-802 permits the enactment and publication by reference of a code or public record, including a statute, rule or regulation of the municipality, in the interest of economy, and

Whereas, the document entitled Chapters one (1), two (2) and three (3) Including Section 3-2-1.1 of the Town of Camp Verde Town Code, dated June 7, 2023 is a lengthy re-codification of prior ordinances and resolutions enacted by the Town, together with additions and amendments, to be adopted by Ordinance 2023-A481, and which would qualify for enactment by reference by law.

NOW THEREFORE THE MAYOR AND THE COMMON COUNCIL OF THE TOWN OF CAMP VERDE HEREBY DECLARE CHAPTERS ONE (1), TWO (2) AND THREE (3) INCLUDING SECTION 3-2-1.2 OF THE TOWN OF CAMP VERDE TOWN CODE, ATTACHED HERETO AND INCORPORATED HEREIN, TO BE A PUBLIC RECORD PURSUANT TO A.R.S. SECTION 9-802, TO BE ENACTED BY ORDINANCE 2023-A481, AND ORDER THAT THREE (3) COPIES, OR ONE (1) PAPER COPY AND ONE (1) ELECTRONIC COPY, OF CHAPTERS ONE (1), TWO (2) AND THREE (3) OF THE TOWN CODE, TOGETHER WITH ANY FUTURE AMENDMENTS OR ADDITIONS WHICH ARE ADOPTED, BE PERMANENTLY FILED IN THE OFFICE OF THE TOWN CLERK AND AVAILABLE FOR PUBLIC INSPECTION.

PASSED, APPROVED AND ADOPTED by the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, on the 7th day of June 2023.

PASSED AND ADOPTED:

Dee Jenkins, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Trish Stuhan-Town Attorney

TOWN OF CAMP VERDE TOWN CODE
CHAPTER 1
GENERAL

ARTICLE 1-1

HOW CODE DESIGNATED AND CITED (1996-A116) (2006-A332) (2023-A481)

The ordinances embraced in the following chapters and sections shall constitute and be designated "The Code of the Town of Camp Verde, Arizona," and may be so cited. Such code may also be cited as the "Camp Verde Town Code."

ARTICLE 1-2

CONSTRUCTION OF ORDINANCES

The rules and the definitions set forth in this chapter shall be observed in the construction of this code and the ordinances of the Town unless such construction would be inconsistent with either the obvious intent of the Council, the context of this code or the ordinances of the Town.

ARTICLE 1-3

DEFINITIONS

SECTION 1-3-1 GENERAL RULE REGARDING DEFINITIONS

All words and phrases shall be construed and understood according to the common and approved use of the language; but technical words and phrases and such others as may have acquired a peculiar and appropriate meaning in the law shall be construed and understood according to such peculiar and appropriate meaning.

SECTION 1-3-2 DEFINITIONS (2021-A460)

Acts by Agents. When an act is required to be done which may by law be done by an agent as the principal, such requirements shall be construed to include all such acts when done by an authorized agent.

And, Or. "And" may be read "or," and "or" may be read "and," if the sense requires it.

Code. When the word "code" is used, it shall mean the Town Code of the Town of Camp Verde, Arizona unless the context indicates otherwise.

Council. When the word "Council" is used, it shall mean the Town Council of the Town of Camp Verde.

County. When the word "county" is used, it shall mean Yavapai County, Arizona unless the context clearly indicates otherwise.

Day. "Day" is the period of time between any midnight and the midnight following.

Daytime, Nighttime. "Daytime" is the period of time between sunrise and sunset. "Nighttime" is the period of time between sunset and sunrise.

Department, Board, Commission, Office, Officer or Employee. Whenever any "department, board, commission, office, officer or employee" is referred to, it shall mean a department, board, commission, office, officer or employee of the Town unless the context indicates otherwise.

Gender; Singular and Plural. Words of the masculine gender include the feminine; words in the singular include the plural and words in the plural include the singular.

Joint Authority. All words purporting to give a joint authority to three or more Town officers or other persons shall be construed as giving such authority to a majority of such officers or other persons unless it shall be otherwise expressly declared in the law giving the authority.

Month. "Month" means a calendar month.

Oath. "Oath" includes an affirmation in all cases in which, by law, an affirmation may be substituted for an oath and in such cases the words "swear" and "sworn" shall be equivalent to the words "affirm" and "affirmed".

Open Space. land owned and/or managed by the Town or other government agency for the purpose of public access or public recreation or for preservation of scenic, cultural or natural resource values. Open Space includes trails and waterways passing through or adjacent to public land. FOR THE PURPOSE OF THIS SECTION, OPEN SPACE DOES NOT INCLUDE DESIGNATED PARKING AREAS.

Owner. The word "owner" applied to a building or land shall include any part owner, joint owner, tenant in common, joint tenant or lessee of the whole or of part of such building or land.

Person. The word "person" includes a corporation, company, partnership, association or society as well as a natural person.

Personal Property. The term "personal property" includes every species of property, except real property as defined in this section.

Preceding, Following. The words "preceding" and "following" mean next before and next after, respectively.

Property. The term "property" includes lands, tenements and hereditament and personal property.

Real Property. The term "real property" includes lands, tenements and hereditament.

Shall, May. "Shall" is mandatory and "may" is permissive.

