

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

Prescott, Arizona

June 15, 1998

The Board of Supervisors met in regular session on June 15, 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. Travel to Yavapai County Administrative Services Verde Valley Complex, Cottonwood, Arizona. **Chairman Feldmeier and Supervisor Brownlow traveled in separate vehicles.**

ITEM NO. 2. Convene in Hearing Room, Yavapai County Administrative Services Verde Valley Complex, Cottonwood, Arizona.

1. Approve minutes of meeting of June 1, 1998, and of special meeting of June 5, 1998. **Minutes of June 1 were approved by unanimous vote, as amended, and minutes of June 5 were approved by unanimous vote, as written. Motion by Supervisor Davis, second by Supervisor Brownlow.**
2. Hearing: Consider establishment of Forms and Instruction Production Fee for Superior Court. **Court Administrator Debi Schaeffer participated in discussion, explaining that the forms for which she was requesting the establishment of a fee are related to the court's "self-help center" which provides the necessary forms and information for a number of legal procedures. She said that while the program is currently funded with a grant, she would like to implement the fee in order to generate revenue to continue the program once the grant runs out. Following brief discussion regarding the actual costs involved with reproducing the forms, Supervisor Brownlow moved to set the fee at \$2.50 per packet. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.**
3. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. **With the exception of item 2.c., all items 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. 3. Merit Award Board Chairman Deborah Warren. Approve LaVon McGlinn, Prescott Justice Court, as Employee of the Month for May 1998. **Supervisor Brownlow moved to hold this item in abeyance until July 6, 1998, after Chairman Feldmeier noted that no one from the Prescott Justice Court could be present on this day due to the court's schedule. Supervisor Davis seconded the motion, which carried by unanimous vote.**

ITEM NO. 4. Public Works Director Richard Straub. **Contract Administrator Juanita Barnett also participated in discussion.**

1. Hearing: Consider establishing Weeping Willow Lane, Prescott area, as County highway. **Resolution No. 1123 Establishing Weeping Willow Lane as a County Highway was approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**
2. Hearing: Consider establishing View Drive, Prescott area, as County highway. **Resolution No. 1124 Establishing View Drive as a County Highway was approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**

3. Consider approval of right-of-way project on Brahma Drive between Fremont Drive and Lakeside Road, Cordes Lakes area. **Following brief discussion, Supervisor Brownlow moved to approve this project with the understanding that the County would not pay for the right-of-way. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.**
4. Consider approval of co-op project on Center Street, Chino Valley area, and if approved accept petition to establish Center Street as a County highway and set hearing for July 6, 1998, at 9:00 a.m. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**
5. Award or reject the following bids: **All of the bids were awarded as noted, by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow. No comments from the public.**
 - a. Contract for Supply and Delivery of Portland Cement Concrete and Shotcrete in Yavapai County, Arizona, Contract #986387. Bids opened June 9, 1998. **Bids were received from Paulden Sand & Rock and from Superior Materials, with a recommendation to award contracts to both companies for a period of three months beginning July 1, 1998, with extension options on a quarterly basis.**
 - b. Supply or Supply and Deliver Concrete Sand Material in Yavapai County, Contract #986385. Bids opened June 2, 1998. **Recommend awarding to all bidders. Bids were received from Paulden Sand & Rock, Superior Materials, and Wickenburg Concrete & Materials.**
 - c. Closure of Small Landfills in Yavapai County, Project #986380. Bids opened June 2, 1998. **Recommend awarding to Pine River Construction, Inc., \$538,104.50. Bids were also received from DBA Construction, Inc., \$640,500; Fann Contracting, Inc., \$813,242.50; and Asphalt Paving & Supply Co., Inc., \$849,815.60.**

ITEM NO. 5.

Facilities Director Pat Kirshman. Award 1998 Annual Contract for Custodial Services at Specific County Buildings Located at Yavapai County. **Bids were opened June 9, 1998, for the Health Department building, Administration & Law Enforcement Building, Courthouse Outside Restrooms, and Yavapai County Courthouse, with total aggregate per month bids having been received as follows: Quality Cleaning, \$8,725; Integrated Business Services, \$9,349; and AZ Pro, \$10,323. Mr. Kirshman recommended to the Board that, based on the number of complaints received from departments and the administrative costs related to processing those complaints, the Board award the contract for the above buildings to the second low bidder, Integrated Business Services, for \$9,349 per month. He said this would result in an annual increase of \$7,488 over the low bid submitted by Quality Cleaners, but that this was a relatively small increase considering the total amount spent on these services annually and that there was money in his 1998-99 budget to absorb the costs. Upon a motion by Supervisor Davis, seconded by Supervisor Brownlow, the Board voted unanimously to award the bid as recommended by Mr. Kirshman. No comments from the public.**

ITEM NO. 6.

Planning & Building Director Mike Rozycki. Planning and zoning matters. **Planning & Zoning Commission member Diane Lovett was present to represent the Commission. Also present were Planning & Zoning Commission member Helmut Woellmer and former Planning & Zoning Commission member Howard Hawk.**

