

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

**Prescott, Arizona****December 21, 1998**

The Board of Supervisors met in regular session on December 21, 1998.

Present: Bill Feldmeier, Chairman; Chip Davis, Vice Chairman; Gheral Brownlow, Member, Carolyn Dicus, Assistant Clerk.

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

Absent: Bev Staddon, Clerk (due to medical leave).

**ITEM NO. 1. Board of Supervisors.**

1. Approve minutes of meeting of December 7, 1998. **Approved as written, by unanimous vote. Motion by Supervisor Brownlow. Second by Supervisor Davis.**
2. Reconsider approval of minutes of meetings of November 16 and 18, 1998. **This item was held in abeyance until the January 4, 1999, meeting. Motion by Supervisor Davis, second by Supervisor Brownlow.**
3. Adopt the 1999 property tax roll, pursuant to A.R.S. 42-239. **Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**
4. Bill Cowan. Presentation of 1998 National Trails Symposium Bell Rock Pathway Partnership Award. **Bill Cowan, member of Bell Rock Pathways explained to the Board how the pathways came into existence. He spoke about various individuals who were instrumental in creating the pathways such as Nancy Alexander, Richard Straub and Carlton Camp. Mr. Cowan then presented a stone plaque to the Board.**
5. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. **With the following exceptions, all items were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Brownlow: 1.c., 2.d., 13.a., and 4. No comments from the public.**

**ITEM NO. 2. Public Works Director Richard Straub.**

1. Hearing: Consider establishing Arroyo Drive, Hassayampa Mountain Club, as a County highway\*. **No comments from the public. Approved Resolution No. 1159 by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**
2. Hearing: Consider approval of water franchise agreement with Camp Verde Water System, Inc. **No comments from the public. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**
3. Permission to transfer \$500,000 budget capacity within the Half Cent Fund for purchase of rights-of-way for the Airport Connector project and approval to proceed with acquisition of additional rights-of-way required for this project. (Half-cent sales tax project.) **Mr. Straub said that the acquisitions now remaining are with the ranchers and with the acquisition of a portion of the golf course edge, not the greens, from the City of Prescott for an acceleration lane. Supervisor Brownlow asked what the City of Prescott is doing for the Airport Connector. Mr. Straub answered that they were trying to get the City to donate the land. With no comments from the public, motion was made by Supervisor Brownlow, seconded by Supervisor Davis. Approved by unanimous vote.**
4. Consider approval of Change Order #2 with Tom Mulcaire Contracting, Inc. for final quantity adjustments for project closeout on Reconstruction of Cornville Road, Project #975364 (decrease by \$53,406.62). (Half-cent sales tax project.) **Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.**
5. Consider approval of Change Order #1 with Vastco, Inc. for deletion of a 12" water main tap on Construction of Pioneer Parkway and Reconstruction of Willow Creek Road, Project #986541 (decrease by \$27,234.90). (Half-cent sales tax project.) **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. Supervisor Brownlow noted the receipt**

of a complaint letter from International Flow Technologies, Inc. regarding the deletion of their portion of the contract. Chairman Feldmeier said that they needed to make their complaint to the City of Prescott as it is the entity which is dealing with this.

6. Request for direction regarding community clean-ups. Public Works Director Richard Straub spoke in regard to the Solid Waste General Fund stating at this time they are only allowed \$500 county-wide to spend for community clean-up and that he has had several requests this year from individual communities and also from the forest service, BLM and other entities for cooperative projects. He said that with there being no more landfills that the County is paying to haul trash to the transfer stations. Supervisor Davis said he would like to support the communities with these clean-ups and that he would like to increase the budget for this but he also wanted to stay away from hazard materials issues. Mr. Straub said that he had already been asked to take care of one this year. He said he would like to see the budget for this raised to \$3,000; \$1,000 per district. Supervisor Brownlow said he had a problem with other government entities asking Yavapai County to pay for clean-ups in which Mr. Straub said that in the most recent clean-up with BLM, they had used their equipment in a joint effort. Motion was made by Supervisor Brownlow, second by Supervisor Davis to approve raising the amount from \$500 per year to \$3,000 per year. Approved by unanimous vote.

\*The term "highway" is a statutory term and should not be interpreted as meaning a busy thoroughfare. Under Arizona law, it is necessary for the Board to establish a road as a "highway" prior to making improvements on the road.