Signature or Subscription by Mark. "Signature" or "subscription" includes a mark when the signer or subscriber cannot write, such signer's or subscriber's name being written near the mark by a witness who writes his own name near the signer's or subscriber's name; but a signature or subscription by mark can be acknowledged or can serve as a signature or subscription to a sworn statement only when two witnesses so sign their own names thereto.

State. Whenever "state" is referenced, it shall mean the State of Arizona unless the context clearly requires otherwise.

Tenant or Occupant. The word "tenant" or "occupant" applied to a building or land shall include any person holding a written or an oral lease of, or who occupies the whole or part of such building or land, either alone or with others.

Tenses. The present tense includes the past and future tenses, and the future includes the present.

Time: Computation. The time within which an act is to be done as provided in this code or in any order issued pursuant to any ordinance, when expressed in days, shall be computed by excluding the first day and including the last, except that if the last day is a Saturday, Sunday or holiday it shall be excluded; and when such time is expressed in hours, the whole of Saturday, Sunday or a holiday, from midnight to midnight, shall be excluded.

Time: Reasonable. In all cases where any section of this code shall require any act to be done in a reasonable time or reasonable notice to be given, such reasonable time or notice shall be deemed to mean such time only as may be necessary for the prompt performance of such duty or compliance with such notice.

Town. When the word "Town" is used, it shall mean the Town of Camp Verde, Yavapai County, Arizona, except as otherwise provided. The words "in the Town" or "within the Town" shall mean and include all territory over which the Town has jurisdiction for the exercise of its police powers or other regulatory powers as authorized by statute.

Week. A week consists of seven consecutive days.

Trails. a trail, lane, path, or other publicly owned right-of-way, that because of its scenic value, access to publicly owned open space, or because of its topographical nature, has as its primary purpose recreational use of the trail itself.

Waterways. perennial rivers and streams, located within the Town limits, to include the Verde River, Oak Creek, wet Beaver Creek, and West Clear Creek.

Writing. The term "writing" means any form of recorded message capable of comprehension by ordinary visual means. Whenever any notice, report, statement or record is required or authorized by this code, it shall be made in writing in the English language unless expressly provided otherwise.

Year. "Year" means a calendar year unless otherwise provided.

ARTICLE 1-4

REFERENCE TO CHAPTERS, ARTICLES, OR SECTIONS:

SECTION 1-4-1 ADDITIONAL RULES OF CONSTRUCTION

In addition to the rules of construction specified in Articles 1-2 and 1-3, the rules set forth in this Article shall be observed in the construction of this code.

SECTION 1-4-2 REFERENCES TO THIS CODE

All references to chapters, articles, or sections are to the chapters, articles, and sections of this code unless otherwise specified.

SECTION 1-4-3 CONFLICTING PROVISIONS--DIFFERENT CHAPTERS

If the provisions of different chapters of this code conflict with or contravene each other, the provisions of each chapter shall prevail as to all matters and questions growing out of the subject matter of such chapter.

SECTION 1-4-4 CONFLICTING PROVISIONS--SAME CHAPTER

If conflicting provisions are found in different sections of the same chapter, the provisions of the section that is last in numerical order shall prevail unless such construction is inconsistent with the meaning of such chapter.

ARTICLE 1-5

SECTION HEADINGS

Headings of the several sections of this code are intended as a convenience to indicate the contents of the section and do not constitute part of the law.

ARTICLE 1-6

EFFECT OF REPEAL

When any ordinance repealing a former ordinance, clause or provision shall be itself repealed, such repeal shall not be construed to revive such former ordinance, clause or provision, unless it shall be expressly so provided. The repeal of an ordinance shall not affect any punishment or penalty incurred before the repeal took effect nor any suit, prosecution or proceeding pending at the time of the repeal, for any offense committed under the ordinance repealed.

ARTICLE 1-7

SEVERABILITY OF PARTS OF CODE

It is hereby declared to be the intention of the Council that the sections, paragraphs, sentences, clauses and phrases of this code shall be severable, and, if any provision of this code is held unconstitutional for any reason by a court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining provisions of the code.

ARTICLE 1-8

PENALTY

- A. Any person found guilty of violating any provisions of this code, except as otherwise provided, shall be guilty of a Class 2 misdemeanor, and upon conviction thereof shall be punished as provided by law.
- B. Each day that a violation continues shall be a separate offense punishable as herein described.

ARTICLE 1-9

REPEAL OF EXISTING ORDINANCES

SECTION 1-9-1 EFFECTIVE DATE OF REPEAL

All Ordinances of the Town listed in the adopting Resolution, except those ~~specifically~~ ~~specifically~~ exempted, now in force and effect are hereby repealed ~~effective at twelve o'clock noon on November 1, 1996~~ but all rights, duties, and obligations created by said ordinances shall continue and exist in all respects as if this code had not been adopted and enacted.

SECTION 1-9-2 ORDINANCES EXEMPT FROM REPEAL

The adoption and enactment of this code shall not be construed to repeal or in any way to modify or affect:

- A. Any special ordinance or ordinances regarding franchises, annexations, dedications, road abandonment, or zoning.
- B. Any Ordinance making an appropriation.
- C. Any Ordinance affecting any bond issue or by which any bond issue may have been authorized.
- D. The running of the statute of limitations in force at the time this code becomes effective.
- E. The continued existence and operation of any department, agency, commission or office heretofore legally established or held.
- F. Any bond of any public officer.
- G. Any taxes, fees, assessments or other charges incurred or imposed.

