

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

Prescott, Arizona

March 2, 1998

The Board of Supervisors met in regular session on March 2, 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.

1. Approve minutes of meeting of February 2, 1998 and special meeting of February 12, 1998. **Approved as written. Motion by Supervisor Davis, second by Supervisor Brownlow.**
2. Hearing: Consider adoption of proposed Courthouse Plaza fee schedule; and discuss proposed changes to Yavapai County Ordinance 1993-1 relating to booth spaces, and other changes recommended by the Prescott Chamber of Commerce, and set hearing for April 6, 1998, at 8:30 a.m. **Participating in discussion were Facilities/Parks Director Pat Kirshman, Prescott Chamber of Commerce president-elect Don Schiller, Phippen Museum Director Sue Willoughby, and Old Town Arts & Crafts Show coordinator Tammy Bennett.** After Supervisor Brownlow noted that the Board had asked the Chamber of Commerce to host meetings for Plaza users to discuss possible changes, Mr. Schiller outlined the recommendations as follows, after stating that several meetings had been held and that some but not all Plaza users had participated: (1) The Chamber supplies lists of all vendors to appropriate taxing authorities; (2) a parking pass should be given to each vendor at time of registration and will allow for parking on or around the Plaza during set and teardown, as well as free parking in lots during shows with vehicle license numbers to be recorded at time of registration and parking signs and parking area maps to be provided; (3) booths 21-22 and 4-5 on the south side of the Plaza should be eliminated to provide easier access to the picnic areas, and the number of booths on the Timeline should be cut to a total of six. Ms. Willoughby and Ms. Bennett both expressed concern with having the number of booth spaces on the Plaza reduced, with Ms. Willoughby noting that she was expressing her personal opinion and not that of her organization. Chairman Feldmeier said he was comfortable with the idea that booth spaces can be removed on a voluntary basis by those organizations that have been using the Plaza and are used to having 180 spaces. He said he believed those organizations should be allowed to continue full use of the Plaza until such time as they are no longer holding shows. Supervisor Brownlow said he disagreed. Mr. Kirshman noted that during the 4th of July holiday most of the booths are located on the sidewalks because they are food booths and grease from those booths which falls onto the grass has a damaging effect. Supervisor Brownlow moved to increase the administrative fee to \$30 and the damage deposit to \$150, and to set hearing on the other proposed changes for April 6, 1998, at 8:30 a.m. Supervisor Davis seconded the motion, which carried by unanimous vote.
3. Recognition of Sonja Rouselle and Allen Tope for their work on restoration of the World War II Memorial on the Courthouse Plaza. **Chairman Feldmeier presented Ms. Rouselle and Mr. Tope with certificates of appreciation from the Board and Governor Jane Dee Hull, letters from Secretary of State Betsey Bayless, and flags from Congressman Stump, saying that without their efforts replacement of the World War II Memorial would not have become a reality. Mr. Tope thanked the Board and presented Supervisor Brownlow with a framed picture and Chairman Feldmeier with a plaque thanking the people of Yavapai County for their participation in this effort. He asked that the plaque be placed in a County building.**
4. Hearing: Liquor license, Series 12 Original, Grover's Switchback Grill & Saloon, Crown King, Lynn M. Turley. **Ms. Staddon explained that a request for extension of time to**

consider this license had been requested of the state but was never confirmed in writing, and that as a result Ms. Turley had requested that the state liquor board hold a hearing based on the County's failure to act. She said that despite the fact that the deadline to consider the license had passed, the state had indicated that it was still interested in the Board's comments. She told the Board that it would be necessary for Ms. Turley to have a use permit and that Ms. Turley was in the process of trying to obtain one, but that there apparently had been some problems and it would be some time before the question of a use permit would be resolved. Supervisor Brownlow moved to recommend denial of the liquor license because Ms. Turley does not have the required use permit and the Board does not wish to see liquor sold without the necessary use permit. Supervisor Davis seconded the motion, which carried by unanimous vote. There were no comments from the public.

5. Consider acquisition of Verde Valley teleconferencing equipment. Board Attorney/Assistant County Administrator Dave Hunt presented this item. Following brief discussion regarding cost savings and the possibility of using such savings to provide two additional Deputies for the Sheriff's Office, Supervisor Davis moved to approve this request, phases one and two. Supervisor Brownlow seconded the motion, which carried by unanimous vote. There was general agreement that Mr. Holst should look into using the savings to provide two additional Deputies as required by the COPS Fast program and work with Sheriff Buchanan on this issue, with the understanding that the Board would be satisfied with whatever action Mr. Holst takes.
6. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. All items except 1.a., 1.d., 7., 11.a., and 11.b., were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public. See Consent Agenda for detail.

ITEM NO. 2. Merit Award Board Judy Fagelman. Approve Carol Landis, County Attorney Office, as Employee of the Month for January 1998. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**

ITEM NO. 3. Resolve into the Board of Directors for the Yavapai County Flood Control District. **Reference: Special District minutes.**

1. Approve minutes of meeting of December 22, 1997, January 12, 20, 1998.
2. Consider awarding a Professional Services Agreement for construction management and inspection, to Aspen Creek Engineering and Construction Management L.C., for the Equestrian Estates Drainage Improvement Project FCD 978-001, for a sum not to exceed \$6,000.

