



**MINUTES**  
**TOWN OF CAMP VERDE**  
**SPECIAL EXECUTIVE SESSION (PUBLIC PORTION)**  
**MAYOR AND COUNCIL**  
**473 S. MAIN STREET, SUITE 106**  
**WEDNESDAY, OCTOBER 2, 2024 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**

Councilor Jackie Baker, Councilor Wendy Escoffier, Councilor Robin Godwin, Councilor Cris McPhail, Councilor Jessie Murdock (arrived at 5:35 p.m.), Vice Mayor Marie Moore, and Mayor Dee Jenkins.

**Also Present**

Town Manager Miranda Fisher, Town Attorney Trish Stuhan, Town Clerk Leah Rhodes, Deputy Clerk Virginia Jones acting as Recording Secretary.

**3. Pledge of Allegiance**

Vice Mayor Moore led the Pledge of Allegiance.

**4. An Executive Session pursuant to A.R.S. § 38-431.03(A)(1) for discussion or consideration of an appointed public officer. Discussion may include review of a complaint received against a board member. Staff Resource: Town Manager Miranda Fisher.**

**5. An Executive Session pursuant to A.R.S. § 38-431.03(A)(3) for discussion or consultation for legal advice with the Town Attorney regarding adoption of a code of conduct and ethics policy for public officials (including members of boards and commissions). Staff Resource: Town Manager Miranda Fisher.**

Mayor Jenkins read Agenda Items 4 and 5 and Town Manager Miranda Fisher recommended Council adjourn into Executive Session.

Vice Mayor Moore motioned to go into Executive Session regarding agenda Items 4 and 5.

Councilor Escoffier seconded the motion, with discussion.

Mayor Jenkins opened the floor for discussion.

Councilor Escoffier questioned if the Council would be talking about a specific appointee since Agenda Item 4 states discussion may include review of a complaint received against a board member. Councilor Escoffier inquired whether notice was provided to the board member who the allegations were against, as the agenda cited A.R.S. § 38-431.03(A)(1).

Town Attorney Trish Stuhan indicated they would provide more information in Executive Session, noting they are not speaking of any one individual that is why a name was not provided on the agenda. In the Executive Session, Council can discuss complaints received and receive legal advice and direction to see how Council would like to proceed.

In response to Councilor Escoffier questions, Attorney Stuhan stated Council would not be speaking regarding any one appointee so a 24-hour Executive Session notice would not be required. Attorney Stuhan stated tonight the discussion will be more in regards to procedures and is not an evaluation of someone's performance. Attorney Stuhan stated Council is not speaking of any specific complaint, or removing or disciplining an appointed official, and the discussion is for legal advice regarding what the Council would like to do when a complaint is received against an appointed Board or Commission Member. Attorney Stuhan stated she would prefer to provide legal advice in the Executive Session. Additionally, the recommendation is to have a discussion regarding the Towns Policy and Procedures and inform Council there has been a complaint and how Council would like to handle complaints. (Councilor Murdock joined the meeting at 5:35 p.m.).

Attorney Stuhan addressed Councilor Escoffier's comments concerning Chapter 7 of the Attorney General's 2020 Handbook, clarifying that the Council has the authority to limit the scope of Executive Sessions. Furthermore, the Council is not required to identify individuals if doing so could result in harm or embarrassment, particularly when the session's purpose is to acknowledge the receipt of a complaint and discuss relevant policies or the possibility of assigning a review. Members of Boards and Commissions report to Council and if there is a complaint made, Executive Session can be used to inform Council of complaint. Additionally, Items 4 and 5 were separately agendized for the reason to discuss future policies and/or a Code of Conduct regarding future complaints.

Attorney Stuhan stated that if Council would like to specifically talk about an action for discipline about an individual, Council can meet at a later date for discussion. Attorney Stuhan confirmed that the meeting tonight is to inform the Council of a complaint, discuss rules, and discuss how Council would like to process any complaints.

Attorney Stuhan stated if Council wanted to discuss a complaint of an individual officer, member of board or commission, the individual would be provided 24-hour notice as required by law.

Council Escoffier stated she respected Attorney Stuhan but indicated she is not comfortable with discussing Agenda Item 4.

Councilor Baker expressed discomfort with discussing Agenda Item 4, emphasizing that

the Town has a specific complaint that is a matter of public record and the Council has received a copy of the complaint. She further stated, the matter should be addressed in an open meeting. Councilor Baker reiterated her concerns about discussing the complaint and the Code of Conduct in Executive Session. Additionally, she noted that the public has expressed dissatisfaction with the current frequency of Executive Sessions.

Attorney Stuhan highlighted that the Council has alternative options. She noted that while the Town has received a complaint, there is no established policy or guidelines for handling such matters. Staff determined that it would be prudent to schedule an Executive Session to inform the Council about the complaint and discuss the existing procedures and potential improvements. She further recommended that adopting a Code of Conduct should take place in an open session.