Revised 06-01-2023

- H. Any Ordinances authorizing, ratifying, confirming, approving or accepting any compact or contract with any other municipality, the State of Arizona or any county or subdivision thereof, or with the United States or any agency or instrumentality thereof.

ARTICLE 1-10

EFFECTIVE DATE OF CODE (2006-A332)

Each and every section of this code as herein contained and hereby enacted shall take effect and be in force thirty (30) days after approval and full execution and signature, executed document, except for emergency measures and where a later effective date is provided.

CHAPTER 2 MAYOR AND COUNCIL

ARTICLE 2-1

COUNCIL

SECTION 2-1-1 ELECTED OFFICERS (2008-A355) (2023-A481)

- The elected officers of the Town shall be a Mayor and six (6) Council members. The Mayor and Council members shall constitute the Council and shall continue in office until assumption of duties of office by their duly elected successors.
- The term of office of the Mayor shall be two (2) years.
- Council members shall serve four-year staggered terms as provided by ARS § 9-232.02, as may be amended, with three (3) members in each class.

SECTION 2-1-2 CORPORATE POWERS (2008-A355)

The corporate powers of the Town shall be vested in the Council and shall be exercised only as directed or authorized by law. All powers of the Council shall be exercised by ordinance, resolution, order or motion.

SECTION 2-1-3 ASSUMPTION OF OFFICE (2008-A355) (2016-A415) (2019-A444) (2020-A456)

In the event that any offices up for election are filled in the Primary Election, those members of the Council Elected at that time shall assume the duties of office at the first Regular meeting of the Council in November, following the date of the General Election, and are seated after the meeting is called to order and before business is conducted. In the event that all Offices are not filled in the Primary Election, and a General Election is to be held in November, all members of the Council shall assume the duties of office at the first Regular Meeting of the Council in December next following the date of the General Election at which any remaining Council Members were elected. If a Council candidate, including Mayor, receives a majority of all votes cast at a primary election, then pursuant to ARS § 9-821.01, as may be amended, such candidate shall be declared elected to the office, but effective as of the date of the General Election, to be seated as set forth herein.

SECTION 2-1-4 VACANCIES IN COUNCIL (2008-A355) (2009-A362) (2009-A364) (2012-A381)

If a vacancy occurs more than thirty (30) days before the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall, within sixty (60) days of the vacancy, fill the appointment until the next regularly scheduled Town Council election. If the vacancy occurs thirty (30) days or less prior to the nomination petition deadline for the next regularly scheduled Town Council election, the Town Council shall fill the vacancy for the unexpired term of the office being filled. A person who has been elected to fill the remainder of an unexpired term of a vacant office may take the Oath of Office and begin the remainder of the term of office at any time after the canvass of the election. The vacancy shall not reduce any Council quorum requirements.

SECTION 2-1-5 OATH OF OFFICE (2008-A355)

Immediately before assumption of the duties of office, the Mayor and each Council member shall, in public, take and subscribe to the Oath of Office.

ARTICLE 2-2

MAYOR (2008-A355) (2010-A370)

SECTION 2-2-1 DIRECT ELECTION OF MAYOR (2004-A270) (2008-A355)

- A. The Mayor shall be directly elected by the people pursuant to ARS § 9-821.01. If a candidate receives a majority of all votes cast at a primary election, he or she shall be declared Mayor effective as of the date of the general election, and no general election shall be held for that position.
- B. The term of the Mayor shall be for two (2) years. In every election one of the declared vacancies on the Council shall be reserved for the election of the Mayor.
- C. A candidate may not run for both Mayor and Council member at the same election, a seated Council member whose term is not expiring may not run for the office of Mayor. A Mayor whose term is expiring is permitted to run for the office of Mayor or Council member.

SECTION 2-2-2 VICE-MAYOR (2008-A355) (2016-A415)

The Council shall select a Vice Mayor, after the official canvass is certified and approved following the date of the General Election, who shall serve for a two-year (2) term at the pleasure of the Council. The Vice Mayor shall assume the duties of the Mayor in the absence, disqualification, incapacitation or resignation of the Mayor.

SECTION 2-2-3 ACTING MAYOR (2001-A210) (2008-A355)

In the absence or disability of both the Mayor and Vice Mayor, the Mayor or Vice Mayor will designate one of the current Council members to serve as acting Mayor who shall have all the powers, duties, and responsibilities of the Mayor during such absence or disability. In the event, the Town Council objects to any such designation, the Council may vote in a public meeting called pursuant to the provisions of this code, to override the Mayor's or Vice-Mayor's designation and select an alternative person to serve as Acting Mayor.

SECTION 2-2-4 POWERS AND DUTIES OF THE MAYOR (2008-A355) (2019-A443)

The Mayor shall be the Chief Elected Official who is the Chief Executive Officer of the Town; except as to the administrative duties delegated to the Manager, or other department heads, and in accordance with the procedures set forth in the code and applicable portions of any personnel manual adopted by the Town.

