

**OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA**

Prescott, Arizona

January 5, 1998

The Board of Supervisors met in regular session on January 5, 1998.

Present: Bill Feldmeier, Chairman; Chip Davis, Vice Chairman; Gheral Brownlow, Member; Bev Staddon, Clerk.

Also present: Jim Holst, County Administrator; Dave Hunt, Board Attorney/Assistant County Administrator.

- ITEM NO. 1. Board of Supervisors. Note that District 2 Supervisor Bill Feldmeier is Chairman for 1998, pursuant to action taken by the Board on January 6, 1997. **Supervisor Brownlow thanked his fellow Board members and staff for their support during his year as Chairman. Chairman Feldmeier thanked Supervisor Brownlow for the time and effort he had expended as Chairman.**
1. Approve minutes of meeting of December 22, 1997, and of special meeting of December 29, 1997. **Approved as written, by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**
  2. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. **All items except for 2.e., 4.a., and 5 were approved by unanimous vote with no comments from the public. Motion by Supervisor Brownlow, seconded by Supervisor Davis. See Consent Agenda for detail.**
- ITEM NO. 2. Resolve into Yavapai County Board of Equalization. Consider petition for proposed correction for parcel 201-10-001 and notice of claim for parcel 201-09-007A, William & Joyce Frazier. **Reference: Board of Equalization minutes.**
- ITEM NO. 3. Resolve into Board of Supervisors. Merit Award Board Chairman Judy Fagelman. Approve Geoffrey Meek, Environmental Services Department, as Employee of the Month for December 1997. **Approved by unanimous vote. Motion by Supervisor Davis. Second by Supervisor Brownlow.**
- ITEM NO. 4. Public Works Director Richard Straub.
1. Hearing: Consider establishing Murray Circle, Fitzmaurice Drive, Coulter Circle, Lewis Circle, French Drive, Angeline Circle, Chase Circle, French Circle, Finney Circle and French Place, Prescott Valley area, as County highways. **Resolution No. 1105 establishing the above roads as County highways was approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. Supervisor Brownlow thanked Contracts Administrator Juanita Barnett for her assistance in this cooperative project, saying she had been involved in it from the beginning. No comments from the public.**
  2. Consider approving High Road, Spring Valley area, and Young Lane, Yarnell area, as County maintained roads. **Approved by unanimous vote after Mr. Straub said there was documentation indicating that both roads had been maintained by the County prior to 1975. Motion by Supervisor Davis, second by Supervisor Brownlow. No comments from the public.**
  3. ~~Award or reject bids received December 30, 1997, for Pneumatically Placed Concrete (Shotcrete) in Yavapai County, Contract #975126. WITHDRAWN~~
  4. Public Works Department update. **Contracts Administrator Juanita Barnett handed out financial statements for both the half-cent sales tax projects and the HURF**

**projects. Chairman Feldmeier said he looked forward to a more detailed update at the Board Retreat.**

ITEM NO. 5. Planning & Building Director Mike Rozycki. Hearing to consider adoption of official street name map for Villages at Lynx Creek and Rafter Eleven. **Mr. Rozycki said this request for adoption of official street names for these two areas was being made in conjunction with Enhanced 911, and that he was requesting approval with the following two changes: Frontage Road to be renamed Village Way and Limonite Road to be renamed Pavlich Lane, both of these roads being in the Villages at Lynx Creek. Resolution No. 1106 Adopting Official Street Names for the Villages at Lynx Creek and Rafter Eleven approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**

ITEM NO. 6. Planning & Building Director Mike Rozycki. Planning and zoning. **Planning & Zoning Commission member Richard Collison was present to represent the Commission.**