#### **ITEM NO. 3. Sheriff Buck Buchanan.**

1. Permission to transfer a maximum of \$3,400 in salary savings (Regular Salaries) from Operations budget for the purchase of a display radar/speed awareness traffic trailer. **Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**
2. Permission to establish a new position, Detention Services Investigator/Quality Assurance Officer, with the first 12 months to be paid from Jail Enhancement Funds (\$62,345 for program and capital outlay), with funding for the position to be shared between County funding and Jail Enhancement Funds in the second and third years, with full County funding in the fourth and subsequent years. **Captain Ron Klein spoke to the Board regarding this position. Chairman Feldmeier asked if there is any reason this wasn't held until the budget process in which Captain Klein answered that they would like to get this position started up. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.**

#### **ITEM NO. 4 Planning & Building Director Mike Rozycki. Planning and zoning.**

1. Special use permit to allow establishment of a real estate office/model home in an R1L-18 zoning district, 405-28-375F, Big Park/Village of Oak Creek area, Ralph Pinto agent for Neal Klein Construction Corp., #6812. **Consideration of a Special Use Permit to allow the establishment of a real estate office/model home on a 19,350 square foot parcel of land in an R1L-18 (Single Family; Residential limited to 18,000 square foot minimum lot size) zoning district. Located on the southwesterly side of Verde Valley School Road approximately one (1) mile from its intersection with Highway 179 in the Big Park/Village of Oak Creek area. The Planning and Zoning Commission recommended denial of the Special Use Permit given the lack of conformance with the previously stated stipulations in connection with the approved Zoning Map Change, the hazardous traffic situation created by cars backing onto Verde Valley School Road, and the opposition from residents concerning a commercial operation in a residential area. Upon a motion by Supervisor Davis, seconded by Supervisor Brownlow the Board voted unanimously to uphold the Zoning Commissions recommendation for denial of this application. This item was withdrawn by applicant.**

**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.**

Final site plan for spa/activity complex including 16 guest casitas in a PAD, Enchantment Resort, 408-38-087, northwest of Sedona, New Enchantment, L.L.C., #6816. **Consideration of a Final Site Plan for the spa/activity complex including sixteen (16) guest casitas in a PAD (Planned Area Development) zoning district on a 2.84 acre site within the project known as Enchantment Resort. Located on the easterly side of Enchantment Trail approximately one half (½) mile north of its intersection with Boynton Pass Road and one and one half (1.5) miles northwesterly of the City Limits of Sedona. The Planning and Zoning Commission recommended approval of the Final Site Plan for the spa/activity complex, subject to the following stipulations:** 1). Development in conformance with the plan entitled Revised Final Site Plan Spa/Activities Complex consisting of two sheets stamped received November 18, 1998 and the letter of intent received October 20, 1998; 2). Improvements be made for Dry Creek crossing, or appropriate financial assurances be posted with the Director of Public Works, prior to issuance of a Certificate of Occupancy, in accordance with the Development Agreement dates July 9, 1997; 3). A final drainage report and final construction plans be submitted for review and approval by the Flood Control District and a development permit issued prior to commencement of construction; 4). A confirmation letter would be required prior to issuance of occupancy permits for this facility from the Arizona Dept of Environmental Quality verifying that the existing wastewater facility has the capacity to accommodate the spa/activities complex; 5). All Sedona Fire District requirements be adhered to prior to any certificate of occupancy being issued, that is no buildings may be constructed or occupied without Fire District approval; 6). All outdoor lighting (parking lot and building mounted) to conform to Yavapai County Zoning Ordinance Requirements (Dark Sky Ordinance) with no metal halide fixtures/bulbs; 7). All trash dumpsters be appropriately enclosed/ screened with view obscuring walls and gates constructed of materials complementary to the proposed building materials; 8). The lot/tract boundary be approved and recorded prior to building permit application; 9). All addressing to be approved by the Address Coordinator or his/her designated person prior to certificate of occupancy; 10). A landscaping and outdoor lighting plan be submitted and approved by staff prior to issuance of building permits, with particular emphasis in mitigating outdoor pool activities impact on residential property north of the site; 11). Conformance to Ordinance standards for parking design, pavement, delineation of spaces, handicapped access, signage and landscaping. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow. No comments from the public. Mike Rozycki said that he would be checking with the developers on the funding and that developer agreements had been set up with commitments. He said he could not give a time line at this time but would be moving forward as soon as possible. Supervisor Davis asked Mr. Rozycki if the County could move ahead with this project by paying for it and getting reimbursed by the individuals with the commitments as he would like to see this get started. Mr. Rozycki said that there are some design costs still needing to be figured in.