- A. The Mayor shall be the Chairperson of the Council and preside over its meetings and its agenda. The Mayor may make and second motions and shall have a voice and vote in all its proceedings.
- B. The Mayor shall execute and authenticate by his/her signature such instruments as the Council or any statutes, ordinances, or this code shall require.
- C. The Mayor and members of the Council may make such recommendations and suggestions to the Council, as they may consider proper.
- D. The Mayor may, by Proclamation, declare a local emergency to exist due to fire, conflagration, flood, earthquake, explosion, war, bombing or any other natural or man-made calamity or disaster or in the event of the threat or occurrence of riot, rout or affray or other acts of civil disobedience which endanger life or property within the Town. After declaration of such emergency, the Mayor shall govern by proclamation and impose all necessary regulations to preserve the peace and order of the Town, including but not limited to:
 - 1. Imposition of a curfew in all or any portion of the Town.
 - 2. Ordering the closing of any business.
 - 3. Closing to public access any public building, street, or other public place.
 - 4. Calling upon regular or auxiliary law enforcement agencies and organizations within or without the political subdivision for assistance.
- E. The Mayor shall perform such other duties required by state statute and this code as well as those duties required as the Elected Official who is chief executive officer of the Town.
- F. At the first meeting in January of each year, or as soon as practicable, Council may adopt a Policy Statement that authorizes the Mayor to support or oppose bills introduced during Legislative Sessions when they affect the Town's interests and require an immediate response.

SECTION 2-2-5 ABSENCE OF MAYOR (2008-A355) (2010-A370)

The Mayor shall not absent himself/herself from the Town for a greater period than SEVEN consecutive days without the consent of Council. In addition, the Mayor shall leave emergency contact numbers with the Town Clerk during the absence.

SECTION 2-2-6 FAILURE TO SIGN DOCUMENTS (2008-A355)

If the Mayor refuses or fails to sign any ordinance, resolution, contract, warrant, demand or other document or instrument requiring his signature for five consecutive working days, then a majority of the members of the Council may, at any regular or special meeting, authorize the Vice Mayor or, in his/her absence, an acting Mayor to sign such ordinance, resolution, contract, warrant, demand or other document or instrument which when so signed shall have the same force and effect as if signed by the Mayor.

ARTICLE 2-3

COUNCIL PROCEDURES (2002-A218) (2008-A355)

SECTION 2-3-1 REGULAR MEETINGS (2003-A262) (2005-A311) (2005-A314) (2008-A355) (2012-A385) (2019-A449)

Regular Council Meetings.

The Town Council will hold regular meetings at 6:30 p.m. on the first and third Wednesday of the month at the Council Chambers on Main Street for general business, Planning & Zoning matters, and Public Hearings as may be required by law, with the second and fourth Wednesday set aside for Work Sessions, or Special Sessions as needed. A Work Session, in lieu of or in conjunction with a Regular meeting, may be called. If a Regular meeting is cancelled, such as near a holiday, notice of the cancellation shall be posted.

SECTION 2-3-2 SPECIAL MEETINGS AND TIMES AND PLACES OF SPECIAL MEETINGS

(2008-A355) (2010-A370)

- A. The Mayor, after public vote of the Council to schedule a Special Session within the jurisdiction of the Town, shall direct staff to schedule a Special Session of the Council, to begin at a time and place designated in the motion. In addition, the Mayor or Vice Mayor if the mayor is absent pursuant to Section 2-2-5, and the Town Manager may jointly schedule a Special session to be held at a time and in appropriate facilities within the Town limits when an urgent and/or unforeseen event or matter arises between regularly scheduled meetings after confirmation of the availability of a quorum. Special Meetings shall be posted in the same manner as Regular Meetings by the Town Clerk.
- B. Notices and Agendas will be posted for the Special Sessions as required by law.

SECTION 2-3-3 POSTING OF NOTICES (2008-A355)

- A. Notice of Council, Board, Commission, Committee Meetings and Agendas and other Public Notices shall be posted at Town Hall, and on the Town Website. Additional locations may be selected for courtesy postings and may be designated through Resolution of the Council. All notices shall contain a statement of posting signed by the Town Clerk or a designated representative showing the date and time of posting.

SECTION 2-3-4 MEETINGS TO BE PUBLIC (2008-A355)

All proceedings of the Council shall be open to the public, except that upon approval by a majority vote of the Council, the Council may meet in a closed Executive Session pursuant to the provisions of state law.

The Town Manager or Mayor may request that a meeting or public hearing, which may attract a large audience, or need special presentation facilities, be scheduled in an alternate site suitable for public participation. If the Council votes to change the location for that meeting, notice of the location change shall be posted in the normal locations and the meeting may be called to order at the site without first being called to order at the Town Council Chambers. This does not preclude the Council from relocating a meeting that is in progress to accommodate a crowd that exceeds maximum occupancy limits as established for Council Chambers.

SECTION 2-3-5 QUORUM (2008-A355)

No action shall be taken unless a quorum is present. Four or more Council members (the Mayor counting as a member) shall constitute a quorum for transacting business, but a lesser number may adjourn from time to time to compel the attendance of absent members. In any meeting where a quorum is present, it shall take a majority vote of the entire Council, or a minimum of four (4) votes, to enact any measure, Resolution, Ordinance, or other business on the agenda.