1. Consider adoption of Dewey-Humboldt Community Plan and Land Use Map, #6662. **The Planning & Zoning Commission recommended approval of the Dewey-Humboldt Community Plan dated December 12, 1997. Participating in discussion of this item were Deputy County Attorney Randy Schurr, Dava Hoffman of Dava & Associates, absentee property owner Eva Smith, area resident Gary Rogers, and Commissioner Collison. Mr. Rozycki said that following the Planning & Zoning Commission meeting on December 17, 1997, Supervisor Brownlow had met with representatives from the original core group involved in the plan and with representatives from the Dewey-Humboldt Community Organization. Supervisor Brownlow said the result of that meeting was agreement to work on only major changes to the plan and to leave minor concerns for review at a later date. He detailed the changes proposed as follows: (1) Remove the following statement from page 65, "To avoid suburban sprawl, new large lots should be discouraged within the edges of the 'Communities' and their logical expansions"; (2) define "community-sized lots" as being "different in or for each of the three identified communities. Lot sizes for new development will be encouraged to be similar to and compatible with the existing zoning and land-use patterns within the community. Community-sized lots will be considered on a case-by-case basis. These lots are intended to be different from the rural residential lots encouraged outside of the identified communities."; (3) on page 67 under Implementation Option, change ". . .existing compact land use patterns. . ." to read ". . .existing community land use patterns. . ."; and (4) change the reference on page 75 regarding 4-acre minimum lot sizes to read "When affected property owners are in agreement, rural residential areas should be considered through the public hearing process for rezoning to larger lot sizes." Supervisor Brownlow said there had also been discussions about site-specific zoning, to which Mr. Schurr responded that the existing language in the plan was good and was also flexible, and that any reference to "site-specific" be left out. He said he had reviewed the changes suggested by Supervisor Brownlow, and believed them to be minor changes for which Commission approval would not be necessary. Ms. Hoffman said she had concerns about the proposed change for page 75, saying agreement among "affected property owners" many never happen, and that the idea behind the 4-acre minimum lot size was to protect the groundwater. During discussion about zoning and the public hearing process, Supervisor Davis and Chairman Feldmeier both expressed their belief that this was an option that was open to anyone. Mr. Rozycki said he would encourage using the language that Supervisor Brownlow had suggested for page 75, rather than eliminating this option, even though he believed what constitutes**

"agreement" might be called into question. He said the plan was only a general plan and Supervisor Brownlow's proposed language was clear enough. Ms. Smith expressed concern that the interests of property owners with small lots had not been taken into consideration. Chairman Feldmeier said the plan was only a general plan and would not cause anyone to change existing zoning. He said he did not agree that the interests of small property owners had been disregarded. Mr. Schurr said that staff did not object to the proposed change for page 75 as detailed in Mr. Rozycki's memo to the Board dated December 29, 1997, which would revise the Implementation Option on page 75 to read "Encourage property owners and residents in rural residential areas to request or support rezoning to 4-acre minimum lot sizes (or larger) for future development through the public hearing process to enhance the rural character within the Dewey-Humboldt Community Plan Area." Mr. Schurr said he believed that deleting reference to the 4-acre minimum would constitute a major change that would require the Board to send the plan back to the Planning & Zoning Commission. He said that approval of the plan on this day would not preclude members of the community from making changes in the future. Commissioner Collison said that Mr. Schurr had provided the Board with the essence of what the Commission felt needed to be included in the plan. He said that the reference to 4-acre minimum lot sizes had been included because of the Commission's concern about water, infrastructure, and the like, and that the Commission was trying limit suburban sprawl. He also expressed concern with eliminating the policy on discouraging new large lots within the edges of communities. Chairman Feldmeier said he believed the Board should accept the plan with the changes presented on this day. He said there was disagreement only with regard to the issue of 4-acre minimum lot sizes, and that the plan could always be brought back to the Commission and the Board at a later date for reconsideration of specific items. Supervisor Brownlow noted that the Board had received a letter from Prescott Country Club resident Dave Carson, which he said was inflammatory and which accused staff of having a personal agenda with regard to the plan. Supervisor Brownlow said it was not true, but that he shared Mr. Carson's concerns about a statement on page 73 of the plan that agricultural uses be encouraged through property tax reductions. He said that the valuation of agricultural property fell under the authority of the state and not the County. Supervisor Davis said he believed the people who developed the plan wanted that statement included, and that he did not believe the statement was contrary to existing law. He reminded those present that the community plan is a living document that can be changed. Supervisor Brownlow moved to approve the plan dated December 12, 1997, as recommended by the Planning & Zoning Commission, with the changes proposed on this date listed as (1), (2) and (3), above, and with the change to language on page 75 of the plan regarding 4-acre minimum lot sizes as proposed in Mr. Rozycki's memo to the Board dated December 29, 1997. Mr. Rozycki noted that all of the changes included in Supervisor Brownlow's motion were included in his memo of December 29. Supervisor Brownlow said he would like to include in the change on page 75 clarification that "property owners and residents in the Dewey-Humboldt Plan area" are the ones being requested to support 4-acre minimums, so there is no confusion among the general public that this statement is not intended to apply to the County as a whole. Mr. Rozycki said he had no problem with that request. Supervisor Davis seconded the motion, which carried by unanimous vote.