ITEM NO. 4. Resolve into Board of Supervisors. Public Works Director Richard Straub.

1. Consider approval of Change Order #2 to Authorization of Services with Dibble & Associates for "Sedona Alternate Environmental Impact Statement Process". Increase \$40,170, Half-cent sales tax project. **Mr. Straub explained that the Forest Service was asking the County to provide more detailed engineering on the bridge and route for the E-1 corridor, and that this change order would provide for a preliminary design phase. He said that the County would also be supporting the Forest Service with some staff and with contract management. He noted that two years ago funds had been budgeted for the NEPA/EIS process and that funds were available to pay for this change order, and said that the County would receive some funding from the City of Sedona because a portion of the route is within the city limits. There was brief discussion regarding whether the Board had set a cap on the amount it was willing to pay for this process, during which Mr. Holst said he believed the Board had expressed its concern about spending more than \$300,000 and that a summary of what has been spent so far should be provided to the Board when these requests are made. Following comments from Chairman Feldmeier and Supervisor Brownlow that they did not have enough information to feel comfortable making a decision on this day, and after Mr. Straub said that delaying approval of this request would not**

create a problem, there was general agreement to hold this item for further information. Supervisor Davis said he wanted to note that the Verde Valley press would want to know why this item was placed on the agenda for a Prescott meeting, and that it was done in an effort to speed up the NEPA process.

2. Consider approval purchase of vehicle for Public Works/Emergency Management at approximately \$22,641 and purchase of shed for sand bags not to exceed \$2,500. **Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow. No comments from the public.**

ITEM NO. 5. Public Defender Dan DiRienzo. Request for approval of \$143,820 from Contingency for Indigent Defense Contracts needed to cover projected felony filings. **Consent agenda items 7., 11.a., and 11.b., were also briefly discussed at this point. Mr. DiRienzo told the Board that the reason for this request was that there were more felony filings than had been anticipated. He estimated that the actual shortfall in funding would be closer to \$280,000 but said since no one knew for certain at this time that it would actually come to that, he was requesting only \$143,820 now, with the understanding that if necessary he would return to the Board at a later date to request additional funding. He noted that he was in the process of preparing a proposal for the Board which would eliminate this type of problem in the future. Following brief discussion regarding the Consent Agenda items noted above and clarification that those requests dealt with different issues, Supervisor Brownlow moved to approve Mr. DiRienzo's request for additional funds. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.**

ITEM NO. 6. Planning & Building Director Mike Rozycki. Planning & zoning.

1. Special use permit for Shelton Mini Storage, #306-42-002, Paulden area, Dee Dee McCarty and Andrew B Shelton agent for Russel Carmichal, #6680. **Consideration of Special use permit in order to permit the construction of a sixty (60) unit mini storage facility together with an RV storage facility and including an area set aside for possible future expansion on a 9.7 acre parcel in an RCU-2a (Residential, Rural, two (2) acre minimum). Located on the northeast corner of the intersection of Highway 89 and the railroad in the Paulden community. The Planning & Zoning Commission recommended approval of the Special Use Permit with the following stipulations: 1) Use permit to be granted on a permanent/transferable basis with notification of staff prior to transfer; 2) All site improvements shall conform to the performance criteria for self-storage facilities (except for specific waivers granted) and shall be in conformance with site plan dated 1-13-98 (unless specifically conditioned otherwise); 3) Vegetative screening along north and east side of facility, shall consist of a minimum of 15 gallon, view obscuring evergreen trees, planted 10 ft. apart. Vegetative screening shall be kept in a live state; 4) All driveways and parking area shall be paved per ordinance standards; 5) Outdoor lighting to conform to Yavapai County Zoning Ordinance requirements (Dark Sky Ordinance); 6) Signage shall be in conformance with Section 118 of the Planning and Zoning Ordinance that refers to self-storage signage; 7) A Certificate of Compliance (C of C) shall be issued for this development by the Planning and Building Department prior to initiating use; 8) Structures shall meet applicable Fire Safety Codes and be approved by the Chino Valley Fire District prior to issuance of a Certificate of Compliance. Water storage shall be provided and maintained per Chino Valley Fire Department requirements; 9) This approval shall be subject to commercial driveway access off SR 89 being combined with the existing, adjacent residential driveway. Necessary driveway permits shall be obtained from ADOT prior to Certificate of Compliance; 10) The entire 9.7 acre parcel shall be contained under the use permit. Future splitting will be limited to maintaining a minimum eight (8) acre parcel; 11) Applicant shall apply for a building permit with 6 months of Board approval or use permit shall be considered null and void; 12) The following waivers shall be approved: A. Waiver of the requirement for any screening along the south property boundary only. No screening will be required along this boundary. B. Waiver of**

parking to allow parking as depicted on site plan dated 1-13-98. 13) Applicant to provide a deceleration lane on the north side of the highway at the entrance to the subject property meeting state highway standards together with a commercial driveway access permit to be reviewed and approved by ADOT prior to initiation of use; 14) Paving of access and 400 ft. driveway may be phased and must be completed within five years from Board of Supervisors' action. Specific schedule for phasing to be provided to the Department of Planning and Building with one (1) year of Board of Supervisors' approval, including primary access driveway to storage units to be improved and paved to County standards prior to initiation of use. Mr. Rozycki noted that in recommending approval of this use permit, the Commission had stipulated that the applicant is to provide a proposal and schedule for improving and paving the access road, driveways and parking areas for the facility. He said that following the Commission meeting, staff and the applicant had agreed to a schedule for these improvements and were recommending that a double chip seal improvement be allowed within this self-storage facility. Saying he believed there was no problem with the applicant providing a double chip seal, Supervisor Brownlow moved to approve the recommendations of the Planning & Zoning Commission and to authorize the use of a double chip seal and the proposed schedule for improvements as presented at this meeting. Supervisor Davis seconded the motion, which carried by unanimous vote. There was no comment from the public.