SECTION 2-3-6 PREPARATION OF AGENDA (2002-A255) (2008-A355)

- A. Prior to each Council meeting, or on or before a time fixed by the Council for preparation and distribution of an Agenda, whichever is earlier, the Clerk shall collect all written reports, communications, Ordinances, Resolutions, contracts and other documents to be submitted to the Council and prepare an Agenda in consultation with the Manager and Mayor. Following finalization of the agenda, the Clerk shall furnish each Council member with a copy of the agenda and other necessary reports and materials. From time to time, addenda and late additions to the agenda are required and may be authorized by the Manager and Mayor due to extenuating circumstances beyond the control of the person requesting the addendum or late addition.

All Council members are authorized to place item(s) on the agenda. Agenda item requests are to be submitted in written form to the Clerk. If the number of scheduled agenda items prevents the scheduling of a requested agenda item, the Mayor (with the consent of the requesting Council member) may schedule the requested item to be heard at the next meeting of the Council.

- B. The Town may use a consent agenda to address routine matters coming before the Council.

SECTION 2-3-7 ORDER OF BUSINESS (2008-A355)

The business of the Council shall be the following items, not necessarily in that order:

- A. **Call to Order:** The Mayor shall take the chair precisely at the hour appointed for the meeting and shall immediately call the Council to order. In the absence of the Mayor, the Vice Mayor shall call the Council to order. In the absence of both the Mayor and Vice Mayor, the Clerk shall call the Council to order and an acting Mayor shall be selected to chair the meeting. Upon the arrival of the Mayor or the Vice Mayor, the Vice Mayor or the acting Mayor shall immediately relinquish the chair upon the conclusion of the business immediately before the Council. The Mayor shall preserve order and decorum and decide all questions of order and conduct. Questions from the staff or public are addressed to the Mayor and Council.
- B. **Pledge of Allegiance.**
- C. **Roll Call.** Before proceeding with the business of the Council, the Clerk or the Clerk's designee shall record the roll of the members and the names of those present shall be entered in the minutes. If a quorum is not present, the members present may adjourn pursuant to Section 2-3-5 of this code.

- D. Consent Agenda: The Council may consider any business that is considered to be routine and non-controversial items (minutes, meeting dates, Resolutions, disbursements, etc.) on a Consent Agenda. Items on the consent agenda may be approved by one motion, unless a member of the Council requests that an item be pulled for consideration.
- E. Call to the Public for items not on the agenda: At this time, the public may address the Council on matters that are not listed on the agenda. All such remarks shall be addressed to the Council as a whole, and not to any member thereof, or the staff. Such remarks shall be limited to three (3) minutes. During the meeting, Council Members may not answer questions of the speaker or discuss the concerns raised with staff or other members, but at the conclusion of the Call to the Public, Council Members may respond to criticism, ask staff to review the matter, or ask that the matter be placed on a future agenda.
- F. Ordinances/Resolutions/Other actions requiring Council approval. The Council shall consider any Ordinances or Resolutions or other actions requiring Council approval as may be listed on the agenda.
- G. Reports by Officers. Town Officials and Committees/Commissions/Boards shall present any reports required by the Council.
- H. Information and Updates.
- I. Adjournment. The Council may, by a majority vote of those present, adjourn from time to time to a specific date and hour. A motion to adjourn shall always be in order and decided without debate.

SECTION 2-3-7.1 MANAGEMENT OF MEETINGS (2008-A355) (2008-A358) (2022-A475)

- A. Where practicable, Executive Sessions will be held prior to the Regular business meetings, as opposed to during or following a meeting.
- B. Meetings will conclude at 10:00 p.m., or prior to 10:00 p.m. the Mayor may call for a vote of the Council to allow the meeting to continue past the deadline.
- C. If an item is opened for public input, the public may address the item one time. Public input is limited to three (3) minutes.
- D. All presentations are limited to ten (10) minutes for the presentation and discussion period.

SECTION 2-3-8 VOTING (2008-A355)

- A. The Mayor shall vote as a member of the Council.
- B. Per ARS 38-431.01 the minutes shall show the ayes and nays of any question to be taken. Council Members wishing to declare a conflict of interest shall state such on the record prior to any discussion or vote on the item, shall file a written declaration with the Clerk as soon as possible following the meeting, and shall refrain from voting on the matter. Any abstention must be declared at the time of the calling for a vote. The abstention is a null/void vote. The Mayor, or the Mayor's designee will announce on the record whether the motion passed or failed.

SECTION 2-3-9 DECLARATION OF VACANCY (2008-A355)

The office of any Council member is deemed vacant pursuant to ARS § 38-291, as may be amended, if such member fails to discharge the duties of his or her office for three (3) consecutive months, including failure to attend Council meetings unless otherwise authorized by the Council.

ARTICLE 2-4

ORDINANCES, RESOLUTIONS AND CONTRACTS

SECTION 2-4-1 PRIOR APPROVAL

All Ordinances, Resolutions, and contract documents shall, before presentation to the Council, have been reviewed as to form by the attorney and shall, when there are substantive matters of administration involved, be referred to the person who is charged with the administration of the matters. Such person shall have an opportunity to present his/her objections, if any, prior to the passage of the ordinance, resolution or acceptance of the contract.

SECTION 2-4-2 INTRODUCTION

Ordinances, Resolutions, and other matters or subjects requiring action by the Council shall be introduced and sponsored by a member of the Council, except that the Attorney or the Manager may present Ordinances, Resolutions and other matters or subjects to the Council, and any member of the Council may assume sponsorship thereof by moving that such Ordinance, Resolution, matter or subject be adopted; otherwise, they shall not be considered.