#### **Planning & Building Department business:**

1. Hearing: Consider changing name of Loy Road to Loy Lane, a private easement in the west Sedona area. **Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow to approve Resolution No. 1160. No comments from the public.**

ITEM NO. 5 Review preliminary draft of an agreement with the Yavapai County Fair Association. Ted Beck and Jim Grundy with the Yavapai County Fair Association were present to answer questions from the Board. Jim Holst presented this item as to where we are at on the moving of the fair grounds to another location. He said that the consultant would be coming in at the end of the month to present costs associated with this project. Chairman Feldmeier stated that he wants to make sure that we are on track with the next phase of the moving of the racetrack. Supervisor Davis asked about the ten-year renewable lease. Mr. Beck said that the relationship between the County and Fair Association had always been to work together for mutual gain and that there had been a lot of free labor and uses not associated with the

racing but now the racing portion is what is starting to pay. He then spoke about the costs involved and said that if the amount were to come in at \$40 million then it is done with but if it comes in at the estimated \$20 million then funding will start being looked at. Mr. Beck said that the racing and betting facility will be the first to be moved then the fair offices will probably fall into the second phase. He said that the rodeo activities is not in the fair's jurisdiction and that they will have to come up with a plan and that it would be up to the County when the rodeo moves to a new location. Chairman Feldmeier asked where it states that the County has a say over the rodeo in which Mr. Beck replied that as landlords of the property, we have a say over the use of the property. Mr. Beck said that they need to see this agreement completed by March as June 30, 1999, is the deadline for the racing commission agreement. Chairman Feldmeier questioned some of the stipulations in the agreement in which Mr. Beck replied that this was just a preliminary draft and was taken from a previous draft and some of the language will be deleted from the next draft presented.

#### CONSENT AGENDA FOR BOARD OF SUPERVISORS:

1. Requests from Board of Supervisors:
  - a. Liquor license, Series 12 Original, Maria's Restaurant and Cantina, Sedona area, Martin Galvez-Ramos. Approved by Sheriff.
  - b. Ratify action taken in emergency session on December 7, 1998, to authorize Maricopa County or another entity to represent the County in a lawsuit related to the tobacco tax settlement.
  - c. Request from Highway 69 Communities for contribution in an amount not to exceed \$1,000 for assistance to participate in Tri-City CD-ROM Project. **Dave Mohr, President of the Mayer Chamber of Commerce answered questions from the Board regarding funding for this project. He said that several businesses along the Big Bug Corridor were invited to get involved on this project and had made contribution promises of up to \$4,000. He said he was still looking for a contribution promise from Ironite and feels that they will contribute but he wasn't sure. Supervisor Brownlow made a motion to approve with Supervisor Davis seconding the motion. Approved unanimously.**
  - d. Award contract for publication of newspaper advertising, legal notices, minutes, etc. for 1999 to Prescott Newspapers, Inc. Bids were opened on December 8, 1998, with only one bid received.
  - e. Approve intergovernmental agreement with the Arizona Department of Revenue for data processing services in 1999. Per-parcel cost remains at 60 cents.
  - f. Acknowledge receipt of the official canvasses of the November 3, 1998, general election for the following special districts: Ponderosa Park Domestic Water Improvement District; and Black Canyon City Water Improvement District.
  - g. Resolve into the Board of Equalization to ratify correction of parcel 406-33-014H (FMW Development Company) by the Arizona State Board of Equalization.
2. Requests from Health Department:
  - a. Approve Amendment #5 to Contract 30-4070 for Immunization Services.
  - b. Approve intergovernmental agreement with the City of Cottonwood for Health Department services. Reimbursement amount is \$36,680. **Health Department Director Marcia Jacobson participated in discussion. Approved unanimously. Motion by Supervisor Davis, second by Supervisor Brownlow.**
  - c. Approve agreement with Yavapai Regional Medical Center for lease of the mobile clinic.
  - d. Approve refund of \$90 (\$15 x 6 clients) that was collected in error from Medicare beneficiaries for pneumonia immunization.
3. Requests from Finance Department:
  - a. Consider changing policy to increase the amount the County Administrator can approve as a direct charge to Contingency from \$500 to \$1,000, and allow County Administrator the ability to transfer from Contingency account to other departments up to the same amount for essential unbudgeted expenditures.
  - b. Consider revising County lodging rates and increase per diem reimbursement.
4. Request from Human Resources for reclassification of the following positions: One Secretary Senior to Administrative Aide, Range 35, Step 6 to Non-classified (5% increase), Planning & Building; one Contracts Coordinator to Contracts Analyst (new classification), Range 41, Step 2 to