2. Special use permit for FM transmission antenna in RCU-2A zoning district, Table Mountain Tower, 100-08-001C, Williamson Valley area north of Prescott, James Primm, J.B. Broadcasting, Inc., agent for Helen Woodburn, #6622. **Consideration of a Special**

Use Permit in order to allow the co-location of an forty foot (40') high FM transmission antenna to an existing, seventy foot (70') high, self-supporting tower previously used as an aeronautical beacon,, for a total height of one hundred five feet (105') above grade level, together with a proposed ten by ten foot (10' x 10') equipment building on a one (1) acre portion of a three hundred twenty (320) acre parcel in an RCU-2A (Residential, Rural; two acre minimum) zoning district. Located on Table Mountain approximately 3.5 miles southwest of the Chino Valley corporate limits, one (1) mile north of Outer Loop Road in the Williamson Valley area. The Planning & Zoning Commission recommended approval of the Special Use Permit with the following stipulations: 1) Special Use Permit to be approved on a temporary, seven (7) year, non-transferable basis consistent with the FCC permit that expires and needs to be renewed seven (7) years after issuance and in conformance with the site plan dated 5/22/97. No additional towers or carriers may be considered to locate on this site until the independent study on wireless carriers is completed. 2) No other uses, with the exception of emergency response agencies, to be located at this site unless or until the independent wireless communication study is completed and recommends this site as a preferred location for these types of facilities. 3) All outdoor lighting to conform to Yavapai County Zoning Ordinance requirements. No exterior lighting will be permitted on the tower, antenna, and buildings even if required by another entity. Use of exterior lighting will cause the Use Permit to be null and void and all structures associated with the use to be removed from the property. 4) Applicant is encouraged to consider another suitable site for this use where several carriers might already be located when the use permit expires. 5) When this facility is no longer in use for six (6) months for the purpose for which it was approved, the facility, including the tower and accessory building, shall be removed by the facility owner or lessee. This removal shall occur within 90 days of the end of such six (6) month period. Upon removal, the site shall be revegetated to blend with the existing surrounding vegetation. Lease agreement between the property owner and the applicant shall be amended to reflect this requirement prior to issuance of zoning clearance/building permits. 6) Applicant to demonstrate the structural integrity of the tower is sufficient to accommodate emergency response providers such as the police and fire departments. 7) Antennas, tower, buildings and fences and structures including propane tank that is place on the site shall be subject to Yavapai County Planning and Building Department approval and meeting the objective of blending into the natural landscape through design, materials, colors and reflectivity. 8) Site and structures to be properly maintained by the owner of the facility and including appearance of equipment building and area surrounding the site. Mr. Rozycki noted that the applicant had written to the Board concerning stipulation (5), and requesting that they not be required to remove an existing aeronautical tower owned by the Hunts. He said he did not believe there was any problem with it. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission, saying that stipulation (5) should be changed to read "FM tower." Supervisor Davis seconded the motion, which carried by unanimous vote.

Consent agenda for planning and zoning items, for which there were no protests at the Planning & Zoning Commission hearing, and which provides for acknowledgement of deferred or withdrawn items which have been advertised for hearing on this date. Consent items were approved by unanimous vote, with no comments from the public. Motion by Supervisor Davis, second by Supervisor Brownlow.

