

401

MINUTES
REGULAR SESSION
MAYOR AND COUNCIL
COUNCIL CHAMBERS
WEDNESDAY, MAY 5, 2010
6:30 P.M.

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

1. **Call to Order**

The meeting was called to order at 6:30 p.m.

2. **Roll Call**

Mayor Burnside, Councilors Whatley, Garrison, Roulette and German were present; Garrison arrived at 6:31 p.m.; Vice Mayor Kovacovich and Councilor Baker were absent.

Also Present: Acting Town Manager Dave Smith, Special Projects Administrator Matt Morris, Public Works Director Ron Long, Town Magistrate Harry Cipriano, Sr. Acct. Lisa Elliott, and Recording Secretary Margaret Harper.

3. **Pledge of Allegiance**

The Pledge was led by Roulette.

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) Regular Session – April 21, 2010
- 2) Executive Session – April 21, 2010 (recorded)
- 3) Special Session – April 21, 2010

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

- 1) May 12, 2010 at 1:00 p.m. – Budget Work Session
- 2) May 19, 2010 at 6:30 p.m. – Regular Session
- 3) May 26, 2010 at 1:00 p.m. – Budget Work Session
- 4) May 26, 2010 at 6:30 p.m. – Council Hears Planning & Zoning Matters

c) **Possible approval of an Intergovernmental Agreement with the Yavapai County Office of Emergency Management for emergency services, naming Marshal David R. Smith as the Town's Emergency Management Coordinator, and authorizing payment in the amount of \$3,969.00 for services.** This is a budgeted item. Staff Resource: David R. Smith

d) **Possible approval of Resolution 2010-611, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona requesting that the Arizona Department of Transportation establish a dedicated Winter Maintenance Fund in the FY 2011 ADOT Operating Budget.** Staff Resource: Councilor Garrison

e) **Possible approval of the Cooperative Purchasing Agreement between the Town of Camp Verde and the City of Tucson for an on-line auction.** Staff Resource: Ron Long

f) **Possible approval of the following facility use agreements: 1) Alcoholics Anonymous; 2) Camp Verde Adult Reading Program; 3) Salvation Army; 4) Historical Society; and 5) Farmer's Market.** Staff Resource: Ron Long

g) **Possible authorization to pay \$526.90 to SW Risk Services/Arizona Municipal Risk Retention Pool for the Town's portion of expenses incurred by SWRS/AMRRP for Alpha, LLC & Tanner Enterprises, LLC v. Town of Camp Verde Litigation; and reappropriating \$526.90 from the Marshal's Office Legal line item to the Litigation line item in the Legal Department budgetary unit.** Staff Resource: Carol Brown

On a motion by Whatley, seconded by Roulette, the Consent Agenda was unanimously approved as presented, with the exception of the Historical Society agreement in Item 4.f), and adding the Work Session on May 19th at 5:15 p.m., as well as a possible Special Session.

Mayor Burnside said that a Special Session may be called for May 19th for legal advice; a Work Session regarding the IGA with the Fire District is added for May 19th at 5:15 p.m. Acting Town Manager Smith or Acting Community Development Director Jenkins will confirm whether the Special Session for legal advice will be scheduled. Burnside requested that the proposed agreement with the Historical Society listed in Item 4.f) be pulled for separate consideration.

4.f) **Possible approval of the following facility use agreements: 1) Alcoholics Anonymous; 2) Camp Verde**

Adult Reading Program; 3) Salvation Army; 4) Historical Society; and 5) Farmer's Market.

On a motion by Burnside, seconded by Roulette, the Council unanimously directed staff to send the proposed agreement with the Historical Society back and to work with the Historical Society to finalize the agreement.

Mayor Burnside requested that the Historical Society agreement listed in Item 4.f) be pulled in order to allow the Society and staff to work out final details. He explained that there was a question regarding the intention for the jailhouse, which requires further discussion.

Burnside confirmed that the other agreements listed in Item 4.f) had been approved by the original formal action.