SECTION 2-4-3 READING OF PROPOSED ORDINANCE

Ordinances shall be read before adoption, but may be read by title only, if the Council is in possession of printed copies of said Ordinance. A member of the Council may request that the Ordinance under consideration be read in full.

SECTION 2-4-4 REQUIREMENTS FOR AN ORDINANCE

Each Ordinance shall have one subject only, the nature of which is clearly expressed in the title. Whenever possible, each Ordinance shall be introduced as an amendment to this code or to an existing Ordinance and, in such case, the title of the sections to be amended shall be included in the ordinance.

SECTION 2-4-5 EFFECTIVE DATE OF ORDINANCES

Except for measures permitted by law to be adopted as an emergency, Ordinances, Resolutions and Franchises shall become operative thirty (30) days after passage by the Council and full execution and signature by the Attorney, Mayor and Clerk. Measures permitted by law to be adopted as an emergency that are necessary for the immediate preservation of the peace, health or safety of the Town, shall become immediately operative as long as a separate section is included in the measure stating the reason why it is necessary that it should become immediately operative—The affirmative vote of three-fourths of all the members elected to the Council, taken by ayes and nays.

CHAPTER 3 ADMINISTRATION

ARTICLE 3-1

OFFICERS IN GENERAL

SECTION 3-1-1 RESIDENCY (2013-A390) (2023-A481)

Residency may be required for certain positions as reflected in the advertising for the position. To satisfy the residency requirements, persons are required to establish residency within the Town of Camp Verde Town limits or the 86322-zip code area within 180 days of the date of hire. Extensions for up to an additional 180 days may be granted by action of the Town Council if, in the Council's discretion, extenuating circumstances warrant such extension.

SECTION 3-1-2 DUAL POSITIONS (2007-A346)

The provisions below distinguish between two (2) positions that are appointed and reviewed by the Council (Town Manager and Town Attorney), and other department heads that are under review and control of the Town Manager, who may terminate them for cause, but who do not have the severance offer of Section 3-1-3. B. In the event that a person has a dual position, such as Town Manager/Community Development Director, he or she will have the review and termination rights associated with the higher-level position, but in the event the job title is simply severed, without termination of the individual, such personnel action will not have rights under 3-1-3. B.

SECTION 3-1-3 REMOVAL PROVISIONS (2000-A160) (2007-A346)

A. **Removal for Cause.** (2000-A160) (2007-A346)

The Town Manager and the Town Attorney will be reviewed by the Town Council using procedures that may be adopted by motion of the Council and may be removed from their positions for cause. All other department heads and classified employees report to the Town Manager and may be removed for cause. "Removal for Cause" includes failure to receive satisfactory performance reviews, violation of adopted work rules in the Personnel Handbook, violation of drug policies, conviction of a criminal offense involving moral turpitude, loss of any professional license or other qualification necessary for the position, and failure to fulfill tasks assigned by the job description.

B. **Termination Other than For Cause.** (2006-A160) (2007-A346)

The Town Manager, and the Town Attorney (if employed by the Town), may be removed by the Council other than for cause, by offering severance pay of six (6) months' salary, conditioned on the employee and Town signing a mutual release for any employment claims, and including other terms mutually agreeable, as may be authorized by ARS §9-239.C, as may be amended.

C. The Manager shall provide the Council with thirty (30) days' written notice of intention to resign his/her position. Department Heads shall provide the Town Manager with thirty (30) days written notice of intention to resign.

ARTICLE 3-2

OFFICERS (2000-A160) (2001-A211) (2007-A346) (2008-A355) (2010-A370)

Pursuant to ARS §9-237, as may be amended, in addition to the Common Council, The Officers of The Town Include the Town Clerk, ~~Town Marshal, Director of Public Works~~/Town Engineer, and Town Manager, Town Attorney, and other officers (department heads) deemed necessary by the Common Council, who shall be appointed as provided by ordinance of the Town.

SECTION 3-2-1 TOWN MANAGER (2000-A160) (2001-A211) (2008-A355)(2013-A391)

- A. Office Established. The Office of Town Manager is hereby established.
- B. Appointment of Town Manager. The Town Manager shall be appointed by majority vote of the Council on the basis of executive and administrative ability and shall hold office at the pleasure of the Council.
- C. Eligibility. No member of the Council, their spouse or relatives to the first degree shall be eligible for appointment as Town Manager until one year has elapsed after such Council member shall have ceased to be a member of the Council. The Town Manager is required to establish residency under the terms provided in Section 3-1-1.
- D. Powers and Duties of Town Manager. The Town Manager is the administrative head of the government of the Town under the direction and control of the Council, except as otherwise provided in this Article. He/she shall be responsible for the efficient administration of all the affairs of the Town that are under his/her control. In addition to his/her general powers as administrative head and not as a limitation thereon, it shall be his/her duty and he/she shall have the following powers:
 - 1. Law Enforcement. To see that all laws and Ordinances of the Town and all franchises, contracts, permits, and privileges granted by the Council are faithfully observed and to report any failure in that regard to the Council. The Council shall then give such instruction and direction as it may desire for remedial, corrective or terminating action by the Manager.
 - 2. Authority Over Employees. To control, order and give direction to all heads of departments (other than Council-appointed officers) and to subordinate officers and employees of the Town under his/her jurisdiction through their department heads.
 - 3. Power of Appointment and Removal. To appoint, remove, promote, and demote any and all officers and employees of the Town, except the Town Attorney and the Town Magistrate, all of whom shall be appointed by the Council. As to these officers, he shall recommend appointment and removal to the Council. All such actions of the Manager shall be subject to all applicable personnel ordinances, rules and regulations, and state statutes.
 - 4. Administrative Reorganization of Offices. To conduct studies and effect such administrative reorganization of offices, positions, or units under his/her direction as may be indicated in the interest of efficient, effective, and economical conduct of the Town's business.
 - 5. Ordinances. To recommend to the Council for adoption such measures and ordinances as he deems necessary.