1. General Plan Amendment/Big Park Community Plan, Big Park/Village of Oak Creek area, Planning & Zoning Commission, #6731. **Consideration of a General Plan Amendment/Big Park Community Plan, drafted by the Big Park Regional Coordinating Council, to approve an amendment updating the 1988 adopted Big Park Community Plan (BPCP). The amendment includes updating land use policies**

and associated future land use patterns. The BPCP area, encompassing approximately fifty-three (53) square miles is located along State Route 179, including the communities of the Village of Oak Creek, Little Park, Oak Creek and Lee Mountain/Pine Valley and Forest Service lands. The Planning & Zoning Commission recommended approval of the Amendment to the Big Park Community Plan with the following additional language to be incorporated into the body of the text: 1) The community plan may be updated or modified in the future to reflect events of significance which may change the complexion of the projected land use patterns. Some significant events may include the lack of available commercially zoned sites to address the commercial needs of the residential community, the introduction of new regional transportation routes or the development of major residential communities within or in close proximity to the plan area; 2) Additional timeshares in the Core District Area, as well as in the other planning district areas, should be discouraged; 3) Consider the development of alternate routes into and out of the BPCP (Big Park Community Plan) area. All possible alternatives should be considered. In the final selection of the route(s), consideration should be given to minimizing the impact on the residential homes and minimizing traffic on existing residential roads. Participating in discussion were Big Park Community Plan committee representative Joan McClelland and Sedona realtor Andrew Breeley. Ms. McClelland requested removal of the word "potentially" from line 21 on page 17 of the plan, and requested that the word "promote" on line 1, page 21, be changed to "ensure." Following brief discussion of this request, during which Mr. Rozycki informed the Board that Deputy County Attorney Randy Schurr had expressed reservations about such changes for liability reasons, there was general agreement that the changes should not be made. Ms. McClelland said she understood the Board's position and had no problem with it. Mr. Breeley expressed concern about the lack of designated commercial and multiple family zoning in the area, saying that as the area continues to grow property for these purposes will be needed. He pointed out on a map property that his client owns along Highway 179, saying that the property was ideal for commercial purposes and multiple family housing, and if zoned as such could be developed in such a way as to provide an aesthetically superior "gateway" to the Village of Oak Creek area. Mr. Rozycki told the Board that Mr. Breeley had presented these comments at the Planning & Zoning Commission meeting, that the property owned by Mr. Breeley's client had been zoned residential since the time the plan was first approved in 1988, and that in looking at updating the community plan staff had not undertaken an exhaustive review of the potential build-out regarding commercial property but had, instead, given consideration to what the community wanted and the availability of commercially-zoned property. Supervisor Davis noted that there had been numerous opportunities for public input on this plan over the past year, saying he was happy with the revisions being recommended and was pleased that the work had been done by a citizens' committee instead of a \$100,000 consultant. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Brownlow seconded the motion. There was brief discussion regarding how the plan would be updated in the future, including the process of requests for zoning map changes and amendments to the plan. Chairman Feldmeier said he had some concerns about comments made by Mr. Schurr in his June 8, 1998, memo regarding alternate routes. He asked if the plan would affect a possible connection at Red Rock Crossing. Mr. Rozycki said the issue had been discussed at length by the Commission, that the Commission had recognized that all alternatives should be considered, and that the Commission had been explicit in saying that nothing in the plan was meant to be construed as excluding Red Rock Crossing as a possible

alternate route. In response to a question from Supervisor Brownlow, Mr. Rozycki said that any change to an individual community plan also results in an overall change to the County General Plan, and that he did not believe the adoption of the Big Park plan would cause any problems with the County General Plan. Chairman Feldmeier called for the vote. The motion carried unanimously.

2. Special use permit for commercial venture consisting of a variety of American West adventures in RCU-2A zoning district, A Day in the West, 408-33-008C, Sedona area, Rex Manz agent for A Day in the West, L.L.C., #6720. **Consideration of a Special Use Permit in order to operate a commercial venture consisting of a variety of American West Adventures including horseback riding, cattle drive, stagecoach drives, replica of an authentic Native American village, western museum, western dancing, trading post, chuck wagon food service and special events such as weddings and private parties on a total of ninety (90) acres in an RCU-2A (Residential; Rural; two (2) acre minimum) zoning district for the project known as "A Day in the West." Located at the terminus of Red Canyon Road approximately three (3) miles northwest of the intersection of Boyton Pass Road/Long Canyon Road in the vicinity of the city of Sedona. The Planning and Zoning Commission recommended denial of the Special Use Permit. Participating in discussion were applicant John Bradshaw and Sedona Ranger District representative Judy Adams. Mr. Rozycki noted that the applicant had submitted a revised letter of intent that appeared to be modeled after an existing use permit issued to Sedona Legends in 1995, and that he was now making a new proposal which anticipated a land exchange with the Forest Service and a shorter period of time for the use permit. Mr. Rozycki said that because of the new information, the Board might wish to refer the matter back to the Planning & Zoning Commission. Mr. Bradshaw presented a map of the new site plan for the project, saying that many of the structures would be assembled as temporary structures so they could be moved to a different location if necessary. He said he had spoken with Sedona District Ranger Ken Anderson about a land exchange that would allow the Forest Service to trade existing forest land along Highway 89A in the White Hills area for the private land owned by the Bradshaws, but that he was requesting the use permit in order to operate his business between now and the time the land exchange can be accomplished. He agreed with Mr. Rozycki that most of the changes in his revised letter of intent were modeled after the use permit issued to Sedona Legends, and said that he now had plans in place to deal with fire and other emergencies, and with inclement weather. He said he would have no problem with the Board making approval of the use permit contingent upon his submitting a land exchange proposal to the Forest Service. He said he would try to move the project to a new location but needed to generate some income in the interim. Supervisor Brownlow asked what the ranch was being used for currently. Mr. Bradshaw responded that when his father owned it the ranch had been used for trail rides and as a movie set, along with dinner and dance functions in the existing barn. He said that in the past it had been used for essentially the same thing for which he was requesting a use permit, only on a smaller scale. Supervisor Brownlow expressed concern about issuing a temporary use permit, saying past experience had taught him that once people make improvements they do not want to move. He asked what kinds of improvements would be made to the property. Mr. Bradshaw said the restaurant and a pole barn would be the major improvements, and that everything else would be temporary. Supervisor Brownlow asked Mr. Bradshaw if he was saying that in five years he would cease his operations and not ask for an extension. Mr. Bradshaw said that was correct. Brief discussion ensued regarding the proposed land exchange and the possibility that Mr. Bradshaw could be caught short on**