5. Special Announcements & Presentations

- **Ed Bantel of SW Risk will present an award of excellence to the Town of Camp Verde in recognition of outstanding achievement and continued excellence in Risk Management and Loss Control.** Staff Resource: Matt Morris

Morris commented on the good work done through the Town Safety Program and the Town Safety Committee that meets monthly; Morris commended the employees participating in the Committee, adding that final responsibility for safety rests with all employees.

Ed Bantel of SW Risk reviewed the history of working with the Town on risk management, and presented the subject Award to the Mayor, commenting on the good work and rapport he has enjoyed with the employees, and the proactive approach of the Town on safety measures.

6. Council Informational Reports.

Whatley wanted to make it clear to everyone that her remark, "Show me the budget" was in no way meant to be any disparagement of the Finance Department or Lisa Elliott; it was meant simply for the Council to be patient and consider the budget before making any decisions.

Garrison reported on her attendance at the NACOG meeting; there will be many changes in the coming year. Some projects will no longer be acceptable for CDBG funding; the list will be submitted to the Town Clerk. NACOG will be looking at how they develop the Comprehensive Economic Development Strategy Goals and Priority List; there will be drastic changes. That list will also be submitted to the Town Clerk. Garrison added that the Education Foundation is planning a Teachers Appreciation Breakfast for August.

German said she had attended a fund-raiser for Camp Verde Promotions; they are sponsoring the Corn Fest and Fort Verde Days, and German urged everyone to help out that group. She also wished Debbie Barber well in connection with her recent hospitalization.

Burnside announced that ADEQ is sponsoring a recycling of electronic devices will be held on May 8th from 9:00 a.m. to 1:00 p.m.; Gary Thompson is working on coordinating the event, to include the Yavapai-Apache Nation as well.

7. Call to the Public for Items not on the Agenda

Howard Parrish thanked the Marshal and his crew for their help with safety measures when the White Mountain Posse came to town; they did an excellent job. Parrish also thanked the Council members and the newspapers, and pointed out that the Camp Verde Cavalry has been the sponsor for the event for three years. It was very successful, economically beneficial, and the banquet was well attended; and the Posse wants to come back next year.

Justin Wertz said he continues to want to see if anyone is interested in pushing forward on the project he is working on.

There was no further public input.

8. Discussion, consideration, and possible appointment of the following persons to serve as Assistant Magistrate for a 2-year term:

- 1) **Anna Young, Esq. as Assistant Magistrate for a 2-year term on an as-needed basis and setting the compensation at \$38.00 per hour with a 3-hour minimum payment.** This is a budgeted item.
- 2) **Court Supervisor Jacque Daughety as Assistant Magistrate for a 2-year term on an as-needed basis at no additional compensation.** Staff Resource: Presiding Magistrate Harry Cipriano

On a motion by German, seconded by Roulette, the Council unanimously approved, (1) the appointment of Anna

Young as an Assistant Magistrate for a two (2) year term to serve under the direction of the Town Magistrate at the rate of \$38 per hour on an as needed basis, with a three-hour minimum; and (2) the appointment of Jacque Doughety as an Assistant Magistrate for a two (2) year term to serve under the direction of the Town Magistrate on an as needed basis, at no additional compensation.

Presiding Magistrate Harry Cipriano explained that the need for Assistant Magistrates has increased since he was first appointed in 2005 under Judge Bluff. There is only one Assistant Magistrate at this time; he is semi-retired and not available at all times. Cipriano reviewed the qualifications of Anna Young, Esq., who has agreed to be available on a part-time basis, as well as the past experience of Jacque Daughety as Assistant Magistrate for Judges Bluff and McElhaney. Cipriano outlined how he would use the help of both Young and Daughety; there would be no additional compensation for Daughety.

After a brief discussion and confirmation regarding how the two individuals would be needed and would serve, as well as the proposed compensation for Young, the Council formally approved the requested appointments.