6. Attendance at Council Meetings. To attend all meetings of the Council unless the Mayor excuses him/her individually or unless the Council excuses him/her, except when his/her removal is under consideration, in which case the Town Manager's attendance at a meeting shall be governed by the Arizona Open Meeting Law (A.R.S. § 38-431 *et seq.*, as may be amended). He/she may present recommendations relative to each item on the agenda for approval, rejection, or modification by the Council, and prepare the agenda as provided in Section 2-3-6.A.
7. Financial Reports. To keep the Council at all times fully advised as to the financial condition and needs of the Town.
8. Budget. To prepare and submit a proposed annual budget and a proposed annual salary plan to the Council.
9. Investigations and Complaints. To make investigations into the affairs of the Town and performance of any obligations of the Town and to report all findings to the Council. Further, it shall be the duty of the Manager to investigate all complaints in relation to matters concerning the administration of the Town government. If the investigation involves the conduct of a person reporting directly to the Council (the Town Manager or Town Attorney) the Mayor and Vice-Mayor shall designate a person to conduct the investigation. If the Mayor and Vice Mayor cannot agree on such designation, the matter shall be referred to the Council.
10. Public Buildings. To exercise general supervision over all public buildings, parks, and other public property under the control and jurisdiction of the Council.
11. Additional Duties. To perform such other duties as may be required by the Council, not inconsistent with Federal law, State law, or Town Ordinances.
12. Salary Schedule. To recommend to the Council, a standard schedule of pay for each appointive office and position in Town service, including minimum, intermediate and maximum rates. To authorize the payment of overtime, pay for such employees as may work in excess of a normal work period. Such rates of pay and periods of work shall be in conformity with rates and salaries enacted by the Council.
13. Documents. To sign contracts for budgeted items and other documents that are necessary to conduct the business and affairs of the Town per the Town Financial and Operations Guide.
14. Communication: The Town Manager shall strive to keep the Town Council adequately and equally informed on issues of importance within the Town. The Town Manager will engage in discussions with the Town Council in order to solicit their preferences for methods of communication.
15. Monthly Reports. The Manager shall prepare and collect from Town officers and employees such monthly reports prepared in such manner and to include such information as may be directed by the Council.

E. Internal Relations.

Council-Manager Relations. The Council and its members shall deal with the administrative services of the Town only through the Town Manager, except for the purpose of inquiry, and neither the Council, nor any member thereof shall give orders or instructions to any subordinates of the Town Manager. The Town Manager shall take his orders and instructions from the Council only when sitting in a duly convened meeting of the Council, and no individual Council member shall give orders or instructions to the Town Manager.

- F. Attendance at Commission Meetings. The Town Manager may attend any and all meetings of the Planning and Zoning Commission and all other Commissions, Boards or Committees created by the Council. He/she shall cooperate to the fullest extent possible with the members of all Commissions, Boards, or Committees appointed by the Council.
- G. Other Departments. The Town Manager may, with the concurrence of the Council, establish other departments (in addition to the departments set forth in this Code) to conduct the business and affairs of the Town.
- H. With regard to officers and employees appointed by the Town Manager, neither the Council nor any of its members shall direct or request the appointment of any person to, or his/her removal or suspension from, such office by the Town Manager or any of his subordinates, or in any manner take part in the appointment or removal of such officers and employees in the administrative services of the Town.

The Town Manager may, in his/her sole discretion, invite individual members of the Town Council to participate as members of interview panels for Department Director positions. Members of the Town Council serving in this capacity shall provide input as would any other interview panel member, but shall not direct or request the Town Manager to select a specific candidate

SECTION 3-2-1.1 ACTING TOWN MANAGER (2010-A370)

In the absence of the Town Manager from their office, upon the disability of the Town Manager, or in the event the position has been vacated by either the resignation of the Manager or the termination of his/her contract by action of the Town Council, the Acting Town Manager shall be appointed as follows:

- A. The Town Manager shall appoint a qualified employee of the Town to perform his/her duties during routine absences such as vacation, sick leave, training, other temporary absences or disability. Such appointment shall not exceed a period of thirty (30) days.
- B. If the Town Manager will be absent for more than thirty (30) days, is suspended by the Council, or if there is a vacancy in the office of the Town Manager, the Council shall appoint a qualified Acting Town Manager to serve until the Town Manager returns, the suspension ceases, or until another Town Manager is appointed.
- C. The Acting Town Manager shall have the duties and responsibilities of the Town Manager as established by this code, ordinance or statute.