1. Transfer and amendment of special use permit for existing trailer park in RS-10 zoning district, Old Wagon Wheel Trailer Park, 402-08-006 and 007, Humboldt area, William

Lee agent for D & L Family Limited Partnership, #6678. **Consideration of a transfer and an amendment of a Special Use Permit for an existing trailer park from a twelve (12) space mobile home park to a fifteen (15) space mobile home park together with an existing, nineteen (19) unit storage facility for use by the occupants of the trailer park consisting of a total combined area of 43,500 square feet or approximately one (1) acre in an RS-10 (Residential; Services) zoning district on the property known as Old Wagon Wheel Trailer Park. Located approximately 300 feet east of Highway 69 on the north side of Kloss Avenue in the Hartfield addition in the Humboldt community. Situs location: 12850 E. Kloss Avenue, Humboldt, Az. The Planning & Zoning Commission recommended approval of the Special Use Permit with the following stipulations: 1) Use permit for a 15 space RV park to be approved on a permanent/transferable basis with staff to be notified in writing prior to transfer. 2) As units are removed from the park, replacement units shall be RVs only - no mobile homes. 3) Development shall be in conformance with site plan dated 10/29/97. 4) A minimum 10 ft. separation shall be maintained between all mobile homes and/or structures. 5) Any future expansion of the facility to include additional spaces will require an amendment to the existing use permit, involving review and approval from: the Central Yavapai Fire District, the County Environmental Services Department, the County Flood Control District, the Planning & Zoning Commission and Board of Supervisors. 6) No visual screening shall be required along the western boundary of the subject property. 7) All lighting to conform to Yavapai County Zoning Ordinance Requirements (Dark Sky Ordinance). 8) Storage units shall be for use by park residents and the park manager only. 9) The property shall be retained as a one (1) acre parcel as long as the property is operated as an RV park. 10) The adjacent 1.6 acre parcel, owned by the applicant, that is contiguous to the Park shall be maintained as open space and considered part of the park.**

2. Special use permit for 40-unit mini storage facility and RV storage facility in RCU-2A zoning district, Shelton Mini Storage, 306-42-002, Paulden area, Dee Dee Macrty and Andrew B. Shelton agents for Russel Carmichal, #6680. *The Planning & Zoning Commission deferred this item to an unspecified date. No action necessary by Board of Supervisors.*
3. Final subdivision plat, Granite Oaks Estates, 102-09-005Q, Gordon Bean, Aspen Creek Engineering and Construction Management, L.C., agent for Swayze McCraine, Williamson Valley Investors, #6683. **Consideration of a Final Subdivision Plat in order to allow the creation and eventual conveyance of ten (10) single-family, residential lots on 18.97 acres in an R1L-35 zoning district for the project know as Granite Oaks Estates. Located on the southeast corner of Granite Oaks Drive and Williamson Valley Road approximately 3.5 miles from the Williamson Valley Road/Iron Springs intersection, in the Williamson Valley area. The Planning & Zoning Commission recommended approval of the Preliminary Subdivision Plat, subject to the following stipulations: 1) Submittal of a Final Subdivision Plat in substantial conformance with the Preliminary Plat Map dated 8/5/97, within two (2) years of approval by the Board of Supervisors of the Preliminary Subdivision Plat. 2) ADEQ/County Environmental Services Department review approval of sanitary facilities prior to submittal of Final Subdivision Plat. 3) Review and approval of Central Yavapai Fire District standards as outlined in memo dated 8/14/97 and itemizing five (5) issues that need to be addressed as part of the Final Subdivision Plat submittal. 4) Waive requirements for an emergency/secondary access to be provided to the sixteen (16) foot public utility easement between Lots Eight (8) and Nine (9). 5) C.C. & R.'s for the development to be amended to include a provision to address the maximum number of lots not to exceed ten (10). No further splitting to**

**occur. C.C. & R.'s to also reflect that horses are not permitted. 6) Waive requirement for a traffic pact to be submitted.**

**CONSENT AGENDA FOR BOARD OF SUPERVISORS: Unless otherwise noted, all items were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**

