

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

Prescott, Arizona

December 7, 1998

The Board of Supervisors met in regular session on December 7, 1998.

Present: Bill Feldmeier, Chairman; Chip Davis, Vice Chairman (late); 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 November 16, 1998, and of special meetings of November 12 and 18, 1998. **Each set of minutes was approved as written, by unanimous vote of those present. Motion by Supervisor Brownlow, second by Chairman Feldmeier. (Clerk's note: Following the meeting, Supervisor Davis, who had not yet arrived when the minutes were approved, spoke with the Clerk regarding changes he felt should be made in the minutes of November 16 and 18. As a result, re-approval of the minutes for those dates will be placed on a future agenda.)**
2. Consider approval of policy change, Section 6.07, pages 1, 2 and 3 of the Personnel Policy and Procedure Manual, Use of Technological Resources; and receive update regarding e-mail from MIS Director Mark Ruddeforth. **Upon a motion by Supervisor Brownlow, seconded by Chairman Feldmeier, the Board voted unanimously to approve the policy change. Supervisor Davis arrived at this point, and was present for the remainder of the meeting. Mr. Ruddeforth provided the Board with an update regarding e-mail, saying he hoped by the end of January 1999 to provide e-mail service without having to go through a third party and that this would improve the quality of the County's e-mail service. There was brief discussion regarding the monitoring of computer use by employees and the length of time that e-mail remains in the system as a record, during which Supervisor Brownlow said he believed every computer in the County should receive an e-mail copy of the new policy. Mr. Holst said he would like Mr. Ruddeforth to return to the Board periodically to update the Board and provide an opportunity for questions and answers.**
3. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. **With the exception of items 1.e., 1.f., 1.g., 1.h., 3.a., 3.c., and 6.e., all items were approved by unanimous vote. Motion by Supervisor Brownlow, seconded by Supervisor Davis. No comments from the public. See Consent Agenda for detail.**

ITEM NO. 2. County Attorney Chick Hastings. Request for permission to move County Attorney's Investigators Gary Saravo and Roger Williamson from the State Retirement System to the Public Safety Retirement System. Mr. Holst said that Mr. Hastings was ill and unable to attend this day's meeting. Attorney's Investigator Roger Williamson was present and participated in discussion. Mr. Holst explained that the request would allow the County Attorney's Investigators to participate in the same retirement system that Sheriff's Deputies participate in and that it was a matter of equity. Supervisor Brownlow said he had no problem with this request, and moved to approve it. Supervisor Davis seconded the motion. Brief discussion ensued regarding the differences between the State Retirement System and the Public Safety Retirement System, during which it was clarified that the State Retirement System works on a point system (80 points) whereas the Public Safety Retirement System allows for retirement after 20 years of service. Mr. Holst said the County's match for the Public Safety Retirement System was higher than for the State Retirement System. Mr. Williamson pointed out that Attorney's Investigators in other counties participate in the Public Safety Retirement System. Chairman Feldmeier called for the vote, which carried unanimously. No comments from the public.

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

1. Approve minutes of meeting of November 2, 1998.
2. Consider reallocating \$60,000 from FCD989-005 and \$10,865 from FCD978-010 to FCD967-011 and approving Professional Services Agreement with ASL Consulting Engineers for the Diamond Valley Area Drainage Master Study (ADMS) FCD967-011 in the amount of \$85,865.
3. Consider approval of Professional Services Agreement with Civiltex Engineering, Inc. in the amount of \$38,000 for the Holiday Hills Area Drainage Master Study (ADMS) FCD989-001.

ITEM NO. 4. Resolve into Board of Supervisors. Merit Award Board Chairman Deborah Warren. Approve Rick Brenflick, Sheriff's Department, as Employee of the Month for November, 1998. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.

ITEM NO. 5. Superior Court Administrator Deborah Schaefer. Request for permission to change full-time Judicial Assistant position to two part-time positions with no increase in budget. Supervisor Brownlow said he believed this was a good idea as long as more space or equipment would not be required. Ms. Schaefer said there would not be any such requirements. Supervisor Brownlow moved to approve the request. Supervisor Davis seconded the motion. In response to a question from Supervisor Davis, Ms. Schaefer said that the full-time Judicial Assistant would be retiring the end of January and at that point there would be only two Judicial Assistant positions. She said there would be no increase in the budget because she would not need as much temporary help next year. Mr. Holst clarified that the result would be that Ms. Schaefer would request less money for temporary help in the next fiscal year's budget. Ms. Schaefer agreed, saying she would not need to ask for an increase in temporary help next year if her request on this day was approved. Chairman Feldmeier called for the vote, which carried unanimously.