Agenda Item Submission Form – Section I

Meeting Date: June 7, 2023

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

Requesting Department: Town Clerk

Staff Resource/Contact Person: Cindy Pemberton

Agenda Title (be exact: Discussion, Consideration and Possible approval of Ordinance 2023-481, an Ordinance of the Town of Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by Reference Chapters One (1) two (2) and Chapter Three (3), and including Chapter 3-2-1.1 of the Town of Camp Verde Town Code: related to Updates of General Laws, Mayor and Council Procedures, and Action Town Manager Powers and authorities. A Recodification of selected prior ordinances of the Town, with amendments, and proscribing penalties for violations thereof and declaring an emergency. Staff Resource: Cindy Pemberton

List Attached Documents: Ordinance 2023-A481

Estimated Presentation Time: 5 Minutes

Estimated Discussion Time: 5 Minutes

Reviews Completed by:

- Department Head: _____ Town Attorney Comments: N/A
- Finance Department N/A
Fiscal Impact: None
Budget Code: _____ Amount Remaining: _____
Comments: _____

Background Information:

Recommended Action (Motion): Approve Ordinance 2023-481, an Ordinance of the Town of Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, adopting by Reference Chapters One (1) two (2) and Chapter Three (3), and including Chapter 3-2-1.1 of the Town of Camp Verde Town Code: related to Updates of General Laws, Mayor and Council Procedures, and Action Town Manager Powers and authorities. A Recodification of selected prior ordinances of the Town, with amendments, and proscribing penalties for violations thereof and declaring an emergency.

Instructions to the Clerk:



**TOWN OF CAMP VERDE, ARIZONA
ORDINANCE NO. 2023-481**

AN ORDINANCE OF THE TOWN OF CAMP VERDE, YAVAPAI COUNTY, ARIZONA, ADOPTING BY REFERENCE CHAPTERS ONE (1), TWO (2) AND CHAPTER THREE (3), SECTION 3-2-1.1 OF THE TOWN OF CAMP VERDE TOWN CODE; RELATED TO UPDATES OF GENERAL LAWS, MAYOR AND COUNCIL PROCEDURES, AND ACTING TOWN MANAGER POWERS AND AUTHORITIES, A RECODIFICATION OF SELECTED PRIOR ORDINANCES OF THE TOWN, WITH AMENDMENTS, AND PROSCRIBING PENALTIES FOR VIOLATIONS THEREOF, AND DECLARING AN EMERGENCY.

Section 1. Adoption by Reference. Pursuant to A.R.S. Section 9-802 (as amended) the Town hereby adopts for application and enforcement the Town of Camp Verde Town Code, dated June 7, 2023, a compilation of selected previously-adopted and modified ordinances that are declared a public record pursuant to Resolution 2023-1112 and attached thereto.

Section 2. Effective Date. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the people of the Town of Camp Verde and shall take effect immediately upon adoption by the Town Council as required by law.

Section 3. Repeal. All ordinances and parts of ordinances in conflict with the provisions of this Ordinance or any part of the Code adopted herein by reference are hereby repealed.

Section 4. Copies of the Town Code. At least three (3) copies, or one (1) paper and one (1) electronic copy, of the Town of Camp Verde Town Code, Chapters one (1), two (2), and three (3), Section 3-2-1.1 dated June 7, 2023, and any future amendments or revisions, shall be kept on file in the office of the Town Clerk for public access in accordance with A.R.S. Section 9-802 (as amended). Additional copies may be purchased by the public at nominal cost for materials and reproduction. Copies placed for public access shall be readily available for public inspection during normal working hours.

Section 5. Penalty. Pursuant to A.R.S. Section 9-240. B.29 and A.R.S. Section 13-602, it is hereby declared that any violation of the Chapters one (1), two (2) and Chapter three, Section 3-2-1 of the Camp Verde Town Code, dated June 7, 2023, and revisions adopted thereto is a Class 2 misdemeanor, with punishment as provided by law, unless otherwise specified within a particular section of the Code. For purposes of A.R.S. Section 9-803, the provisions of the Town of Camp Verde Town Code concerning penalty clauses are set forth on Exhibit A to this Ordinance.

NOW, THEREFORE, BE IT ORDAINED by the Mayor and Common Council of the Town of Camp Verde, Arizona, as follows:

PASSED, ADOPTED AND APPROVED by a majority vote of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, this 7th day of June 2023.

Dee Jenkins, Mayor

Attest:

Approved as to form:

Cindy Pemberton, Town Clerk

Trish Stuhan, Town Attorney

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Town of Camp Verde

Agenda Item Submission Form – Section I

Meeting Date: June 7th, 2023

Consent Agenda Decision Agenda Executive Session Requested

Presentation Only Action/Presentation Work Session

Requesting Department: Finance **Staff Resource/Contact Person:** Gayle Mabery, Mike Showers

Agenda Title (be exact): Discussion & review with Council of FY24 proposed Capital Improvement Plan.

List Attached Documents: 1) FY24 Capital Improvement Plan.

Estimated Presentation Time: 10 mins

Estimated Discussion Time: 10 mins

Reviews Completed by:

Department Head: Town Attorney Comments:

Finance Review: Budgeted Unbudgeted N/A

Finance Director Comments/Fund:

Fiscal Impact: N/A

Comments: None

Background Information: This is to discuss and review the FY24 proposed Capital Improvement Plan.

Recommended Action (Motion): Direction to staff on proposed Capital Improvement Plan

Instructions to the Clerk: N/A