1. Liquor licenses for which there are no protests and which are approved by the Sheriff: (a) Series 6 Person Transfer, Ore Car Saloon, Humboldt, Marlin D. Kuykendall; (b) Series 12 Original, The Buzzard's Roost, Yarnell, Barry Haupt Horton.
2. Requests from Board of Supervisors:
  - a. Award contract for publication of newspaper advertising, legal notices and minutes for 1998 to Prescott Newspapers, Inc. (The Daily Courier). Bids opened November 25, 1997, with only one bid received.
  - b. Set hearing for February 2, 1998, at 8:30 a.m. to consider conversion of High Valley Ranch Improvement District to a domestic wastewater improvement district and appoint a local board of directors.
  - c. Consider approval of sublease for Sedona Airport, Great Escapes Rentals.
  - d. Approve appointment of David D. Webster to Board of Directors of Sedona Airport Administration, as recommended by SAA.
  - e. Consider approval of new resolution and procedures related to tax sale properties. **Supervisor Davis said he would like to see notification of a bidding process by letter in all cases and eliminate any telephonic bidding. Supervisor Brownlow agreed. Supervisor Davis moved to approve Resolution No. 1104 with the understanding that this change would be made. Supervisor Brownlow seconded the motion, which carried by unanimous vote.**
3. Requests from Public Works Department:
  - a. Accept application from Loma Estates Water Company for renewal of water franchise agreement and set hearing for February 2, 1998, at 9:00 a.m.
  - b. Transfer \$400 from Operation/Contractual (7080-16) to Temporary Salaries (5020-16) and \$160 from Operational/Contractual (7080-16) to Worker's Compensation (5100-16) to cover salaries and worker's compensation for last two pay periods for the Black Canyon City Transfer Station.
  - c. Change Order for Operated Equipment: Acceptance of a 15 cubic yard scraper from McDonald Brothers at \$90 per hour.
4. Requests from Health Department:
  - a. Approve second amendment to Evaluation Services Agreement with Arizona State University to evaluate Tobacco Education program, with all costs to be paid from Tobacco Education contract. Held in abeyance December 22, 1997. **Supervisor Brownlow moved to approve this request, after saying he would like to see discussion of the methods used by the tobacco education program to heighten awareness of tobacco laws included as part of the Board's agenda for the January 12-13, 1998, Board Retreat. Supervisor Davis seconded the motion, which carried by unanimous vote.**
  - b. Approve contract #852031 for HIV Prevention Services through December 31, 1998.
5. Approve appointment of the following precinct committeemen, as recommended by the Republican Committee of Yavapai County: G.C. "Buck" Buchanan, Williamson Valley Precinct; Bruce Mallory Jaeger, Prescott Valley II Precinct; Michael Clarke and Julie Clarke, Hidden Valley Precinct. **Approved by unanimous vote, after Supervisor Davis noted that Michael and Julie Clarke were actually being deleted as precinct committeemen, as they had moved from the area. Motion by Supervisor Davis, second by Supervisor Brownlow.**
6. Appoint Smith Horton to District 2 Board of Adjustment & Appeals, to replace Howard Armstrong, with term to expire July 14, 2000. **Chairman Feldmeier recognized Mr. Horton, who was present at the meeting on this day.**
7. Approve vouchers.

**CONSENT AGENDA FOR DIRECTORS OF YAVAPAI COUNTY FLOOD CONTROL AND FREE LIBRARY DISTRICTS AND COUNTY IMPROVEMENT DISTRICTS: Reference: Special District**

**minutes.**

1. Resolve into the Boards of Directors of the Yavapai County Flood Control, Free Library Districts, and other County improvement districts as follows, for the purpose of approving vouchers: Ash Fork Street Lighting Improvement District; Granite Gardens Sanitary District; Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Street Lighting Improvement District, Seligman Sanitary District.
2. Resolve into Board of Directors of Seligman Sanitary District.
  - a. Approve minutes of meeting of December 22, 1997.
  - b. Receive boundary change impact statement from Jay Shekar, 301-26-105, requesting removal from the District, and set hearing on impact statement for January 20, 1998, at 8:30 a.m.
3. Resolve into Board of Directors of Humboldt Improvement District.
  - a. Approve minutes of meetings of June 23, July 7 and August 4, 1997.
  - b. Approve Order of Dissolution.