ITEM NO. 6. Fleet Management Director Dave Burnside. Award or reject bids received for Vehicle Purchases in 1998-99. Recommend awarding to various vendors. Sheriff Buck Buchanan participated in discussion. Chairman Feldmeier noted that the recommendations to award were included in the Board's back-up materials and that it appeared that the recommended bids were below what had been estimated. There was brief discussion regarding a Suburban for the Sheriff's SWAT Sergeant, during which Supervisor Davis asked if this vehicle would require extra security features. Sheriff Buchanan said he did not believe that would be necessary because the equipment that is carried in the vehicle would be secured in locked containers. He noted there had not been security problems in the past. Supervisor Brownlow moved to approve awarding the bids as recommended by Mr. Burnside. He asked about the purchase of a sports coupe, to which Mr. Burnside responded that this vehicle was to be used as a gang resistance car and as such needed to be attractive to children. In response to a question from Supervisor Brownlow regarding the proposed purchase of vehicles to accommodate potential new grants, Mr. Burnside said that because of the potential of new officers he wanted to be sure the Board was aware that vehicles would need to be purchased to accommodate those officers and that he would need to purchase them now in order to have them available in the spring. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.

ITEM NO. 7. Public Works Director Richard Straub.

1. Hearing: Consider authorizing "Access & Drainage" permit and setting fee at \$40, to be collected at time application is made; and approve revisions to right-of-way permit fee schedule, with no increases or decreases in fees involved. **Mr. Straub explained that currently the fee covers a culvert permit, but that in cases where no culvert is needed people are tying driveways into County roads and the result is often erosion damage. He said he was asking for permission to revise the current process to have an access permit so an inspector can identify potential drainage or other problems. Supervisor Brownlow said he believed everyone putting a driveway onto a County road should have a permit to do so, but that just a few months ago the Board had approved an impact fee for roads and that he did not believe anyone living within the benefit areas for the impact fee should have to pay \$40 for a permit. Mr. Hunt said**

the two fees did not necessarily address the same roads, and that the impact fee was for regional roads whereas driveway impacts are generally not on regional roads. Planning & Building Director Mike Rozycki said he did not believe this was a new fee, but rather an adjustment in the way an existing fee is collected, and that it was very different from the impact fee for regional roads. Supervisor Brownlow said it was a new fee. Mr. Straub agreed that it was a new fee for those driveways where a culvert is not requested. Supervisor Davis asked if implementing the fee would require additional staff. Mr. Straub said it would not. Supervisor Davis moved to approve the fee and the revisions to the fee schedule. Chairman Feldmeier seconded the motion. Supervisor Brownlow said if the permit was free people would be more willing to come and get one. He said he believed the permit was needed, but not the fee. Chairman Feldmeier said there was no such thing as free, and that a staff person would have to be sent out to make an inspection to determine whether or not a culvert was needed. Supervisor Davis said if a staff person had to go out and inspect and determined that a culvert was needed there would not be another charge, but that some people had made the decision that they did not need a culvert and that County roads have suffered as a result. Chairman Feldmeier called for the vote. Chairman Feldmeier and Supervisor Davis voted "Yes." Supervisor Brownlow voted "No." The motion carried by a 2-to-1 vote. No comments from the public.

2. ~~Hearing: Consider approval of water franchise agreement with ICR Water Users Association, Inc. WITHDRAWN BY APPLICANT.~~
3. Consider approval of additional funding of \$60,000 from the General Fund for ADOT Aeronautics Grants N842 and E9011, Seligman Airport Phase I Project construction. **Following a brief explanation from Mr. Straub, during which he said an asphalt plant would be in the Seligman area in the spring and summer for road work and being able to take advantage of the close proximity of asphalt would help reduce costs for the airport improvements, the Board voted unanimously to approve this request. Motion by Supervisor Brownlow, seconded by Supervisor Davis. No comments from the public.**
4. Consider approval of Authorization of Services with Ecoplan Associates, Inc. in an amount not to exceed \$38,000 for Butterfield Road Environmental Assessment. Half-cent sales tax project. **Supervisor Brownlow moved to approve this request with the understanding that work would not commence until an agreement with the Yavapai Prescott Tribe is in hand. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.**
5. Consider authorizing expenditure of an amount not to exceed \$10,000 for purchase of rights-of-way needed for the next phase of Reed Road, Chino Valley area. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. No comments from the public.**
6. Study session on Regional Roads issues. **Mr. Straub provided a brief review of the current status of the various regional road projects, including: Airport Connector, for which design plans are 60% complete and right-of-way is 30% complete; Highway 89A through Prescott Valley, for which the DCR is 90% complete; New Fain Road, for which preliminary plans have been completed and right-of-way discussions have begun with property owners; Glassford Hill Extension North, for which preliminary studies are under way; Glassford Hill Road between SR 89A and 69, for which the Town of Prescott Valley is preparing an RFP for engineering services to widen the road to 4 lanes with an ultimate width of 6 lanes; Mingus Avenue Extension, for which negotiations are under way for the 404 permit needed for the bridge over the Verde River; Lynx Creek Bridge, for which ADOT is preparing for bidding in January of 1999; Verde Valley School Road, for which construction is approximately 50% complete; Beaver Head Flat Road, for which planning and preliminary design are proceeding with plans for this road to ultimately be paved; Cornville Road, which will continue to receive widening over a number of years; Big Chino Road, for which the first few miles have been improved and for which the plan is to pave more of its length; Iron Springs Road, which needs to be widened and is currently carrying 7,000 cars per day; Ogden Ranch Road, which will ultimately be paved; Old Route 66, which will need an overlay over the next five to six years; Outer Loop Road, for which archeological studies are being done to eventually make it a 4 lane road; Page Springs Road, which will receive public safety improvements;**