2. Zoning map change for Inscription Canyon Ranch Master-planned Community, #306-35-007B 202A, 203, 203A, 005U, 010D, 010B 012C, Dava & Associates agent for John B. Croll, Inscription Canyon Ranch, Ltd., Partnership, Prescott area, #6695. **Consideration of a zoning map change from RCU-2a (Residential, Rural, two (2) acre minimum) to a PAD (Planned Area Development) for a master-planned golf course residential community including approximately 1,750 single-family residential units on approximately 3,500 acres. Lots are proposed to range in size from .5 (5/10) acre to five (5) acres together with community amenities associated with the development including open spaces. Homeowners Association recreational facilities, Village center and potential public facilities including a fire station and school site for the project to be known as Inscription Canyon Ranch. Located along both sides of Williamson Valley Road approximately five (5) miles north of its intersection with Outer Loop Road and approximately 10.5 miles north of the city of Prescott. The Planning & Zoning Commission recommended approval of the Zoning Map Change from RCU-2A to PAD subject to the following stipulations: 1) Submittal of Final Site Plans for each phase of the development in conformance with the Rezoning Report dated 1/5/98, Preliminary Site Plan/Concept Plan map dated 12/26/98 within two years of Board of Supervisors' approval of Zoning Map Change; 2) Review and approval of development agreement for the entire project in conjunction with final site plan approval for the first phase; 3) Final Site Plan submittals shall be accompanied by a detailed traffic impact analysis defining traffic migration impacts and associated improvements necessary to defining traffic migration impacts and associated improvements necessary to offset same. Said traffic analysis shall be prepared by an independent traffic engineer selected by Yavapai County and shall be reviewed by the County Engineer to determine fair share participation in off-site roadway improvements; 4) Participation in off-site improvements commensurate with traffic generated by the development subject to refined traffic studies for each phase of the development and in conformance with Public Works letter dated 2/10/98 and with specific financial assurances for public improvements in an amount to be reviewed and approved by the County Public Works Department; 5) Final drainage reports (Phase II and III) to be submitted and approved by the Flood Control District during each phase of the development; 6) ADEQ/County Environmental Services Department approval of sanitary facilities prior to Certificate of Occupancy; &) Final Site Plan submittals shall identify all residential lot building envelopes; 8) Recordation of a one (1) foot non-access easement along property boundary along Williamson Valley Road; 9) Submittal of a statement of "Adequate 100 Year Water Supply" from the Department of Water Resources for both the golf course/amenities**

and residential units prior to recordation of Phase One; 10) Development agreement to include provisions for the Inscription Canyon to be dedicated as part of the first phase of the project; 11) Golf Course Plans including construction, environmental policy, maintenance and irrigation, and as set for by the Environmental Principles of Golf Courses in the United States and in conjunction with the Integrated Golf Course Management Plan to insure that the golf course is designed, constructed and operated in an environmentally sensitive way, to be reviewed and approved by the Planning & Zoning Commission and Board of Supervisors in conjunction with the final site plan approval of the first phase. Participating in discussion of this item were Deputy County Attorney Randy Schurr; developer Swayze McCraine; Dava Hoffman of Dava & Associates; Paul A. Manera, a groundwater consultant; Phil Foster, Arizona Department of Water Resources; and Rebecca Ruffner, Central Arizona Land Trust. Mr. Rozycki noted that the applicant would be required to obtain final site plan approval for each phase of the development. He said approval of a development agreement would also be required along with approval of the first phase. He said the development agreement had been drafted and includes designation of adequate water supplies for each phase of the development as well as for the golf course. Mr. Rozycki said there had been a great deal of comment both in favor and in opposition to the proposed plan, and that most of the issues centered around location and the rural character of the area, water impacts, and the number of lots. He said that since the Commission meeting he had received a number of queries from Board members regarding the plan, and that there appeared to be some concern about the golf course. He told the Board that the plan calls for an 18-hole golf course on the east side of Williamson Valley Road, with a nine-hole course on the west side, and that there had been some discussions about limiting the golf course to 18 holes until such time as there is a demonstrated need for the additional nine holes. He explained that after a certain number of homes were built, the 18-hole course would use effluent for irrigation instead of groundwater, and that the course was expected to comprise 200 acres, approximately half of which would be in turf. Mr. Rozycki said there had also been discussions about limiting the amount of turf to what would be allowed if the development were to occur within the Prescott Active Management Area, and about modifying the lots in the upper section to make them two acres in size, which he said would reduce the total number of lots by 73. He said that in addition there was a need to clarify the dedication of trails and who would build them. Ms. Hoffman provided a brief overview of the benefits of the project, saying that 25% or more of the site would be reserved for open space and public dedications; that the infrastructure would be privately owned and maintained; that recreational amenities, including the golf course and equestrian trails, would be privately owned and maintained, with the golf course being irrigated by effluent; that the plan is site sensitive because it provides for buffering and protection of the existing character of the area; and that the developer was willing to contribute to off-site improvements as well as providing development assurances, including financial assurances, a development agreement, CC&Rs, and a property owners' association. In response to a question from Supervisor Brownlow, Ms. Hoffman confirmed that access to the Inscription Canyon historic site would be dedicated to the public so that access would be assured for future generations. In response to a question from Supervisor Davis, Ms. Hoffman said that the developer had originally anticipated that 100 acres of the 18-hole golf course would be irrigated turf, but that the County had requested that the amount of turf be limited to what would be permissible for development within the AMA, which she said would approximately 90 acres. She said the developer had agreed to that request. Supervisor Davis said his greatest concern with the project was water, and he asked, assuming that the golf course is capped at 18 holes and irrigated with effluent, whether any excess effluent from the project could be recharged into the groundwater. There was brief discussion regarding trails, during which Ms. Hoffman said it was her understanding that the trails would be dedicated to the public and the Yavapai Trails Association would enter into an agreement with the County for trails maintenance, but that the homeowners' association would be responsible for maintaining the trail along