completing it within five years because of having to deal with the Forest Service. Mr. Bradshaw said if that were to happen, then he would probably ask for an extension of time on the use permit, but that he was very serious about the proposed land trade. Chairman Feldmeier called for comments in opposition to the application. The following individuals spoke: Ann Mills read a letter signed by Craig Dible of the Sedona-Verde Valley Group of the Sierra Club saying it believed the commercial nature of the project would have a negative impact on the adjacent forest, but that it would have no opposition to the project being located outside forest boundaries; Harry Easton of the Red Rock-Dry Creek Community Plan Committee, who said the project was in conflict with the community plan; Lou Ritter, who said the project would bring 40,000 people per year into an area that currently receives little use; Bill Eich of Keep Sedona Beautiful, who said that in the past his group had opposed the project, but that it now appeared Mr. Bradshaw had a better plan and that if the project would run in its current location only for five years he did not believe his organization would have a problem with it; Ross Forney of the 4Rs group, who said he agreed with Mr. Eich's comments; "Thurston", who said he was concerned about the effect the project would have on the City of Sedona; Bennie Blake, who expressed concerns about safety, access and potential groundwater contamination because of animals on the property; Joanne Johnson, representing the Village of Oak Creek Association and Big Park Coordinating Council, who noted that the Board had letters from both organizations opposing the project, and who said she objected to the granting of a temporary use permit because of improvements that could be made on the property; Betty Easton, who said she agreed with Ms. Johnson's comments, and that this project was being promoted as an historical and education project when, in her opinion, it was neither; and Justina Boyle, who expressed concerns about whether the applicant would be able to remove improvements on the property at the end of five years. Supervisor Brownlow said that in his earlier comments regarding improvements, his intent was to make clear that he could care less if the applicant made improvements on the property and that it would not be a factor for him in considering any future request for an extension. Ms. Adams noted that the Forest Service was in the process of developing a forest plan amendment that would state the Forest Service's policies with regard to properties in the Sedona area, but that the policy was consistent with what Mr. Bradshaw was proposing. She said she did not know if the forest plan amendment would be appealed, adding that some concerns had been expressed about it in Sedona, but that the Forest Service would consider a land exchange proposal from Mr. Bradshaw but could not guarantee that it would be approved at the end of the process or that a decision could be made within five years. Supervisor Brownlow said it appeared that it was up to the public to work with Mr. Bradshaw if they wanted the land exchange to be successful. He noted that the property could be split into 45 parcels, each with its own septic system and well. Supervisor Davis asked what the County's obligation would be with regard to access roads if the use permit was approved. Ms. Adams said that for a short-term use, the Forest Service might be willing to enter into a road use agreement with the applicant, but if the use was a long-term use it would probably look to the County for improvements. In response to a question from Supervisor Davis, Ms. Adams said if the Forest Service had something in writing regarding the proposed land exchange, it could include it in its work plan but she did not know if would be possible to enter into a contract regarding it. Mr. Rozycki noted that it would be the responsibility of the applicant to pursue a permit with the Forest Service for the use of the road. Supervisor Davis asked if the potential improvements to the property would result in the Forest Service not wanting it at the end of five years. Ms. Adams responded that if there were not a lot of improvements the Forest Service would still be interested in

the property. Mario Henry Black Wolf said that people are always on opposite sides in a community, and that education and preservation should walk hand in hand. He said that compromise is a good thing and that maybe, if people on both sides sat at the table and ate from the same plate, they would come up with something good. George Penn said he was concerned that if one person decided to live in the area on a two-acre parcel, it could throw a wrench into the proposal for the Forest Service to take over the property. Chairman Feldmeier called for comments in favor of the application. The following individuals spoke: Scott Bradshaw, who said it was important that people understand the project was being proposed as an alternative to the ranch being taken over by an attorney through foreclosure, and that people realize that the ranch is not even located in the Red Rock-Dry Creek Community Plan area; Janice Tower, who said she thought Mr. Bradshaw's plan would preserve the integrity of the land and that it was generous of the Bradshaw family to open their ranch to the public; Paul Verotchek, who said there were many realtors in Sedona who would love to sell two-acre parcels in the area, and who said that he was a resident of the Village of Oak Creek but was never asked for his opinion on the project, which was that it was a good project; Michael Meldrum, who said that no one ever comes out in support of a project but that was his reason for being here on this day and that he did not think the Bradshaws should swap land with the Forest Service; Kathy Perry, who said the project would offer a great deal for children and that she was in favor of it; Judy Grimmer, who said she was a registered nurse in full support of the project and that there would be a first aid station at the ranch manned by licensed nurses, but that she did have some concern about an alternate access in case of fire; Vincent Loparco, who said he was the architect of record for the project, and that it would be a good project and a far better alternative to chopping the land up and selling it off; Marie Lyden, who said she was John and Scott Bradshaw's mother, and that if the land was broken up and 45 millionaires built homes on it they would never leave and there would never be any chance for a land exchange; Heidi Lynn, cultural supervisor for the Boys' and Girls' Club, who said the project would provide a great experience for children; Ira Marks, who said he had visited the ranch and did not believe the project would have any negative impact on the forest, that it would be a good family experience, and that granting the use permit would keep alive the possibility of a land exchange; Doug West, who said he lived in the Village of Oak Creek/Big Park area and owned property there and was never asked his opinion about the project, and that he supported it; Charles Hinkley, who said approval of the use permit would allow for a land exchange to take place; Shelly Running, who said she was one of a group of Native Americans who support the project and that the proposed Indian village would be built and operated by Native Americans and would be representative of Native American culture throughout the Southwest; Mack Brainerd, a Sedona broker, who said people were trying to make Sedona a destination instead of a place to pass through and that this project would help, and that as much as he would love to have the listing on the 90-acre ranch he would feel bad if he had to sell it; Howard Hawk, who said he was in favor of the project and that as a member of the Planning & Zoning Commission he had made the motion to approve the use permit but that he had ultimately resigned his position because of remarks made by the Planning & Zoning Commission chairman, and that he hoped the Board would allow John and Scott Bradshaw to make a living on the ranch they had lived on all their lives; and Bonnie Ingalls, who said she was speaking for her child and for other single parents who could not be present on this day and that this project would help parents teach their children ethics and values and would raise their self-esteem. Mr. Rozycki stated that a temporary use permit would not grant a vested right beyond the terms of the permit period. Supervisor Davis said he