Prescott Country Club Bypass, for which the preliminary alignment has been done, but which would be built by developers at such time as development occurs; Pioneer Parkway, which is now under construction; Reed Road, for which the County is working with the Town of Chino Valley to improve it; Relocated SR 169, which would be a controlled access plan on SR 169 to I-17, and for which Public Works will be requesting permission to move forward with planning which is expected to take several years; Verde Valley School Road, which is receiving storm drains and next year will be reconstructed to Bell Rock Blvd.; Williamson Valley Road, which will require the replacement of the Willow Creek Bridge, and a portion of which will ultimately need to be upgraded to a 4-lane road; and Willow Creek Road, the improvements for which are part of the Pioneer Parkway project. Supervisor Brownlow expressed concern about plans to require property owner participation for improvement to Big Chino Road, saying that was not happening in all other areas. He said that with regard to Williamson Valley Road, the portion from Iron Springs Road to Pioneer Parkway would receive heavy traffic, and that the County needs to talk with the City of Prescott about sharing in the improvements. Mr. Straub said the City of Prescott was willing to discuss it. Supervisor Brownlow noted that progress on some of the projects was behind schedule, and he asked about the possibility of bonding or borrowing money in order to move up some of the projects. Mr. Holst responded that the Road Capital Improvements Program would be reviewed as part of the budget process, and that because of the implementation of impact fees for roadway development it might be possible to reschedule some of the projects. Supervisor Davis said he thought that four years to improve Verde Valley School Road was too long.

ITEM NO. 8. Sheriff Buck Buchanan.

1. Request for permission to expend approximately \$29,910 for implementation of a prisoner/inmate property and evidence/property bar coding system, to be paid from Jail Enhancement Funds. **Supervisor Brownlow moved to approve the request. Supervisor Davis seconded the motion, which carried by unanimous vote. No comments from the public.**
2. Consider authorizing receipt of \$16,500 from the V.I.P.s to purchase a full size police vehicle for assignment to the Village of Oak Creek area (total estimated cost is \$24,500); authorize the transfer of \$8,000 in salary savings from Regular Salaries/Operations to pay difference between estimated cost for new vehicle and what V.I.P.s will provide; and authorize increase of fleet through retention of a Chevrolet Lumina to be provided as a loaner for V.I.P. areas throughout the County. **Sheriff Buchanan said the V.I.P.s had raised \$22,000 for the purchase of the vehicle and as a result he was requesting the transfer of \$4,000 instead of \$8,000. Supervisor Davis said he wanted to commend the Sheriff on the V.I.P. program in the Village of Oak Creek. He then moved to approve the above requests. Supervisor Brownlow seconded the motion, which carried by unanimous vote. No comments from the public.**

ITEM NO. 9. Planning & Building Director Mike Rozycki. Planning and zoning.

1. Special use permit to allow operation of a Department of Public Safety auto impound yard in a C-2 zoning district, 500-04-038A, Cordes Lakes area, Herbert W. Hedglin, Jr., #6801. **Consideration of a Special Use Permit in order to allow the operation of a Department of Public Service (D.P.S.) auto impound yard in a C-2 (Commercial; General Sales and Service) zoning district on a 14,000 square foot lot. Located on Lots 26 and 27 on Cordes Lakes Drive, approximately one and one half (1 ½) miles southeast of the intersection of Interstate 17 and Highway 69 in the Cordes Lakes No. 1 Subdivision Located in SEC25 TWN11N R2E G&SRB&M. The Planning and Zoning Commission recommended denial of the Special Use Permit due to the subject location not being appropriate for this use and a similar request on an adjacent lot that was denied based on similar findings. Chairman Feldmeier said this application had been returned to the Planning & Zoning Commission at his request for additional review, and that for the second time the Commission had returned with a unanimous recommendation to deny the application. Mr. Rozycki noted that he had received a petition signed by 20% of the affected property owners, and that if the Board chose to approve the application it would have to do so**

by a unanimous vote. He said he had also received a letter from the Cordes Lakes Community Association in opposition to the application. Chairman Feldmeier noted that information had been received on this day from the applicant, but he said he did not feel the new information was significant enough to warrant returning this matter to the Commission yet again. He said he believed the Board should uphold the Commission's recommendation. Supervisor Brownlow agreed. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission to deny the application. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