9. **Discussion, consideration, and possible approval of an agreement through June 30, 2011 with Don Zelechowski, CPA to continue the taxpayer education program designed to increase compliance with our tax program and for sales tax auditing services to verify Transaction Privilege Tax (sales tax) reporting and payments to the degree that said audits are required. This discussion may be followed by possible direction to staff to include funding for the agreement in the amount of \$19,400 in the FY 2010/11 budget. There are two options for consideration 1) \$45 per hour without professional liability insurance and 2) \$48 per hour with professional liability insurance.** Staff Resource: Carol Brown
Mayor Burnside announced that because of the illness of Mr. Zelechowski, this item has been pulled, and will be rescheduled.

10. **Discussion, consideration, and possible approval of Resolution 2010-808, a Resolution of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the Intergovernmental Agreement between the Town and the Camp Verde Unified School District allowing the District to use Town facilities for physical education instruction in exchange for 35 hours of community service.** Staff Resource: Ron Long
On a motion by Garrison, seconded by German, the Council unanimously approved Resolution 2010-808 of the Mayor and Common Council of the Town of Camp Verde, Yavapai County, Arizona, approving and adopting the IGA between the Town of Camp Verde and the Camp Verde Unified School District No. 28 of Yavapai County, a political subdivision of the State of Arizona.

Public Works Director Long advised the Council that there had been a typographical error in the document originally submitted; instead of "3-5 hours of community service," it should have read "35 hours of community service." The agreement with the School District had been for the 35 hours, which was considered a fair exchange for allowing the District to use the gymnasium. That would cover the amount of time the Maintenance crews spend cleaning up on a monthly basis after the gym is used for their classes. The Council discussed with Long the understanding that the students would be closely supervised by a school employee who would report to the Maintenance Department for instructions on the clean-up activities. Long agreed that Council will be kept advised on the efficacy of the arrangement through a quarterly report. The agreed-upon hourly amount of \$10 was determined based on the time the janitors and maintenance staff would spend keeping the gym ready for the classes; that community service would be in lieu of charging for the maintenance. Burnside referred to the motion made by Vice Mayor Kovacovich at the previous meeting to make sure that the motion was based on the intent and would not be affected by the typographical error explained by Long.

11. **Discussion, consideration, and possible approval of the Town of Camp Verde Facility Rental Rules and Regulations.** Staff Resource: Ron Long
Mayor Burnside said that this Item 11 has been pulled at the request of Lynda Moore.
12. **Discussion, consideration, and possible approval of the following:** Staff Resource: Lisa Elliott
- a. **Reversal of the budgeted entries for the Operating Transfer from the General Fund to the Parks Fund;**
 - b. **Reversal of the Interfund Loan Repayment budgeted entries for the repayment of the monies loaned to the Parks Fund by the General Fund in the FY 2009/10 Budget;**
 - c. **Amend the Refunding Agreement to allow for the Interfund Agreement Loan to be repaid with the Parks Fund has cash available to make the payments.**

On a motion by Whatley, seconded by Garrison, the Council unanimously approved (1) the reversal of the budgeted entries for the Operating Transfer from the General Fund to the Parks Fund; and (2) the reversal of the Interfund Loan Repayment budgeted entries for the repayment of the monies loaned to the Parks Fund by the General Fund in the FY 2009-2010 Budget; and (3) amending the Refunding Agreement to allow for the Interfund Loan to be repaid when the Parks Fund has cash available to make the payments.

Sr. Acct. Lisa Elliott reviewed the history of the Town's purchase of the 118.7 acres to establish a community park, and the loan of funds from the General Fund in order to complete the purchase, through by an agreement for repayment of the loan by annual installments, which was memorialized and tracked through approved accounting procedures. Elliott explained in detail the effect of the proposed reversals of the budgeted entries, and the necessary amendment of the refunding agreement based on the current economy. Elliott added that these reversals would serve to clearly define the Town's existing assets and liabilities, and would benefit the General Fund. The Parks loan repayment agreement would be readdressed each year during the budget process, and once the economy is improved and there are adequate funds to transfer from the General Fund for the Parks Fund or various CIP projects, that agreement would be continued.