was happy to see the concessions related to the Forest Service land exchange, and believed that this had diffused much of the opposition to the project, but that he had some concerns that needed to be addressed. He said was concerned about the road, which he said is a primitive road, and that he would like to see an emergency evacuation plan and a fire suppression plan. Mr. John Bradshaw said the information about emergency evacuation and fire suppression was included in the letter of intent he had provided to the Board on this day. He said with regard to the road, the only concern was the portion that goes over Bradshaw Hill and they would make the road suitable. He said that emergencies would have to be handled as they would be on a ship, by handling emergencies themselves. Supervisor Davis asked if it would be appropriate to have the new information go back to the Commission, and asked Mr. Rozycki if he could ensure that there would be some type of written commitment to identify evacuation plans, fire response and the like. Mr. Rozycki said that in the past the Board had sometimes elected to refer matters back to the Commission because of new information. He said the Sedona Fire Marshal had made some comments on the original request, but that the proposed project was outside the boundaries of the Sedona Fire District and the responsible party would be the State Fire Marshal. He said that staff had tried to address public safety issues that would need to be taken care of prior to initiating use of the property. Supervisor Davis said the package proposed on this day was very different from the one presented to the Commission. He said he had concerns about roads and safety and felt that if the Commission could review and provide specific recommendations for those concerns he would be more comfortable with approving the use permit. Chairman Feldmeier said he was comfortable with making a decision on this day because the Commission's vote on this issue was 4 to 3. He asked Ms. Lovett if she was comfortable with the Board making a decision. He said if the Board was going to refer the matter back to the Commission it should have done so right away. Ms. Lovett responded that she believed there were some members of the Commission who should hear these concerns and that she believed the matter should be referred back to the Commission. Supervisor Brownlow asked Mr. Rozycki if staff had prepared a list of stipulations for approval. Mr. Rozycki said it had. Chairman Feldmeier asked Supervisor Brownlow if he wanted to send this matter back to the Commission or work out a decision on this day. Supervisor Brownlow said he had been prepared to vote "No", but after listening to people on this day he had changed his mind. He said that some of the things people had said were ridiculous, and that it made him angry when he heard asinine comments. He asked those present why they wanted this property preserved as forest when most of them were not even in good enough shape to go out and see it. He said he could go either way on this one. Chairman Feldmeier said he was comfortable in making a decision on this day and saw no need to extend the process. Mr. Rozycki and Assistant Planning & Building Director Enalo Lockard presented the 15 stipulations prepared by staff. Supervisor Brownlow asked if the requirements of stipulation number six regarding improvements to the low water crossing would be the County's responsibility whether or not the use permit was approved. Mr. Rozycki said it was a County responsibility but reference to participation in improvements had been included in other zoning map changes and PADs. He said he believed the stipulation was worth keeping, but because of the temporary nature of the permit Mr. Bradshaw's share would probably be greatly reduced. In response to a question from Supervisor Brownlow, Mr. Rozycki said he believed that the requirements of the Sedona Fire District could be included as part of stipulation number 11. In response to additional questions from Supervisor Brownlow, Mr. John Bradshaw said there would be a 10,000-gallon water tank on the property and that the only vendors allowed on the property would be those

delivering hay or propane. Supervisor Davis asked if stipulation number five could be made clear that the County will not apply for or obtain a USDA easement. Mr. Rozycki said he could make it clear that the permit process is between the applicant and the Forest Service. He suggested that stipulation number one include "may consider extension if the applicant is diligently pursuing an application with the Forest Service." Supervisor Davis said that was fine, and asked if there should be a stipulation regarding licensed nurses or certified EMTs on site. Mr. Rozycki said that information was included in the letter of intent, but that the Board could require a Certificate of Occupancy to ensure that such concerns have been taken care of before initiation of the use. Supervisor Davis said he would like it to be clear that the total number of participants would not exceed 100 people at any one time. Mr. Rozycki responded that no more than 100 people would be allowed at the facility during normal operations, but that the stipulations provided for 12 events throughout the year where more than 100 people would be allowed. Supervisor Davis said the letter of intent referred to all guests and employees using shuttle vans or jeeps to get to the property. Chairman Feldmeier suggested including reference to the letter of intent as part of the stipulations. Supervisor Davis asked about inclement weather. Mr. Rozycki said that the Forest Service might address those concerns as a condition of a special use permit. Supervisor Davis said with that, he believed compromise had been reached and he moved to approve the use permit with the stipulations presented by Mr. Rozycki and with reference to the letter of intent included as discussed. Supervisor Brownlow seconded the motion, which carried by unanimous vote with the following stipulations: 1) The Use Permit be approved for a period of five (5) years with a two (2) year review period. The Board of Supervisors may grant an extension after the five (5) year period if the applicant is diligently pursuing a Forest Service land exchange; 2) The approval is for the specified use only as identified in the letter of intent and site plan received 6/15/98. This includes the policies for closing A Day in the West in inclement weather; 3) The Use Permit is non-transferable; 4) Prior to issuance of building permits, the applicant provide required information to the Flood Control District for their review and approval; 5) Legal access be perfected prior to issuance of building permits (Special Use Permit from the USFS for access); 6) The Dry Creek low water crossing be improved (commensurate share contribution towards improvements) to County Engineer requirements prior to initiation of the use; 7) The State Historic Preservation Office review and release this development prior to issuance of building permits; 8) A boundary survey to be completed to the satisfaction of the Forest Service within one year of Board approval; 9) Building permits and/or zoning clearances be obtained for existing structures that require same prior to initiation of the use; 10) Proof of City of Sedona approval of use permits for parking staging areas prior to initiation of use; 11) All State Fire Marshall requirements be complied with prior to initiation of the use. This is to include the fire safety recommendations made by the Sedona Fire District; 12) Secondary access be provided for public safety purposes in a manner acceptable to the State Fire Marshall; 13) All water distribution and waste water systems comply with ADEQ (Arizona Department of Environmental Quality) and Environmental Services requirements; 14) The applicant notify/supply staff and public safety agencies thirty (30) days prior to initiation of special events with calendar of specific dates for at least six (6) of the twelve (12) special event dates on a semi-annual basis; 15) All activities associated with this Use Permit shall be confined to the ninety (90) acre site; 16) The applicant shall provide information indicating that the owners are interested in seeking and pursuing a land trade with the U.S. Forest Service prior to the initiation of this Use Permit; 17) Certificate of Compliance to be issued prior to initiation of use.