2. Special use permit/Community Plan Amendment, to allow development of a communication tower facility (seven 197-foot towers on 80 acres) in an R1L-70 zoning district, 502-02-011, 011C, 011D, and 502-09-012, Black Canyon City area, Ricardo Torres, KZPZ Corporation, agent for Canyon Ranch Corporation, #6808. *The Planning & Zoning Commission recommended continuing this matter to its December 16, 1998, meeting in order to allow all parties time to review new information that was presented at the November 18, 1998, Commission meeting. No action necessary by Board.*
3. Special use permit to allow a soil blending/compost and recycling business; stucco and concrete batch plant; and batch plant used in the manufacture of asphalt products in conjunction with a mining exemption in an RCU-2A zoning district, Northern Arizona Soil Blending and Junior Mix, 306-40-009J, Paulden area, Roy Mills agent for Assisted Services, Inc., #6811. *At the request of the applicant and agent, the Planning & Zoning Commission recommended continuance of this matter for a maximum of 90 days to allow the applicant an opportunity to meet with local residents. No action necessary by Board.*

Planning & Building Department business:

1. Hearing: Consider application of Samuel and Mary Stafford for appeal of Roadway Development Fee required for their manufactured home, 305-03-281, located in the Central Yavapai benefit area in Paulden. Held in abeyance on November 2, 1998. **Samuel Stafford was present. Mr. Rozycki said he had met with Mr. and Mrs. Stafford and that it was clear they had been working on their plans since 1996, and that had they been aware of the impact fee they could have made application for a permit prior to the deadline. He said they had been in the office prior to the deadline and had talked with a clerk, but the clerk had not informed them of the impact fee. In response to a question from Supervisor Davis, Mr. Rozycki said there was information about the impact fee displayed in the office but the clerk who worked with the Staffords did not mention it to them. Supervisor Brownlow asked if signs regarding the impact fee were posted in the office. Mr. Rozycki said they were. Supervisor Brownlow moved to deny the appeal, saying he believed that to approve it would open the door to anyone saying they didn't know about the fee. Supervisor Davis seconded the motion, which carried by unanimous vote. (Clerk's note: Mr. Stafford's comments are listed below under the McDannald appeal because he did not speak until that time.)**
2. Hearing: Consider application of Vernon and Joyce McDannald for appeal of Roadway Development Fee required for a single family dwelling, 402-02-264A, located in the Central Yavapai benefit area in Dewey. **Mr. and Mrs. McDannald were present. Samuel Stafford participated in discussion of this item. Mr. Rozycki told the Board that Mr. and Mrs. McDannald had applied for a permit in early October, and that they were appealing on the basis of disability. Supervisor Davis said he believed that anyone becoming a resident in the County would benefit whether they go and get their own groceries or have someone else deliver them. Mrs. McDannald showed the Board a memo from her contractor dated October 8, 1998, stating that they could appeal the fee if they fell into one of two categories – being disabled or on a fixed income. She told the Board that because of the fee, she and her husband were unable to put kitchen cabinets or flooring in their house and would therefore be unable to move into the house. Chairman Feldmeier told Mrs. McDannald that the statement that persons who fit into one of two categories would be exempt was not an accurate statement. He said people could make application for appeal, but it did not mean the application would be approved. He said the Board had not granted any waivers of the fee. Chairman Feldmeier said he understood that the fee could be a difficult situation for some people, but at the same time the Board was faced with an issue of needing to be fair to everyone and that it if allowed a**

particular group of people to be exempt it would put the Board in a very awkward position. Supervisor Davis moved to deny the appeal. Supervisor Brownlow seconded the motion. Mr. Stafford said \$1,200 was not a lot of money, but that it was more than he received in income in one month. He said because of that, he had decided to appeal the fee and that it was a problem for people who don't make much money. He said when the notices of the impact fees were sent out, he and his wife were back east at a wedding and had not received the notice. He said he had heard on this day that notices were posted on the walls at the Planning & Building Department, but that he did not remember seeing anything. Chairman Feldmeier called for the vote, which carried by unanimous vote.