Williamson Valley Road. There was brief discussion regarding the merits of public dedication as opposed to private ownership of trails, and the County's ability to maintain trails, during which Mr. Schurr referred to a statute regarding recreational immunity and said that dedication of trails to the public was in the best interest of the County. He noted that even though the County does not currently maintain trails, there was no reason to assume that would be the case forever, and that this was an issue which would probably need to be worked out through the development agreement. Supervisor Davis said he believed the people who use trails should maintain them, and that the County should not be liable for whatever happens on trails. He said he believed the County's only interest should be in ensuring that access to trails is maintained. Mr. Schurr said the developer was willing to reserve public areas, but not to take responsibility for maintaining those areas. There was considerable discussion about the number of acre feet of water required to supply the project, during which Supervisor Davis said he believed the project would result in diminishing flows into the Verde River. Mr. Manera said that surface water does flow into the Verde River and that there might be a little underflow, but that studies from Arizona State University and the Bureau of Reclamation indicate that most of the groundwater does not flow from Big Chino into the Verde River, but instead comes from the Black Mesa aquifer to the north. Supervisor Davis said that was one of the five studies that have five different conclusions. He asked if the golf course would be able to use all of the effluent generated by the project. Mr. Manera said it would use all but about 50 acre feet, but that there would not be a lot of surplus effluent to recharge, even taking into consideration changes in the number of total lots and the amount of turf on the golf course. He said that the cost of a plan to provide tertiary replacement of 50 acre feet of water would be exorbitant. Supervisor Davis said he lived downstream and cared more about the ability to get water than what it would cost the developer. He asked Mr. Manera if he believed the lower aquifer was split from the Big Chino. Mr. Manera said he believed they were connected and that the lower aquifer was under artisan pressure and recharge would be extremely slow. He said there is a significant amount of recharge to the upper aquifer, and that was what the project would use. Supervisor Davis asked Mr. Manera if he had estimated that the project would lower the recharge by approximately one-fifth. Mr. Manera responded affirmatively. Supervisor Davis asked if the majority of individual wells in the Williamson Valley area draw from the upper aquifer. Mr. Manera said that was true, but there were wells on the Las Vegas Ranch which, if opened, would penetrate the lower aquifer. He said that the large number of wells currently in the area do not penetrate the Williamson Valley aquifer and that this was apparent because the levels of all of those wells vary significantly. He said it was his opinion that pumping the project's well would, after about 40 years, affect a couple of wells to the south but would not affect other wells in the area. Mr. Manera said he believed that most wells in the Williamson Valley and Hootenanny Holler areas are drilled into granite and schist and are getting water from those sources and not from the aquifer. Supervisor Davis asked Mr. Manera if he had made a statement that this project would diminish the Verde River somewhat. Mr. Manera responded that what he had said was that anytime you remove water from somewhere, you can expect that it will diminish the water elsewhere. Discussion ensued regarding how long it would be before the golf course would be able to use effluent for irrigation, with Mr. Manera stating that such use would occur as homes are built, with the groundwater irrigation being replaced by effluent irrigation, and that 330 acre feet of groundwater was expected to be used in the first year of the project. Supervisor Davis asked if it would be possible to build the residential portion of the project first and the golf course later on. In response to a question from Supervisor Brownlow, Mr. Manera said the recharge in the Williamson Valley area equals 3,500 acre feet per year. Supervisor Brownlow noted that the entire city of Prescott only uses approximately 6,500 acre feet of water per year. Ms. Hoffman said there is an existing water company and sewer treatment plant already on line so that when the golf course is built approximately two years from now there will already be homes on line that will provide effluent. She stated