3. Preliminary subdivision plat, La Barranca, 405-33-547G and L; 548D,H and K; 552B; 553A and B; and 554A and B; Village of Oak Creek area, Doug Zuber, Harvard Investments, Inc., agent for Red Rocks - Sedona Estates Limited Partnership, #6746. **Consideration of a Preliminary Subdivision Plat in order to permit the creation and eventual conveyance of a total of seventy-six (76) single family residential lots ranging in size from approximately twenty-four thousand (24,000) square feet to two (2) acres with an average lot size of forty-two thousand, four hundred eighty-eight (42,488) square feet together with twenty-eight (28) acres or twenty-five percent (25%) open space on a total of 111.86 acres, in a PAD (Planned Area Development) zoning district, for the project to be known as "La Barranca". Located along both sides of Jack's Canyon Road approximately three-fourths (3/4) of a mile east of the Jack's Canyon Road/SR 179 intersection in the Village of Oak Creek. The Planning & Zoning Commission recommended approval of the Preliminary Subdivision Plat with the following stipulations: 1) Development in conformance with the Plat entitled "Preliminary Plat for La Barranca" dated 4/28/98 and revised 5/19/98 consisting of three sheets. All previous stipulations of approval to apply; 2) Final Subdivision Plat to be submitted as specified under Article 4 of the Yavapai County Subdivision Regulations, "Within two (2) years after approval or conditional approval of the preliminary subdivision plat, a final plat may be prepared in accordance with the preliminary subdivision plat as approved, with only minor authorized changes allowed and with any stipulations attached thereto"; 3) Final Plat submittal shall identify building envelopes as indicated on the Preliminary Plat prior to recordation; 4) A final (Phase III) drainage report to be submitted and approved by the Flood Control District prior to Final Plat approval and issuance of a Development Permit. Final Subdivision Plat to address Flood Control comments in letter dated 5/22/98; 5) Approval of request for a variance from Resolution 1036 (Road Standards) to allow reduced roadway and surfacing widths; 6) Maximum height of structures on Lots 51, 56, 57 and 58 not to exceed a total height of twenty-two feet(22'); 7) Private easement known as Bobcat Trail to be improved by the applicant as recommended by the Sedona Fire District; 8) Review and approval of final road construction drawings by the County engineer, including possible realignment of Jack's Canyon Road/Lee Mountain Road intersection, and turn and decel lanes prior to submittal of Final Plat. Required improvements to be based on fair share participation by the applicant as determined by the Public Works Department; 9) Final Plat to identify location of future well-site, storage tank and access road. Mr. Woellmer said he was speaking as a private citizen, that he had previously had some concerns with this application, but now believed his concerns were addressed through stipulation number 8. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Brownlow seconded the motion and asked how wide the streets would be. Project Engineer John Wesnitzer said he believed they would be 28 feet wide. The motion carried by unanimous vote.**
4. Special use permit for establishment of 70-unit RV park in RCU-2A zoning district, San Dominique Winery RV Park, 403-05-010 and 010A, southeast corner of I-17 and Highway 169 intersection, William J. Staltari, #6726. **Consideration of Special Use Permit in order to allow the establishment of a seventy (70) unit Recreational Vehicle Park with amenities including a sports court, restroom/showers/laundromat/building, and existing to be expanded winery facility to function as office/gift shop/and restaurant on an 8.8 acre site in the RCU-2A (Residential; Rural; two (2) acre minimum) zoning district. Located at the southeast corner of the intersection of Interstate 17 and Cherry Road (Hwy 169) approximately seven (7) miles southwest of the Town of Camp Verde. The Planning & Zoning Commission recommended**

approval of the Special Use Permit with the following stipulations: 1) Use Permit to be approved for a period of ten (10) years. Special Use Permit to be administratively reviewed in two (2) years in order to ensure the applicant is complying with the terms and conditions of the use permit; 2) Use permit be made transferable with notification of staff in writing prior to transfer; 3) At the time of application for required permits, a revised, to scale site plan indicating all space dimensions and compliance with Ordinance performance criteria for travel trailer (RV) camp standards be submitted for review and approval prior to issuance of any permits; 4) Prior to issuance of building permits, the applicant to provide required information to the Flood Control District for their review and approval; 5) Appropriate access permits be obtained from ADOT prior to initiation of the use; 6) Road improvements be made as required by the County Engineer prior to initiation of the use; 7) Building or zoning clearances be obtained for existing and proposed structures that require same prior to initiation of the use; 9) Secondary access to be provided for public safety purposes if required by Fire Marshall; 10) All water distribution and waste water systems to comply with ADEQ and Environmental Services requirements; 11) Signage to conform to the C-2 standards with any non-compliant signage to be removed within thirty (30) days of Board action; 12) Certificate of Compliance shall be required prior to initiation of use. Participating in discussion were applicant William J. Staltari; and area residents Pauline Pruitt, Alice Platz, and Bob Reeves, all of whom were opposed to the application. Ms. Pruitt said the area was rural, that residents treasure their privacy, and that they would like it to remain as it is. Ms. Platz said she was concerned about people going through her gate and through her barbed wire fence to get to the creek. She said allowing this RV park would ruin the area for people who might be considering building homes there. Mr. Reeves said once approved, it would be hard to eliminate this proposed RV park. He said Mr. Staltari had a reputation for not following the rules, and that he had encouraged trail riding in the area, which Mr. Reeves said was in conflict with ranching because it results in cattle being run off from water. Upon a motion by Supervisor Davis, seconded by Supervisor Brownlow, the Board voted unanimously to deny this use permit.