ITEM NO. 10. Kathy O'Halleran. Consider approval of the following items, all of which are related to Henry Cordes Park, Cordes Lakes area: Consider approval of Consultant Contract Services Agreement and payment for consultant services for Phase I; and consider approval of Consultant Contract Services Agreement for Phase II. Participating in discussion were Special Projects Coordinator Angelo Manera, Facilities/Parks Director Pat Kirshman, Bruce Solper, and Cordes Lakes resident Kay Marsh. Consideration of this item also included discussion of Consent Agenda Item 1.e. Supervisor Davis said he would like to know what in-kind services would be provided to offset the County match on the grant. Ms. O'Halleran said the grant contained an outline of what the scope of work would be, but that the County could go beyond that in raising more support. Supervisor Brownlow said he had reviewed the minutes of February 17, 1998, regarding this issue and that the minutes indicated the grant application would be for \$180,000. He asked if that was what the grant award was for. Ms. O'Halleran said the grant award was for \$166,421 because the cost of construction management had been disallowed. Supervisor Brownlow asked if Ms. O'Halleran's and Mr. Solper's fee was based on the \$166,421. Ms. O'Halleran said that was correct. In response to another question from Supervisor Brownlow, Ms. O'Halleran said cash contributions had been received from Aerostar and from Classic Recreation, and that as far as she knew those commitments were still good. Supervisor Brownlow asked how much money the County would have to come up with. Mr. Manera said the County had received a grant that obligates it to a match, one way or the other. He said it was staff's intent to minimize the dollar involvement, but until staff could meet with the people involved it would not know what that amount might be. He said the County's maximum obligation for the match was \$166,421 but reiterated that it was staff's intention to keep the actual obligation substantially less than that. Ms. Marsh said that Arcosanti had agreed to loan equipment and that other organizations had also said they would help. Chairman Feldmeier said Ms. Marsh had been putting together a list of people who would be donating time, equipment and the like. There was brief discussion regarding the value of in-kind services, during which Mr. Manera said staff had met with people at the site and had asked for a list of the available resources so a schedule could be developed. He said that once all of the information is in place he would have a better idea of what the value of in-kind services would be. He told the Board there was an accepted standard for services. Mr. Manera said if the Board decided to accept the grant, the next step would be to meet with the state agency involved and find out what it would require for documentation on in-kind services. Supervisor Brownlow asked if the \$24,000 payment to Ms. O'Halleran and Mr. Solper would come from the \$166,421. Mr. Solper said it would. He told the Board that with regard to the second phase, he and Ms. O'Halleran were asking only for permission to begin the paperwork, but that the project hadn't been scoped yet. Ms. O'Halleran added that Phase 2 could change depending upon what is done in Phase 1, noting that the deadline to submit a grant application for Phase 2 was the end of February 1999. Mr. Solper noted that each phase was a stand-alone. Supervisor Brownlow asked who would provide insurance coverage for the volunteers. Mr. Manera said he assumed there would be some kind of County coverage involved. Supervisor Brownlow said he had no problem with approving payment for Phase 1 services to Ms. O'Halleran and Mr. Solper on this day, but that he needed to see more information about commitments for in-kind services. Mr. Solper said these types of projects were being done in all counties in the state except for Yavapai County. Ms. O'Halleran said the County would have six months in which to start the project, but 18 months from the start date to complete it. She said the County had only 45 to 60 days in which to decide whether or not to execute the grant. Mr. Holst said the maximum expenditure for the County for Phase 1 would be \$166,421 and that the less local support there was for the project the more the

County's obligation would be. He said the funds for whatever the match ends up being would have to come from District 2's portion of the cable television fees. He told the Board he believed it was already committed for Phase 1, and that the Board could authorize applying for Phase 2 grant monies as long as it was clear that the County was not being obligated to anything. Supervisor Davis said it was clear in the minutes that the County was not being obligated for Phase 1. Mr. Holst said he believed there was no problem with accepting the grant for Phase 1, and that what was not taken care of with in-kind services would have to be paid from District 2's share of cable television fees. Chairman Feldmeier asked that the Board approve Phase 1 so the people in the Cordes Lakes area could begin working on the project. Supervisor Brownlow asked if the County would be required to pay Ms. O'Halleran and Mr. Solper for work they do on Phase 2. Mr. Solper replied they would be paid only if a grant for Phase 2 came through to successful completion, including acceptance of the grant by the County. Mr. Holst said the only commitment on Phase 2 being requested on this day was permission to write the grant. Supervisor Davis said there was reference in the February 17, 1998, minutes regarding \$20,000 that was set aside for the last three years for this project. He asked if, in fact, \$60,000 was set aside for this park. Mr. Holst said the answer was no, and that there had been some confusion. He said there were no special monies allocated or reserved, and that what the Board members had agreed to between themselves was that the cable television fees would be monitored so that a similar amount of funds is available for each district, and that was what was available. Supervisor Davis asked if District 2 had the ability to raise \$166,421 with its share of the cable television funds. Mr. Holst said if that amount of cash had to be raised it would take several years to work it off. Supervisor Davis said his bottom line was that he would like to see a worst case scenario if the County has to come up with the entire \$166,421. He asked where the money would come from. Mr. Holst responded that in a worst case scenario the money would come from park funds, that cable television fees are put in the General Fund and that having to pay that amount of money would use District 2's funds for the next several years but the other two districts would still be able to move forward with projects. Supervisor Davis said that in order to support this project, he needed to know that it could be done and that projects in his district would not be negatively affected. Supervisor Brownlow said he was not opposed to the project but that he knew from personal experience how hard it is to get people to do what they have said they will do. He said he hoped Chairman Feldmeier realized he was putting all his marbles in one container. Chairman Feldmeier moved to approve the services agreement and payment for Phase 1. Supervisor Davis seconded the motion, saying this would establish precedent for future projects where grants will be used. The vote was unanimous. Chairman Feldmeier then moved to approve the services agreement for Phase 2 with the understanding that if the County does not accept the grant Ms. O'Halleran and Mr. Solper will not be paid. Supervisor Davis seconded the motion, which carried by unanimous vote. Chairman Feldmeier then moved to approve Consent Agenda Item 1.e., approval of a Grant Participation Agreement with Arizona State Parks for the Henry Cordes Park in the amount of \$166,421 with the County to provide an equal match. Supervisor Davis seconded the motion, which carried by unanimous vote.