Attorney Stuhan explained that staff sought to provide the Council with a private session, acknowledging that certain complaints can be highly sensitive. The intention was to offer legal guidance and seek direction from the Council.

Councilor Murdock inquired if the Clerk could read the motion, if it was anything different than just moving into Executive Session.

Mayor Jenkins stated Vice Mayor made a motion and Councilor Escoffier made a motion to second and the item was in discussion.

Councilor Escoffier rescinded her second motion.

Councilor Baker left the meeting at 5:47 p.m., due to not feeling well.

Mayor Jenkins requested to ask a legal question, noting that all policies and procedures have been rescinded. She inquired whether staff is seeking direction from the Council on how to process the complaint. Additionally, she asked if there is any legal bearing to the complaint that warrants discussion. Mayor Jenkins further questioned whether this matter should be addressed in an open session or does the attorney need to provide legal advice.

Attorney Stuhan noted that there are currently no established Code of Conduct rules or Policies and Procedures in place, which is why Agenda Item 5 is being addressed this evening. She explained that there is a lack of clarity regarding the process for handling complaints or concerns, including where such complaints should be filed, whether they should be directed to the attorney for placement on an agenda, who should conduct the review, whether the issue could be resolved through a code amendment, or if it is a matter that might require the involvement of an external investigator.

Attorney Stuhan indicated that she has a legal opinion concerning the complaint and is prepared to present it either in a public session or during an Executive Session.

Councilor McPhail stated she would like to have legal advice in Executive Session.

Councilor Escoffier questioned Councilor McPhail, if legal advice would be for Agenda Item 5. In response to Councilor Escoffier's question, Councilor McPhail stated she would like legal advice on Items 4 and 5 in Executive Session.

Councilor McPhail stated she would second the first motion.

Mayor Jenkins called for a vote to move into Executive Session for Items 4 and 5.

**Roll Call Vote:**

Councilor Baker: Absent

Councilor Escoffier: Nay

Councilor Murdock: Aye

Mayor Dee Jenkins: Aye

Vice Mayor Moore: Aye

Councilor McPhail: Aye

Councilor Godwin: Aye

**Motion Carried 5-1.**

**Councilor Escoffier departed the meeting before the Executive Session commenced and did not rejoin for the resumption of the open session.**

**Council recessed into Executive Session at 5:55 p.m.**

**Council reconvened Open Session at 6:19 p.m.**

Attorney Trish Stuhan stated for the record, the Town of Camp Verde had received a complaint against a member of a Board or Commission and the reason the Executive Session was scheduled was because the Town of Camp Verde does not currently have in place any rules or Codes of Conduct for elected or appointed officials. Resolution 2021-1067 rescinded all previous Town Council Policies, Rules and Procedures for Boards, Commissions and Committees. The Town Manager and Town Attorney reviewed the complaint and noting the absence of clear procedures raised the question, 'how does staff proceed with the complaint'. Attorney Stuhan explained, the Town currently lacks established rules for handling complaints or evaluating whether an individual is meeting the Council's expectations. Although higher standards apply to members of appointed bodies and elected officials, the absence of formal policies or procedures makes it challenging to determine how to address and enforce such complaints effectively.

Attorney Stuhan explained that the Executive Session was convened, and the Council did not name the individual of the complaint, no discussion took place of the individual or discussion of the specific factual basis or claim. The purpose of the Executive Session was to say Council had reviewed a complaint and for staff to receive guidance from Council on how to proceed. Coming back into open session, Attorney Stuhan Attorney Stuhan emphasized the need for clear, easily understandable guidelines that can be provided to all members of Boards, Commissions, and the Council. Attorney Stuhan advised the Council to refrain from taking action on the complaint received, as there are currently no established rules and noted that it would be unfair to hold individuals to standards that do not exist. Attorney Stuhan recommended that the Council develop

straightforward policies, which staff can expedite. These policies can then be discussed in an open public meeting to clarify expectations for appointed and elected officials. Additionally, the Council needs to reach a consensus on what constitutes an ethics violation.

Attorney Stuhan's recommendation was to:

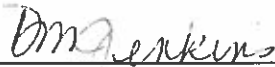
1. Take no action
2. Put Rules into place

Mayor Jenkins concurred with the recommendation.

---

**6. Adjournment**

Mayor Jenkins adjourned the meeting at 6:21p.m.



\_\_\_\_\_  
Mayor Dee Jenkins



\_\_\_\_\_  
Town Clerk Leah Rhodes

**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 October 2, 2024. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 13 day of November, 2024.



\_\_\_\_\_  
Leah Rhodes, Town Clerk