5. Extension of Urban Overlay Zone, Sections 17, 20, 21, 23 and 25, Township 15 North, Range 3 East, Verde Valley area, Planning & Zoning Commission, #6744. Consideration of an Extension of the Urban Overlay Zone for the purpose of administration of the Uniform Building Code affecting Sections 17, 20, 21, 23 and 25, Township 15, North Range 3 East, generally located south of the Cottonwood/Verde Village area and Sections 21, 22, 27, 28, 33 and 34, Township 13, North, Range 5 East, generally located south of the Town of Camp Verde, both areas being located in the Verde Valley. The Planning & Zoning Commission recommended approval of the Extension of the Urban Overlay Zone. The recommendation of the Planning & Zoning Commission was approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. The Board noted that it had received a letter in opposition to this, but there was no one present on this day to express opposition. Supervisor Davis said he hoped that staff would respond to the person who had written the letter.

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. Zoning map change from RCU-2A to PAD, Red Rocks, 407-23-003, Cottonwood area, James L. Sullivan, SEC, Inc., agent for Castlewood Development, L.L.C., #6709. *The Planning & Zoning Commission deferred this item until its July 8, 1998, meeting. No action necessary by the Board of Supervisors.*

2. Special use permit for clubhouse in RCU-2A zoning district, Thunder Ridge Clubhouse, 405-51-012 and 013, Lake Montezuma/Rimrock area, Philip V. Petersen agent for Brookfield at Thunder Ridge, L.L.C., #6734. **Consideration of a Special Use Permit in order to establish a club house area to include an approximate tow thousand (2,000) square foot multi-purpose building and picnic ramadas for the use of future property owners in the overall project know as the "Thunder Ridge Subdivision" on and between lots 12 and 13 on a 1.8 acre site in the RCU-2A (Residential; Rural; two (2) acre minimum) zoning district. Located on the west side of Thunder Ridge Road approximately one half (1/2) mile north of its intersection with Beaver Creek Road in the Lake Montezuma/Rimrock area. The Planning & Zoning Commission recommended approval of the Special Use Permit with the following stipulations: 1) Special Use Permit be granted on a permanent basis; 2) Applicant be granted one year in which to commence the construction of the clubhouse; 3) County Environmental Services approve of sanitary facilities prior to issuance of a Development Permit prior to issuance of any building permits; 5) All residential structures comply with RCU-2A (Residential; Rural; two (2) acre minimum) zoning district performance criteria; 6) Deed restrictions be modified and recorded to reflect easements/maintenance/ownership of the clubhouse facility; 7) Clubhouse to be used solely for the benefit of the Homeowners Association and not to be used for on-site residential use; 8) Identification sign for the Clubhouse not exceed ten square feet (10') in area of and be a low monument style installation. 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)(3) for legal advice regarding Davenport vs. Yavapai County. **Approved by unanimous vote. Motion by Supervisor Brownlow. Second by Supervisor Davis.**

ITEM NO. 8. Hearing to grant tentative approval of 1998-99 fiscal year budgets. **County Administrator Jim Holst presented these items.**

1. County Primary and Secondary Budgets, 1998-99. **Mr. Holst explained a memo he had sent to departments with their budgets on June 11, 1998, saying that the classified salary schedule had been changed to reflect a 2.5% increase instead of a 1.5% increase. He explained Schedules A through D, noting that the proposed 1998-99 budget totals \$110,813,070 representing an 8% increase over the 1997-98 budget. Mr. Holst said that tentative approval of the budget on this day would set the ceiling for expenditures. Following brief discussion, Supervisor Davis moved to approve tentative adoption of the 1998-99 budget. Supervisor Brownlow seconded the motion, which carried by unanimous vote.**
2. Resolve into the Boards of Directors of the following special and improvement districts to give tentative approval of 1998-99 fiscal year budgets: **Reference: Special District minutes.**
 - a. Yavapai County Flood Control District.
 - b. Yavapai County Free Library District.
 - c. Prescott East Sanitary District.
 - d. Granite Gardens Sanitary District.
 - e. Seligman Sanitary District.
 - f. Seligman Street Lighting Improvement District.
 - g. Yarnell Street Lighting Improvement District.
 - h. Ash Fork Street Lighting Improvement District.
 - i. South Aspaas Street Improvement District.

3. Resolve into Board of Supervisors and approve 2.5% increase in classified salary schedule and salary increases for non-classified employees, to be effective June 29, 1998. **Upon a motion by Supervisor Brownlow, seconded by Supervisor Davis, the Board voted unanimously to approve the increase in the classified salary schedule and to approve salary increases for non-classified employees.**

NOTICE TO TAXPAYERS

The Yavapai County Board of Supervisors will, at its regular meeting on August 3, 1998, at 8:30 a.m., in the Board of Supervisors' Hearing Room, First Floor, Yavapai County Administrative Services Building, 1015 Fair Street, Prescott, Arizona, hold a final budget hearing at which any taxpayers may appear and be heard in favor of or against the proposed tax levies for the 1998-99 fiscal year. The tentative budget for Yavapai County is as follows, with detailed departmental and special district budgets available at the office of the Clerk of the Board, Room 310, 1015 Fair Street, Prescott, Arizona, between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday.