ITEM NO. 11. County Administrator Jim Holst. Review park funding allocations. This item was cancelled.

Upon a motion by Supervisor Brownlow, seconded by Supervisor Davis, the Board voted unanimously to declare an emergency for the purpose of discussing the tobacco tax settlement and whether to authorize Maricopa County to represent Yavapai County in a lawsuit. Following brief discussion which included discussion about using the settlement money to offset AHCCCS costs, Supervisor Brownlow moved to authorize Maricopa County or another entity to represent Yavapai County in a lawsuit regarding the tobacco tax settlement. Supervisor Davis seconded the motion, which carried by unanimous vote.

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. Board of Supervisors:

- a. Liquor license, Series 9 Person Transfer, Blue Ridge Market, Inc., Dewey, Philip David Hellyer. Approved by Sheriff.
- b. Remove from 1998 tax sale list parcel 500-03-895 and award to the Yavapai County Flood Control District in the amount of \$1.00.
- c. Consider approving payment of 1998-99 dues to the County Supervisors' Association in the amount of \$16,983; and payment of special assessment (building fund) in the amount of \$1,698.
- d. Acknowledge receipt of the official canvasses from the following fire districts and other special districts: Black Canyon Fire District; Camp Verde Fire District; Central Yavapai Fire District; Congress Fire District; Cornville-Page Springs Fire District; Mayer Fire District; Montezuma-Rimrock Fire District; Sedona Fire District; Verde Rural Fire District; Camp Verde Sanitary District; Holiday Hills Domestic Water Improvement District (for bonds only); Chino Valley Irrigation District.
- e. Consider approval of Grant Participation Agreement with Arizona State Parks for Henry Cordes Park. Grant is in the amount of \$166,421 with County to provide equal match. **Following brief discussion, there was general agreement to hold this item until later in the day in order to include it in discussion of Item No. 10., above. This item was later approved by unanimous vote, upon a motion by Chairman Feldmeier, seconded by Supervisor Davis. (Motion is also contained at end of Item No. 10.)**
- f. Consider endorsing County Supervisors' Association legislative agenda for 1999; and consider granting proxies to Chairman Feldmeier for legislative purposes only. **Chairman Feldmeier explained the back-up information that had been provided to the Board members, which consisted of a list of CSA's legislative proposals and a chart of priority rankings for the various proposals from all 15 counties. He noted that CSA was to have taken a final vote on the proposals last week, but that it had not happened. He also explained the need for proxies, saying that they would allow Yavapai County to have its three votes regardless of whether or not all three Board members were present at CSA meetings. He said he would keep Supervisor Davis and Supervisor Brownlow updated on legislative matters, but that it was possible that something might come in at the last minute and he would have to vote the proxies according to how he believed the Board as a whole would feel. There was brief discussion regarding the proxies, during which there was general agreement that they should be worded in such a way to allow Chairman Feldmeier or another Board member, or even another county, to vote them. During discussion of the proposed legislation, Supervisor Davis asked if the proposal to change the definition of subdivision in unincorporated areas from six lots to four lots would address the County's concerns. He asked about Coconino County Supervisor Matt Ryan's proposal regarding 160-acre areas. Chairman Feldmeier responded that the eastern counties had difficulty with that proposal because they are not experiencing the type of growth that is being experienced by Coconino, Yavapai and other counties. He said that even if legislation regarding lot splits did not make it onto CSA's final priority list, he believed the issue would be addressed with legislation related to the Growing Smarter Act. There was also brief discussion regarding a proposed hotel and motel tax in the unincorporated areas, with Chairman Feldmeier saying that proposal also was specific to Coconino County. Mr. Holst said it might be possible to work with Coconino County on getting that legislation submitted and passed. Supervisor Davis said he would support such a proposal. Supervisor Davis moved to approve the proxies with the understanding that they would not be blanket proxies for items that he is not aware of. He said he was not comfortable giving his proxy for issues that come up at the last minute that he did not know about. Supervisor Brownlow seconded the motion, saying he had no problem relying on Chairman Feldmeier's judgment in voting his proxy on issues that come up at the last minute. The motion carried by unanimous vote.**
- g. Consider approval of resolution establishing a policy for formulation and scheduling of Board of Supervisors' agendas. **Approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Brownlow.**
- h. Consider approval of Badger Park Lease/Purchase Agreement. **Chairman Feldmeier said the object of this agreement was to allow the YMCA and/or the City of Prescott to lease or**

lease/purchase the park for an amount between \$350,000 and \$457,000. Supervisor Brownlow said he believed this was an important move for the County, and he noted that the park could never be used for anything other than a park, even if it is ultimately purchased by the YMCA or the City of Prescott. Supervisor Brownlow moved to approve the agreement. Supervisor Davis seconded the motion, which carried by unanimous vote.