that the project was not viable without the golf course in the first phase. Mr. Manera stated that the amount of water needed for the entire project, including the golf course, at full build-out was 634 acre feet of water, and reiterated that as effluent for the golf course becomes available it will be used in place of groundwater. He stressed that the project would never exceed a total use of 634 acre feet of water. Ms. Ruffner explained that her organization was not taking a position for or against the proposed development, but was an advocate for open space. She said the Central Arizona Land Trust board of directors had agreed that preservation of the five-acre Inscription Canyon site was consistent with its goals and that it would work with the developer to obtain title to those five acres. She said she anticipated CALT working with both the developer and the public with regard to long-term preservation plans. At this point, Chairman Feldmeier opened the floor for public comment. The following individuals spoke in favor of the proposed rezoning, citing various reasons for their support including the belief that in the face of growth that will occur anyway the plan does preserve the rural character of the area, that this and other PADs should be supported because they are preferable to lot splitting, and that the plan preserves for the public trail access and access to historically significant sites: Hiram Davis, Kimble McClymonds, Planning & Zoning Commission member Dave Jenner, Bob Beckley, Wade Collison, Stanley Stazenski, Robert McClymonds, Carrie Logan, Tim Zurbriggen, Alan Abare, Judy Zurbriggen, and Dr. Ron Cromwell. The following individuals spoke in opposition to the proposed rezoning, citing as reasons concerns about water, lot sizes and density, and loss of rural character: Jim Gillings, Jennifer Scott, Eleanor Westheimer, Walter Smith, Lee Blake, Edie Dillon, and Marlene Leet. Planning & Zoning Commission Chairman Jim Buchanan, who said he was addressing the Board as a Williamson Valley resident and not as a representative of the Commission, said he wished to speak in favor of the project and yet make a point of opposition. He said he had questions about the amount of water available for the proposed nine-hole golf course and that the math did not compute, and that he was asking that the Board not approve the golf course or commercial components of the plan in order to keep the plan consistent with the rural character of the area. He said he believed the Board should also stipulate maximum recharge to the aquifer. Supervisor Brownlow said he had spent many hours reviewing this issue, and noted that the County had experienced many problems in its efforts to develop a community plan for the Williamson Valley area. In response to a comment made by Kimble McClymonds regarding effluent, Mr. Foster said he was not aware of any pending action that would prevent the use of treated effluent for recharge. He said that sewer treatment plants are good practice and one that DWR would like to see more of instead of septic tanks. In response to a question from Supervisor Brownlow regarding surface water rights on the Las Vegas Ranch, Mr. Foster said he was not aware of what surface water rights that ranch might have, but would surmise that it has such rights, as do most of the ranches statewide. He said he concurred with Mr. Manera's conclusions about the wells in the Hootenanny Holler and Mint Wash areas and the availability of water found in granite fractures and the like, which he said was different than alluvial water. In response to a question from Supervisor Davis regarding the impact the withdrawal of 634 acre feet of groundwater would have on the Verde River, Mr. Foster said that, speaking as a representative of the Arizona Department of Water Resources, he did not know. He said there was not really enough data available to say conclusively what the effect might be. He said he was aware of the studies which had been done and that he had reviewed them, but that from a DWR point of view there was no conclusion regarding impacts to the Verde River. Supervisor Davis asked about the difference in the quality and quantity of recharge for septic tanks and sewer treatment facilities. Mr. Foster replied that facilities which capture treated waters can reintroduce to the groundwater higher quality water than what is currently in the ground. He gave as an example the City of Prescott sewage treatment facility, saying that the treated water from that facility is of a higher quality than what flows down the Verde River. Mr. Foster said that other waters have the ability to cleanse themselves as they move through the aquifer. He told the Board that releases from septic tanks are generally much lower and