(Schedules A - D attached to final, approved minutes)

Following the conclusion of the final budget hearing on August 3, 1998, the Board will meet at 8:30 a.m. on August 17, 1998, or on or before the third Monday in August to fix, levy, and assess the amount to be raised by direct taxation on each \$100 of Primary and Secondary taxable property for County purposes, and to add thereto the amount levied for state purposes.

/s/ Bev Staddon

Clerk of the Board of Supervisors

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 is approved by the Sheriff: Series 12 Restaurant, Dara Thai Cuisine, Village of Oak Creek area, Thanit Timratana.
2. Requests from Board of Supervisors:
 - a. Transfer \$659 from Routine Travel to Temporary/Overtime Salaries.
 - b. Transfer \$7,971 from Contingency to Postage to pay for postcards mailed to property owners in conjunction with Impact Fee hearing.
 - c. Consider approval of reimbursement to Supervisor Davis for attendance at Board meetings held in Prescott, pursuant to A.R.S. §11-215. **There was brief discussion regarding this item, during which Mr. Holst said he had brought this statute to Supervisor Davis' attention. The Board discussed how this had been handled in the past, with Chairman Feldmeier reading a portion of the minutes of the December 2, 1991, meeting in which the Board eliminated meal reimbursements for all employees for in-County routine travel. Supervisor Davis said it did not matter to him whether he received reimbursement and noted that he had not submitted reimbursement requests for out-of-County travel, to which Chairman Feldmeier replied that he should request reimbursement for out-of-County travel. Supervisor Brownlow moved to retain the policy established by the Board on December 2, 1991, thereby denying Supervisor Davis' request for reimbursement. Chairman Feldmeier seconded the motion, which carried by unanimous vote.**
 - d. Consider approval of low bid for a 15-passenger disability accessible van for Y.E.S. the ARC, part of the CDBG process. Recommend awarding to McCoy Motors, Flagstaff, \$37,844.40.
3. Requests from Public Works:
 - a. Consider approval of Change Order #2 with Jesoco, Inc. for Verde Valley School Road Reconstruction,

- Phase 1, Village of Oak Creek, Arizona, Project #963121, approval of final quantities. +\$37,613.37. Half-cent sales tax project.
- b. Consider approval of Change Order #1 with Fann Contracting, Inc. for Sylvan Drive and Williamson Valley Road Intersection Improvements Yavapai County Project #961323, approval of final quantities, +\$2,888.85. Half-cent sales tax project.
 - c. Consider approval of Authorization of Services with EMCON for Construction Quality Assurance monitoring services at Ash Fork, Seligman, Bagdad and Black Canyon City Landfills, not to exceed \$36,860.
 - d. Recognition of name change and transfer of existing cable franchise agreement from Spring Valley Cable TV, L.L.C. to Indevideo Company, Inc.
 - e. Transfer \$300 from Bagdad Landfill Closure account to Temporary/Overtime Salaries, Fund 209.
 - f. Transfer \$415 from Temporary/Overtime, &718 from FICA/Medicare Insurance, \$250 from AZ Retirement, and \$378 from Workers' Compensation, all in Mayer Transfer Station to Refuse Disposal, Fund 209
 - g. Transfer \$11,617 from Temporary/Overtime, \$883 from FICA/Medicare Insurance; \$252 from AZ Retirement; and \$442 from Workers' Compensation, all in Congress Transfer Station to Operator/Contractual, Fund 209.
 - h. Consider approval of Change Order #2 with Stantech adding hangar taxilane design and construction administration to Authorization of Services #974240 for Airport Improvements at Sedona-Oak Creek Airport, ADOT Grant #N514, +\$14,666. No County funds involved.
4. Requests from Finance:
 - a. Approve and sign Cooperative State Purchasing Agreement for 1998-99.
 - b. Approve 1998-99 jail per diem rate of \$50.75.
 - c. Charge Contingency account in the amount of \$1,800 for Expenditures for Holiday Hills - Lot 56, expenditures approved by Board on April 20, 1998.
 - d. Approve transfer from Contingency with General Services in the amount of \$66,031 to other General Services accounts as follows: Autopsies, \$13,144; Bldg., Land & Misc. Leases, \$600; Blood Borne Pathogens, \$3,835; Publishing & Legal Notices, \$18,800; Liability Insurance Deductible, \$17,652; Travel Schools & Training, \$2,500; Telephone, \$9,500.
 - e. Approve contract with Medical Examiner for 1998-99.
 5. Set hearing to consider establishment of fees for Medical Examiner's office for July 20, 1998, at 8:30 a.m.
 6. Request from Adult Probation for approval to renew lease of building at 231 N. Marina Street, Prescott, from July 1, 1998 to June 30, 1999, at a cost of \$3,553 per month plus tax, to be entirely from State Intensive Probation Supervision funds.
 7. Request from Medical Assistance to award contract for Title 36 Mental Health Services to West Yavapai Guidance Clinic.
 8. Requests from Sheriff:
 - a. Consider approval of new Account Clerk I position, to be paid from Inmate Commissary Funds.
 - b. Permission to make grant application, Bureau of Justice Assistance for "File of Life" program, Forensic Evidence Drawing/Storage Unit and Bar Coding System, and overtime monies.
 9. Requests from Health Department:
 - a. Approve Amendment #4 to Contract 661065 to extend Development Clinic program through June 30, 1999.
 - b. Approve intergovernmental agreement #853048 with Arizona Department of Health Services to provide Tobacco Education Services through June 30, 1999.
 10. Request from MIS for approval of intergovernmental agreement with City of Prescott to combine efforts and resources to capture contour data for Prescott area.
 11. Request from Planning & Building Department for temporary appointment of Ed Jackson to District 3 board of Adjustment & Appeals to replace Harold "Buzz" Gerry, from June 1998 through September 1998.
 12. Request from Assessor for permission to transfer \$2,300 from Office Machines to Software to purchase Apex Drawing System Software Upgrade.
 13. Approve appointment of the following precinct committeemen, as recommended by the Yavapai County

Democratic Party; Dan Salcito, Skull Valley Precinct; Katherine A. Lauster, West Chino Precinct; John James O'Donnell, Fir Precinct; Stephen F. Currie, Clarkdale Precinct; Robert Sackrider, Roundup Precinct; Jahala Ford, Mayer Precinct. Also note deletion of the following individuals as precinct committeemen: Barry A. Dill, Deep Well Precinct; Theda Herz, Prescott Valley 2 Precinct; Harriet F. Walker, Yarnell Precinct.