2. Requests from Health Department:
 - a. Set hearing for January 4, 1999, at 9:00 a.m. to consider revision of Health Department fees.
 - b. Consider approval of amendment to contract with Sam Downing, M.D.
 - c. Consider approval of Per Capita Grant application for \$17,570 from Arizona Department of Health Services.
 - d. Consider approval of Amendment #1 to contract #E1809009 and Amendment #1 to contract #E1809006 which increase the reimbursement amount of the Arizona Early Intervention Program.
3. Requests from Sheriff:
 - a. Permission for Sgt. Ted Symonds and Det. Lonnie Brown to take a County vehicle out of state to Alamosa, Colorado, December 1-4, 1998, to investigate a double homicide case. **Approved by unanimous vote after Chairman Feldmeier asked that a memo be sent to the Sheriff regarding whether in the future one officer could be sent with the County paying for time for an officer in the subject area to provide back-up support for the Yavapai County officer. Motion by Supervisor Brownlow, second by Supervisor Davis.**
 - b. Consider approval of intergovernmental agreement between Sheriff's Office and Yavapai-Apache Indian Nation for detention services.
 - c. Consider approval of intergovernmental agreement between Sheriff's Office and Montezuma/Rimrock Fire District for the sharing of office space at no cost to the County. **Approved by unanimous vote, with the understanding that a desk or other necessary equipment will come from surplus supplies. Motion by Supervisor Brownlow, second by Supervisor Davis.**
4. Requests from MIS:
 - a. Permission to transfer \$10,000 from Regular Salaries to Temporary/Overtime account to pay for unexpected overtime costs related to the H.T.E. and GIS '99 projects.
 - b. Permission to transfer \$6,000 from Regular Salaries to Outside Services for the purpose of hiring a contract Computer Programmer for an estimated 30-day period.
5. Consider adoption of resolution approving the issuance of not to exceed \$5,000,000 Industrial Development Revenue Bonds (Thermal Control Technologies Corp. Project), Series 1998 of The Industrial Development Authority of the County of Yavapai, and certain matters related thereto.
6. Requests from Public Works:
 - a. Consider approval of Arroyo Drive, Prescott area, as a project and if approved accept petition to establish Arroyo Drive as a County highway* and set hearing for December 21, 1998 at 9:00 a.m.
 - b. Consider approving Hot AC project on Pemberton Drive, Von Gausic Drive, and Shadow Valley Ranch Road in the Williamson Valley area.
 - c. Consider approval of a low water crossing project on F.S. 79 aka Kindall Camp Road, Groom Creek area.
 - d. Consider approval of HB2565 grant application for implementation of GPS Sign Inventory system.
 - e. Consider approval of 30-year special use permit with the National Forest Service for the Camp Verde Solid Waste Facility. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**
7. Requests from Facilities/Parks:
 - a. Renew contract with Environmental Biomass Services for operation and maintenance services at the Camp Verde Justice Facility Wastewater Treatment Plant and Conveyance System in the amount of \$47.50 per hour.
 - b. Consider approval of additional \$5,000 for metal roof and metal wall structure for Sand Shed at Prescott Roads Division, Facilities/Parks Project #98-01957, with total project not to exceed \$29,000.