Councilor Baker requested item #13:

13. **Discussion, consideration, and possible direction to staff relative to placing a plaque on the gazebo recognizing Tom Neilson's efforts in constructing the gazebo.** This is an unbudgeted item.

On a motion by German, seconded by Whatley, the Council unanimously voted to allow Councilor Baker to proceed with raising funds, other than Town funds, to purchase a plaque to be placed on or near the gazebo, recognizing Tom Neilson's efforts in the construction of the gazebo.

On a motion by German, seconded by Whatley, the Council unanimously voted to amend the original motion to include direction to staff to bring back to Council for approval of the design and wording of the plaque before placement.

Whatley said that she had thanked Baker for proposing the request to Council for direction to staff to place a plaque on the gazebo in honor of Tom Neilson; Baker had asked her to move forward with that request. Whatley added that she believes that Tom always had the best interests of the Town in his heart, and was deeply involved in the Town's activities, and was especially instrumental in the construction of the gazebo. A quality plaque would cost between \$200 and \$300, and Baker plans to raise the necessary funds through donations from the community. The members agreed on the proposal to place such a plaque on the gazebo, and that the proposed wording and design would be brought back to Council for approval.

Councilor Garrison requested items 14 & 15:

14. **Discussion, consideration, and possible direction to staff relative to setting a return policy for Town-owned equipment, keys, credit cards, files, hard copies of reports, and documents to include all items funded by the tax payers and/or material that should remain in the Town's archives, etc. when an employee or Council member ends their service with the Town.**

There was no action taken.

During the discussion it was agreed that the Town Clerk would start work on a return procedure, as requested, to bring back to Council for further clarification and consideration.

Garrison expressed her concern regarding the lack of any specific policy for return of the subject Town-owned equipment and related items. Garrison said that pursuant to discussion with the Town Clerk, the Town Clerk would like to have permission to move forward with developing such a return policy, and then bring back the document for Council approval. The members discussed the types of material or documents that should be retained in the Town archives. It was also suggested that a library should be created to make such information available to anyone for research.

15. **Discussion, consideration, and possible approval of job descriptions and pay ranges for the positions of the Senior Accountant and Special Projects Administrator.** These are budgeted items.

Garrison requested that this Item 15 be continued to the May 19th regular meeting, anticipating that there will be a full Council in attendance. Smith commented that these positions have been approved in the budget process.

Mayor Burnside requested item #16:

16. **Discussion, consideration, and possible direction to staff relative to John Biondi's letter in which he would**

like to know if the Town is interested in purchasing his property located adjacent to the Town Hall facilities.
There was no action taken.

Burnside said that Administration had received a letter from John Biondi seeking to determine whether the Town would be interested in purchasing certain property. Burnside wanted to know if Council would like him to follow up with a response. A brief discussion indicated majority agreement that the Town was in no position to consider purchase of more property, and Burnside will proceed no further.

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

There was no public input.

18. **Advanced Approvals of Town Expenditures.**

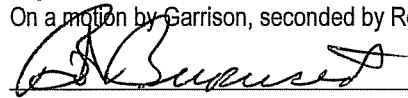
There were no advanced approvals of Town expenditures.

19. **Manager/Staff Report**

There was no Manager/staff report.

20. **Adjournment**

On a motion by Garrison, seconded by Roulette, the meeting was adjourned at 7:33 p.m.



Bob Burnside, Mayor



Margaret Harper, Recording Secretary

CERTIFICATION

I hereby certify that the foregoing Minutes are a true and accurate accounting of the actions of the Mayor and Common Council of the Town of Camp Verde during the Regular Session of the Town Council of Camp Verde, Arizona, held on the 5th day of May 2010. I further certify that the meeting was duly called and held, and that a quorum was present.

Dated this 24 day of May, 2010.



Debbie Barber, Town Clerk