slower to recharge, and, in some cases, never reach the aquifer, but that sometimes such releases will go back into the aquifer very quickly, taking with them contaminants. He cautioned that the type and level of recharge for septic tanks had to be considered on a case-by-case basis. In discussing the golf course, Mr. Foster said that if the project was within the AMA, approximately 450 acre feet of water would be allocated for the golf course. Mr. Rozycki said one of the Commission's stipulations was that there be an adequate water supply. He asked if there was some evaluation of the effect of the first phase on the Verde River. Mr. Foster said that DWR looks at the rate of draw down within the development area and does not address the impact it has on the Verde River but instead considers the impact it has on water storage in the proposed development area. Supervisor Brownlow asked Mr. Foster if he believed it was time for the state, County, cities and towns in the County to share in the cost of a study of the aquifers. Mr. Foster said he did. Supervisor Brownlow spoke briefly about the impact of lot splitting as compared to PAD zoning, saying that over the past few years the County had put a great deal of money into upgrading roads in Hootenanny Holler, Ho Kay Gan, Equestrian Estates, Williamson Valley Estates and Sundown Acres. He said the developer of Inscription Canyon Ranch was going to build private roads that would not cost the County anything, and that the developer had also agreed to help with improvements to Road 2 South, which he said is a regional road. He said that lot splits would contribute nothing to improvements on Williamson Valley Road. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission, with the following changes: (1) Stipulation #3 to be made clear that a traffic analysis study will be done and the developer will pay for it; (2) that only the 18-hole golf course be approved at this time, with the understanding that once that course is using effluent for irrigation the developer may return to the Commission and Board to request approval of the nine-hole course on the west side of Williamson Valley Road, and that the nine-hole course is not included at this time and will be shown as open space ; (3) that the golf course contain no more than 90 acres of turf and use no more than 400 acre feet of water for irrigation purposes; (4) and that the lots in Section 11 be two-acre lots, which would reduce the total number of lots for the project by 73 lots. Mr. Rozycki noted that a traffic analysis would be required with each phase of development, and that if the County implements impact fees, such fees would be applied at the time building permits are obtained. Mr. McCraine said the developer would be happy to do whatever is consistent with AMA rules with regard to the golf course. Mr. Rozycki pointed out that there is also a stipulation that the golf course plans must be reviewed by the Board, saying the Board can ensure at that time that the developer is in compliance with AMA rules. Supervisor Davis seconded the motion. He said he credited the people who put this plan together with trying to retain the rural character of the area, and that the golf course would offer an avenue for recharge of water. He said that additionally, the plan would prevent unregulated lot splitting, that people would know what they were getting, and that a central water system was easier to deal with than individual wells. Supervisor Davis expressed concern about who would maintain and be liable for trails, and said that because there was no conclusive evidence regarding water issues he was not comfortable in approving the golf course. He asked if the developer could be more innovative so that he would feel more comfortable about water issues. In response to a request from Chairman Feldmeier, Mr. Rozycki stated that based on Supervisor Brownlow's motion, the nine-hole golf course on the west side of Williamson Valley Road would not be included as part of the PAD, but that the developer could request amendment of the PAD zoning in the future if there is a need for the nine-hole course and provided that the 18-hole course is using effluent for irrigation. Chairman Feldmeier said the Board could not guarantee that the developer would eventually get the nine-hole golf course, but instead was saying that the developer would have the opportunity to apply for it. He said he had seen many PADs and that by far this was the best plan he had ever seen. Chairman Feldmeier remarked that the County has demanded high quality and that this plan far exceeds what the Board has seen in the past. He said that if the County increases requirements on developers, it costs

them more to develop property and that he was concerned about squeezing even more out of developers by not allowing them to meet the requirements that have been placed on them. Chairman Feldmeier said he was concerned about not allowing the nine-hole golf course, but was comfortable with Supervisor Brownlow's motion as long as it is clear that the developer has the right to come back and ask for that golf course at some point in the future. He said that what would be provided in terms of trails, impact fees and dedications of open space was very important to the whole package. He recalled a comment made by Mr. Blake, who had stated that if only two-acre lots were allowed in the project the potential population of the project would be reduced by 36%, and said that when a developer loses a third of his project at the beginning it is no longer feasible and that is when lot splitting starts. He said he could not allow a situation that would encourage lot splitting. Chairman Feldmeier called for the vote. Chairman Feldmeier and Supervisor Brownlow voted "Yes." Supervisor Davis voted "No." The motion carried by a 2-to-1 vote. Chairman Feldmeier thanked those present for the way in which they had conducted themselves on this day, saying that everyone had been very kind and decent.

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.

1. Final site plan for real estate sales office/model home, #402-30-348, Dewey area, Deborah Palmer, Arizona Land and Ranches, Inc. agent for The Villages at Lynx Creek, #6694. **Consideration of a Final Site Plan in order to allow the installation of a Real Estate Sales Office/Model Manufactured Home on an approximate 30,000 square foot parcel in a PAD commercial zoning district. Located on the northwest corner of Village Creek Boulevard and Frontage Road at the entrance to the Villages at Lynx Creek development in the vicinity of Dewey. The Planning & Zoning Commission recommended approval of the Final Site Plan with the following stipulations: 1) Development shall be in accordance with RMM zoning district standards and the site plan submitted with Final Site Plan application, dated 12/19/97; 2) Signage for facility to be placed on existing free standing Villages at Lynx Creek entry sign; 3) One handicapped parking space shall be provided per ordinance standards; 4) No direct access will be allowed from the proposed development on to SR 69 or Village Creek Blvd; 5) The use shall be initiated within 24 months of Board approval or Final Site Plan approval shall be revoked; 6) a landscaping plan shall be submitted for review and approval by the Yavapai County Zoning staff prior to initiating use. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**

Planning & Building Department business:

1. Hearings to consider the following road name changes:
 - a. Young Lane to Fran's Way, Yarnell. **Participating in discussion were Yarnell residents Fran Walker, Robert Kemp, and Irene Young. Mr. Rozycki noted that he had received a petition from Ms. Walker requesting the name change, and that there was opposition to this request. Mr. Kemp said he appreciated Ms. Walker's efforts to have the road dedicated, but that the road had been called Young Lane for 50 years and that he had a petition with the names of 135 people who were not in favor of changing the road's name. Ms. Young said her husband had built the road 50 years ago and had maintained it until his death in 1981. She said she saw no reason to change the name. Supervisor Davis moved to deny the request for the road name change. Supervisor Brownlow seconded the motion. Chairman Feldmeier said he also wanted to recognize Ms. Walker for the tremendous amount of work she had done in getting Young Lane dedicated to the County. He called for the vote, which carried unanimously.**
 - b. Sunset Road to Sunrise Road, Congress; and Kelly Drive to Dearing Road, Dearing Park area. **Resolution No. 1115 changing the names of these roads as noted approved by unanimous vote. Motion by Supervisor Brownlow, second by**

Supervisor Davis. No comments from the public.