8. 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; Granite Gardens Sanitary District; Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Sanitary District; Seligman Street Lighting Improvement District.
2. Resolve into the Board of Directors of the Yavapai County Flood Control District:
 - a. Ratify District's purchase of a 2.50 acre parcel, 407-16-011, Cornville area, for appraised and accepted value of \$50,000 plus closing costs of \$608.09, FCD967-001.
 - b. Consider reallocating \$15,000 from FCD989-002 Ponderosa Park to FCD989-018 Road 79.
 - c. Authorization to utilize Babcock & Associates, Inc. for the purpose of negotiating the acquisition of easements and properties in association with District projects.
 - d. Consider signing petition to annex District-owned property in Prescott East Sanitary District into the Town of Prescott Valley.
3. Resolve into the Board of Directors of the Yavapai County Free Library District:
 - a. Approve minutes of meeting of November 16, 1998.
 - b. Approve Professional Services contract with NetDirect, Inc. to manage the Yavapai Library Network telecommunications system.
 - c. Permission to transfer \$6,770 from Other Improvements to Temporary Salaries (\$6,750) and Workman's Compensation (\$20) in order to hire a temporary/hourly support staff person for the purpose of providing County-wide maintenance of affiliate library computers and related equipment in connection with the Yavapai Library Network.
 - d. Permission to transfer \$650 from Other Improvements to Furniture and Equipment in order to purchase a copy machine for the Crown King Library.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	2,440,305.19	Family Planning	7,274.78
Fam Plng Fees	711.76	Home Health Ser	22,963.19
Health Promotio	5,811.59	Nutrition	2,983.32
T.B. Control	2,255.23	W.I.C. Program	24,503.31
Jail Enhance	4,021.13	Diversion Intak	15,169.98
Juvenile IPS	23,323.29	Family Councel	849.00
Juv Food Prog.	779.90	Probation Ser	8,002.78
Adult IPS	51,873.27	Adult Prob Fee	21,370.55
Prob Enhance.	51,318.26	Stor/Ret Conv	16,228.88
Indigent Def/Dg	3,920.99	Nutrition Fees	387.38
Crim Just/Atty	7,924.38	Bad Check Prog	10,404.72
CDBG Grant	51,043.43	Juv Prob Svs	3,001.71
Commodity Fd	1,292.58	Azeip Case Mgmt	3,090.38
Sex Trans Disea	280.65	Hi Risk Chld HI	2,974.03
Clerk's Storage	3,219.81	WIC/TOB Interve	1,710.88
HIV Prevention	2,549.47	Atty Anti-Rack	19,359.68
P.A.N.T.	4,891.78	Law Library	5,189.76
C.A.S.A.	5,362.90	Case Process.	6,100.70
Childrens Justi	162.40	Teen Prenatal E	1,521.80
Azeip Coordin	475.89	Vict Witns Prog	8,343.21
Court Enhanceme	785.32	Concil Court	3,968.48
Yct Wellness Pr	4,847.29	Drug Enf Fndg	3,487.12
Vital Statistic	2,571.25	COPS Universal	6,510.39

Victims Impleme	4,700.68	Recycl Educ Pro	280.00
Yav Indian Agre	3,859.50	Hassaymapa/LTC	8,215.91
Dietetic Intern	983.66	Immuniz Service	2,040.43
Lower Crt Autom	2,537.89	Idea-Preschool	2,449.78
Subs Abuse/DARE	725.58	Chem Abuse	324.72
Juv Det/Pace	11,252.40	Collab Comp Rev	8,400.00
Special Program	13,830.21	Sm Schools ECIA	1,725.56
Sm Schools BEHA	17,012.10	Public Works	494,776.33
Health Fund	86,772.29	Jail Commissary	11,671.81
Yav Cemetery As	131.55	Environ Svcs Di	23,603.23
W Yav Sol Waste	9,548.80	V V Solid Waste	33,337.26
Develop Clinic	6,473.15	Tire Recycle	15,890.63
Haz Mat Plng Gr	3.50	N C H I P	304.74
Safe School Pro	6,762.30	Adhs-Svc Coord	1,864.24
Famly Law Comm	6,445.70	Comm Punish Pro	5,688.61
Pace Chapter 1	174.50	Regnl Road Proj	945,617.86
Library Automat	63.30	Health Start	1,056.18
Emger Resp Grant	500.00	Victim Comp	944.00
Child Sup Auto	714.57	Intst Comp Prog	4,632.25
Ryan White II	1,264.76	COPS More	21.00
Perinatal Block	5,991.95	Tobacco Educ	17,274.25
Equal Ad Det Ed	87.28	ALTCS	270,815.87
Enforce Equip	2,665.91	D.T.E.F.	1,963.00
Netwk Tch Updat	10,490.00	CJEF/Children	298.11
Resid Care Home	244.04	Enforce Equip	15,048.56
Attendant Care	23,037.27	HIV/W.Y.G.C.	1,037.11
Netwrk Develop	7,474.18	HIV Targeted	1,288.15
Access & Visita	332.90	Children's Issu	3,673.27
Child Sup & Vis	560.52	Case Flow	2,343.66
COPS Hiring	6,036.78	VOCA	5,573.14
Prenatal Outrch	364.99	JTSF Treatment	2,839.07
Divrsn Consequ	940.51	Tobacco Donatio	93.85
Dom Viol Trng	4,498.18	Resource Offcr	3,456.87
Court Imp Proj	1,126.76	Capital Proj	39,468.64
Bagdad Apt 803	8,381.00	Sedona Muni Arp	5,611.20

In addition, payroll was issued on November 20 for the pay period ending November 14; warrant numbers 25364129 through 25364131; 25364133 through 25364398; 25364401 through 25364689, in the amount of \$350,526.83. Jury certificates were also issued, warrant numbers 837761; 838072 through 838430. Warrants issued for December 7 Board day, 95144 through 95152; 95160 through 95651; 95655; 95663 through 96073; 96075 through 96076; 96084 through 96427.

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

ATTEST:

Clerk _____ Chairman