14. Approve Certificates of Clearance numbers 001533 through 001618 for removal of uncollectible personal property tax, as recommended by the County Treasurer.
15. Request from Recorder for permission to transfer \$5,530 from Voter Registration Temporary/Overtime Salaries to the following accounts: \$4,000 to Recorder Regular Salaries; \$1,030 to Recorder AZ Retirement Matching; and \$500 to Microfilm FICA/Medi Match.
16. Appoint Gail Perry as Personnel Director.
17. 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: Ash Fork Street Lighting Improvement District (5/18/98-5/29/98), Yarnell Street Lighting Improvement District (5/18/98-5/29/98), Ash Fork Street Lighting Improvement District, Granite Gardens Sanitary District, Prescott East Sanitary District, Yarnell Street Lighting Improvement District, Seligman Sanitary District.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,243,355.17	Family Planning	5,950.99
Fam Plng Fees	285.22	Home Health Ser	13,775.40
Health Promotio	2,241.05	Nutrition	2,069.26
T.B. Control	2,364.73	W.I.C. Program	15,999.16
Jail Enhance	5,799.14	Diversion Intak	9,442.00
Juvenile IPS	11,838.57	Family Councel	951.10
Juv Food Prog.	184.60	Probation Ser	3,471.97
Adult IPS	25,551.53	Adult Prob Fee	9,829.42
Prob Enhance	20,466.58	Stor/Ret Conv	24,523.97
Indigent Def/Dg	1,335.36	Crim Just/Atty	3,481.97
Bad Check Prog	3,215.47	CDBG Grant	21,620.30
Juv Prog Svs	913.07	Commodity Fd	545.95
Azeip Case Mgmt	1,390.25	Sex Trans Disea	431.21
Hi Risk Chld Hl	1,280.71	Clerk's Storage	1,299.90
WIC/TOB Interve	176.86	HIV Prevention	1,182.48
P.A.N.T.	2,634.94	Law Library	79.00
C.A.S.A.	3,645.84	Case Process.	5,815.54
Childrens Justi	106.00	Teen Prenatal E	641.27
Azeip Coordin	386.15	D.A.R.E.	624.65
Vict Witns Prog	8,917.52	Court Enhanceme	10,705.87
Concil Court	1,479.41	YCT Wellness Pr	387.21
Drug Enf Fndg	1,441.83	Vital Statistic	2,072.12
COPS Universal	2,812.08	Recycl Educ Pro	159.18
Yav Indian Agre	2,493.58	Hassayampa/LTC	7,563.33
Immuniz Service	1,513.19	Subs Abuse/DARE	1,067.09
Chem Abuse	778.99	Juv Det/PACE	4,314.18
Special Program	12,240.52	Sm Schools ECIA	1,611.74

Sm Schools BEHA	11,576.58	Public Works	247,221.91
Health Fund	39,302.99	Jail Commissary	7,368.92
Yav Cemetery As	719.68	Environ Svcs Di	11,153.10
W Yav Sol Waste	9,813.28	V V Solid Waste	1,662.34
Develop Clinic	3,620.55	Tire Recycle	1,232.75
Haz Mat Plng Gr	48.82	Safe School Pro	2,948.81
Adhs-Svc Coord	1,097.38	Famly Law Comm	1,984.69
Comm Punish Pro	2,554.23	Pace Chapter 1	41.06
Regnl Road Proj	782,188.14	Cordes Lks Arpt	1,219.00
Health Start	2,784.07	Child Sup Auto	144.24
Intst Comp Prog	1,881.65	Ryan White II	640.16
St Grnt In Aid	749.33	COPS More	1,199.58
Perinatal Block	5,311.83	Tobacco Educ	13,993.15
COPS Fast	3,094.24	Equal Ad Det Ed	61.57
ALTCS	968,508.47	Grt in Aid 98A1	1,509.29
D.T.E.F.	5,591.63	Netwk Tch Updat	559.81
Resid Care Home	73.94	Enforce Equip	1,779.75
Perintl Subs Ab	748.00	Attendant Care	12,826.25
HIV/W.Y.G.C.	383.76	Netwrk Develop	11,988.88
HIV Targeted	595.33	Access & Visita	12.51
Child Sup & Vis	282.26	Case Flow	1,410.28
Court Automat	6.84	COPS Hiring	2,682.27
Domestic Violen	1,508.17	JTSF Treatment	1,922.42
Divrsn Consequ	425.62	Capital Proj	5,739.62
Seligman Airpt	3,480.00	Sedona DSN&CONS	16,605.00
Sedona Muni Apr	11,881.20	Fair Assoc	2,620.00

In addition, payroll was issued on June 5 for the pay period ending May 30; warrant numbers 25357625 through 25357636; 25357639 through 25357729 and 25357732 through 25358166, in the amount of \$363,248.46. Jury Certificates were also issued, warrant numbers 835540 through 835787. Warrants issued for June 15 Board day; 84757 through 84764; 84772 through 85122; 85126 through 85127 and 85135 through 85567. 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