- ITEM NO. 7. Convene in executive session pursuant to A.R.S. §38-431.03(A)(7), to discuss right-of-way acquisition for the Regional Road Construction Program. **Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**

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

1. Requests from Board of Supervisors:
 - a. Receive petition for annexation of Parcel 405-27-802 into the Big Park Domestic Wastewater Improvement District, set March 16, 1998 at 8:30 a.m., as the date and time for the hearing on petition; set bond in the amount of \$250. **Approved by unanimous vote after Ms. Staddon explained that current law requires the Board of Supervisors to receive and take action regarding special district annexation petitions, that a law is currently moving through the Legislature which would make this the responsibility of the local district board, and that the board of directors of the Big Park Domestic Wastewater Improvement District had been notified of this item and a response was expected from it prior to the March 16 hearing. Motion by Supervisor Davis, second by Supervisor Brownlow.**
 - b. Receive Impact Statement proposing creation of the Paulden Fire District and set April 6, 1998 at 8:30 a.m. as the date and time for the hearing.
 - c. Approve CDBG Agreements between Arizona Department of Commerce and Yavapai County and Funding Agreements between Yavapai County and grant recipients.
 - d. Reject bids from public on tax sale parcels 500-29-592, Cordes Lakes, Unit 5, Lot 1730, and 500-30-061, Cordes Lakes, Unit 6, Lot 1792, and award bids in the amount of \$1.00 per parcel to the Yavapai County Flood Control District. Parcels are in the flood zone and adjacent to parcels already owned by the District. **Following brief discussion regarding the need for Flood Control and Public Works to be made aware of bids that have been placed, the Board voted unanimously to approve this request. Motion by Supervisor Davis, second by Supervisor Brownlow. No comments from the public. Mr. Holst noted that the Town of Camp Verde was also interested in being notified of any bids placed on properties in the Verde Lakes area.**
 - e. Change existing and vacant Secretary Journey position, Range 29, in Board of Supervisors' Cottonwood office to non-classified Administrative Aide position, at annual salary of \$25,690.
2. Requests from Facilities/Parks Department:
 - a. Consider approval to send one Facilities Trade Specialist to a two day boiler control training program in Phoenix, Az, March 26 & 27, 1998. Cost of training \$426 to be paid for out of Facilities/Parks Training budget.
 - b. Approval to transfer \$8,000 from Permanent Salaries to Temporary/Overtime Salaries to hire a full-time temporary hourly Secretary Senior to assist Facilities/Parks office staff with increasing work load.
 - c. Approval to donate surplus auction items to the Ash Fork Development Association.
 - d. Approval for Pat Kirshman to reestablish certification for the asbestos contractor/supervisor which expired in 1991. Cost of certification is \$675 and paid out of Facilities/Parks training budget.
3. Request from Planning & Building Department for appointment of Erwin Johnston to the Yavapai County Trails Planning Committee.
4. Request from Medical Assistance/Personnel Services to reprice one job (Case Manager) from Range 38 to Range 39.
5. Requests from the Health Department:
 - a. Approve contract with Generationlink Educational Systems to provide tobacco education services to Daniel Bright Elementary and Camp Verde Middle Schools under the Tobacco Education Program.
 - b. Approve contract with University of Arizona - Center on Aging to provide data management and evaluation for the Wellness on Wheels program.
6. Request from MIS Department for a transfer of funds: \$2,000 from Computer Maintenance to Software; \$6,000 from Permanent Salaries to Software; \$2,000 from Lease Purchase Payments to Software; \$4,000 from Training Services to Outside Services and \$3,000 from Training Services to Data Processing Equipment.
7. Request from County Attorney to transfer \$15,000 from Regular Salaries to Temporary/Overtime Salaries to pay for clerical help due to increased Investigators' workload. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**
8. Request from Schools Special Programs Division for permission for Fred Czarnowski to travel to San Carlos,

Sonora, Mexico to attend the Tenth Annual Hands Across the Border International Conference, March 17-22, 1998. Approximate cost is \$600 and funds are budgeted.