**CLAIMS AGAINST YAVAPAI COUNTY**

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,307,479.58	Family Planning	2,550.90
Fam Plng Fees	316.66	Home Health Ser	6,702.08
Health Promotio	2,015.60	Nutrition	277.33
T.B. Control	453.95	W.I.C. Program	11,666.59
Jail Enhance	4,580.00	Diversion Intak	5,816.99
Juvenile IPS	7,260.80	Family Council	138.00
Juv Food Prog.	243.40	Probation Ser	2,625.04
Adult IPS	25,026.56	Adult Prob Fee	10,080.70
Prob Enhance	20,767.31	Stor/Ret Conv	118,275.93
Indigent Def/Dg	247.75	Crim Just/Atty	3,864.05
Bad Check Prog	3,859.01	Juv Prob Svs	675.27
Commodity Fd	629.40	Azeip Case Mgmt	1,385.58
Hi Risk Chld Hl	977.44	Clerk's Storage	562.99
HIV Prevention	1,124.85	Atty Anti-Rack	468.47
P.A.N.T.	3,142.70	Law Library	4,219.81
C.A.S.A.	2,389.41	Case Process	3,089.53
Childrens Justi	102.59	Teen Prenatal E	761.45
Azeip Coordin	612.24	Vict Witns Prog	6,300.09
Concil Court	1,805.87	Yct Wellness Pr	203.47
Drug Enf Fndg	1,464.21	Vital Statistic	1,301.97
COPS Universal	3,522.20	Yav Indian Agre	1,915.60
Hassayampa/LTC	2,690.00	Immuniz Service	844.28
Lower Crt Autom	67,496.49	Subs Abuse/DARE	278.72
Chem Abuse	110.63	Juv Det/PACE	509.21
Special Program	9,023.74	Sm Schools ECIA	933.88
Sm Schools BEHA	8,302.72	Support Per Trn	1,754.93
Public Works	290,865.27	Health Fund	33,384.30
Jail Commissary	5,221.00	Environ Svcs Di	13,301.82
W Yav Sol Waste	13,135.05	V V Solid Waste	20,383.08
Develop Clinic	769.70	Tire Recycle	936.53
Haz Mat Plng Gr	98.74	N C H I P	29.54
Safe School Pro	3,045.38	Adhs-Svc Coord	355.41
Famly Law Comm	2,921.04	Comm Punish Pro	2,019.18
Wellns on Whls	10.43	Pace Chapter 1	4,253.22

Regnl Road Proj	602,944.99	Health Start	2,110.81
Gov Hiwy Safety	1,955.85	Victim Comp	5,979.61
Intst Comp Prog	1,957.89	Ryan White II	514.74
COPS More	4,179.47	Perinatal Block	955.22
Tobacco Educ	3,608.91	COPS Fast	3,412.42
Equal Ad Det Ed	62.50	Cont Libr Auto	172.56
ALTCS	141,953.43	D. T. E. F.	2,824.65
Attendant Care	11,094.05	HIV/Ct	391.14
Netwrk Develop	3,057.41	Child Sup & Vis	807.89
Case Flow	1,783.44	Court Automat	121.18
Domestic Violen	1,522.20	JTSF Treatment	1,202.55
Divrsn Consequ	460.20	Capital Proj	50.22
Selig Arpt Acq	250.00	Sedona DSN&CONS	5,535.00
Sedona Muni Apr	3,135.00	Sedona Airport	9,930.00

In addition, payroll was issued on January 2 for the pay period ending December 27; warrant numbers 25351779 through 25351779 and 25351781 through 25352307, in the amount of \$322,042.90. Jury Certificates were also issued, warrant numbers 832996 through 833023. Warrants issued for January 5 Board day; 76128 through 76471; 76476 through 76485; 76493 through 76733. An itemized list of the above-numbered claims is filed in the official record of the Yavapai County Board of Supervisors.

There being no further business to discuss, the meeting was adjourned.

ATTEST:

\_\_\_\_\_  
Clerk

\_\_\_\_\_  
Chairman