9. Requests from Sheriff's Office.
 - a. Consider authorization of payment of expenses from the National Sheriff's Association Mid-Winter Conference and Detention and Corrections Committee meetings in Orlando, Florida, not paid by N.S.A. (meals, motel rooms in Phoenix, parking and shuttles in Orlando). Expenses are approximately \$428 and will be paid by Jail Enhancement Funds.
 - b. Approval to accept the Governor's Office of Community and Highway Safety Grant in the amount of \$20,000.
 - c. Approve purchase of Radio Communication Consoles and Furniture by awarding bid to Durham Communication in the amount of \$140,205.81, to be paid from the following accounts within General Services: \$35,000 from Capital Improvements and \$105,206 from Contingency. Held in abeyance February 17, 1998.
10. Requests from Public Works Department.
 - a. Award or reject bids received for Installation of Pneumatically Placed Concrete (Shotcrete) in Yavapai County. Recommend awarding bid to Precision Spa & Pool at \$165 per cubic yard.
 - b. Award or reject bids received for Supply and Delivery of Portland Cement Concrete in Yavapai County. Recommend awarding to all bidders.
 - c. Consider approval of extension of Authorization of Services with Cannon & Associates for "Design of Lynx creek Bridge on Old Black Canyon Highway". Extend final submittal date to 4/2/98, no additional funds required, half-cent sales tax project.
 - d. Award or reject bids received for Reed Road Fencing, Chino Valley, Arizona, Yavapai County Project #974140. Recommend awarding to Neshem Fence - \$16,179.95, Half-cent sales tax project.
11. Requests from Public Defender: **Both items were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**
 - a. Approval to transfer \$46,772 in salary and benefit savings to other line items in Public Defenders budget -
 - b. Approve transfer of Jack Williams' appeals contract to John Sears.
12. Request from Superior Court to spend savings from copy machine purchase on teleconference equipment for Division 1, Verde Valley.
13. Request from MIS Department for \$129,583.29 from Contingency for hardware purchases incident to adopting changes to the HTE Financial System.
14. 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 and Free Library Districts, and other County improvement districts as follows, for the purpose of approving vouchers: Granite Gardens Sanitary District, Prescott East Sanitary District, Seligman Street Lighting Improvement District, Seligman Sanitary District, Ash Fork Street Lighting Improvement District, Yarnell Street Lighting Improvement District.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,285,885.30	Family Planning	4,842.04
Fam Plng Fees	271.65	Home Health Ser	13,572.57
Health Promotio	2,767.79	Nutrition	1,065.36
T.B. Control	2,683.76	W.I.C. Program	12,022.36
Jail Enhance	348.60	Diversio Intak	6,635.56
Juvenile IPS	9,028.99	Family Council	77.50
Juv Food Prog.	456.98	Probation Ser	3,446.97

Adult IPS	30,034.50	Adult Prob Fee	8,227.46
Prob Enhance.	20,038.75	Stor/Ret Conv	968.43
Indigent Def/Dg	2,794.32	Crim Just/Atty	4,509.85
Bad Check Prog	4,598.46	Juv Prob Svs	1,070.34
Commodity Fd	711.92	Azeip Case Mgmt	1,623.18
Sex Trans Disea	2.56	Hi Risk Chld Hl	839.45
Clerk's Storage	740.50	HIV Prevention	1,165.71
Atty Anti-Rack	286.94	P.A.N.T.	3,956.23
Law Library	3,170.84	C.A.S.A.	2,764.45
Case Process.	4,038.83	Childrens Justi	97.75
Teen Prenatal E	570.08	Azeip Coordin	322.61
Vict Witns Prog	7,897.77	Concil Court	2,567.52
Yct Wellness Pr	14,540.72	Drug Enf Fndg	1,254.37
Vital Statistic	648.45	COPS Universal	3,420.83
Recycl Educ Pro	7,065.71	Yav Indian Agre	1,956.09
Hassayampa/LTC	7,058.11	Immuniz Service	1,069.35
Idea-Preschool	8,000.00	Subs Abuse/DARE	355.43
Chem Abuse	164.10	Juv Det/Pace	4,323.20
Special Program	8,499.48	Sm Schools ECIA	1,007.89
Sm Schools BEHA	5,269.10	Public Works	259,215.53
Health Fund	33,222.46	Jail Commissary	10,925.00
Environ Svcs Di	15,439.37	W Yav Sol Waste	33,295.87
V V Solid Waste	859.32	Develop Clinic	949.33
Tire Recycle	794.64	N C H I P	59.42
Safe School Pro	3,309.82	Adhs-Svs Coord	661.87
Famly Law Comm	3,555.24	Comm Punish Pro	1,973.22
Pace Chapter 1	44.67	Regnl Road Proj	71,032.23
Library Automat	16,848.55	Cordes Lks Arpt	975.00
Health Start	3,176.56	Gov Hiwy Safety	1,866.22
Intst Comp Prog	2,062.15	Ryan White II	574.16
St Grnt in Aid	3,807.63	COPS More	1,817.65
Perinatal Block	1,325.29	Tobacco Educ	19,123.91
COPS Fast	3,302.64	Equal Ad Det Ed	66.99
Cont Libr Auto	361.50	ALTCS	180,202.01
D.T.E.F.	18,255.30	Netwk Tch Updat	7,852.60
Perintl Subs Ab	338.64	Attendant Care	13,867.97
HIV/CT	434.30	Netwrk Develop	8,298.85
Children's Issu	1,089.00	Child Sup & Vis	1,071.92
Case Flow	1,590.79	Court Automat	2,226.11
Domestic Violen	1,688.67	JTSF Treatment	2,033.66
Divrsn Consequ	713.95	Capital Proj	115,571.04
Selig Arpt Acq	2,200.00	Bagdad Apt 803	4,930.00

In addition, payroll was issued on February 27 for the pay period ending February 21; warrant numbers 25353878 through 25353881 and 2535883 through 25354406, in the amount of \$327,550.97. Jury Certificates were also issued, warrant numbers 833755 through 833914 and 833917 through 834025. Warrants issued for March 3 Board day; 78996 through 79349; 79354 through 79366; 79374 through 79702. 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