Range 43, Step 2 (5% increase), Medical Assistance; and one Account Clerk II to Records Technician, Range 27, Step 2 to Range 30, Step 2 (7.6% increase). **Supervisor Brownlow asked that this item be held in abeyance until the January 4, 1999, meeting, second by Supervisor Davis.**

5. Request from Planning & Building for permission to transfer \$7,000 from Outside Services to Software to purchase 10 copies of ArcView.
6. Request from Fleet Management:
  - a. Permission to transfer \$1,500 from Fuel to Overtime Salaries due to overtime required as a result of moving and additional duties related to the purchase of a major software program.
  - b. Consider approval of transfer of \$170,000 from Contingency to Fleet Management for the purchase of seven 4 x 4 units and necessary equipment for the Sheriff's seven new grant positions.
7. Request from MIS:
  - a. Consider approval of \$3,000 from Contingency to install an automated temperature and humidity monitoring system in the computer operations room.
  - b. Request permission to transfer \$15,000 from Regular Salaries to Outside Services account to cover consultation invoice.
8. Request from Assessor for \$6,900 from Contingency in order to purchase a new Minolta copier to replace 10-year-old Xerox copier that is no longer operational.
9. ~~Request appointment of Keith Carson, Prescott Valley Town magistrate as Justice of the Peace Pro Tempore for the period January 1, 1999 through June 30, 1999. WITHDRAWN~~
10. Request from Superior Court for reappointment of Rhonda L. Repp and Howard D. Hinson, Jr. as Judges Pro Tempore for the Superior Court for the period January 1, 1999 through June 30, 1999. Repp is paid 80% by grant and 20% by the County and court funds; Hinson is paid 50% by grant and 50% by the County.
11. Request from Records Management for permission to purchase mailing equipment in the amount of \$5,624 (with trade-in) to accommodate postal increases expected January 1, 1999.
12. Request from Public Defender for permission to transfer \$6,000 from Attorney Out-of-Pocket to Temporary Overtime Salaries in order to continue employment of law clerk.
13. Requests from Public Works Department:
  - a. Consider approval of recommendations for major Regional Road Projects. **Richard Straub answered questions by the Board regarding when some of these roads were scheduled for improvements and he said that he would like to move forward with Arizona Department of Transportation on several of these projects. Supervisor Brownlow requested Mr. Straub to categorize the roads that we don't have ADOT working on and move them to the front. Approved unanimously. Motion by Supervisor Davis, second by Supervisor Brownlow.**
  - b. Permission to call for bids to procure equipment necessary for GPS Sign Inventory System, utilizing HB 2565 grant funds and matching funds available in HURF budget.
  - c. Permission to initiate Williamson Valley Bridge Replacement project.
  - d. ~~Consider approval of ADOT Aeronautic Grant E9068 in the amount of \$36,816 representing ADOT's match of FAA09 grant for the taxiway relocation and improvements at the Sedona Airport. No County funds involved. WITHDRAWN~~
14. Approve voucher list.

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

1. Resolve into the Boards of Directors of the Yavapai County Flood Control and Free Library Districts and other County improvement districts as follows, for the purpose of approving vouchers: Granite Gardens Sanitary District, Prescott East Sanitary District.
2. Resolve into the Board of Directors of Iron Springs Water Improvement District and approve Order of Dissolution.

#### **CLAIMS AGAINST YAVAPAI COUNTY**

##### **ACCOUNT**

##### **AMOUNT**

##### **ACCOUNT**

##### **AMOUNT**

General Fund	1,370,316.93	Family Planning	4,006.05
Fam Plng Fees	355.88	Home Health Ser	14,820.11
Health Promotio	2,607.31	Nutrition	1,109.00
T.B. Control	644.12	W.I.C. Program	9,876.91
Diversion Intak	7,617.00	Juvenile IPS	11,917.97
Family Councel	393.00	Juv Food Prog.	454.84
Probation Ser	3,528.79	Adult IPS	25,440.17
Adult Prob Fee	11,163.21	Prob Enhance	26,732.91
Stor/Ret Conv	595.72	Indigent Def/Dg	2,199.55
Nutrition Fees	723.10	Crim Just/Atty	4,144.45
Bad Check Prog	4,087.36	CDBG Grant	10,794.84
Juv Prob Svs	1,531.97	Commodity Fd	660.26
Azeip Case Mgmt	1,725.68	Sex Trans Disea	3.90
Hi Risk Chld HI	1,788.68	Clerk's Storage	1,676.42
WIC/TOB Interve	2,036.88	HIV Prevention	1,391.96
Atty Anti-Rack	393.22	P.A.N.T.	2,642.73
Law Library	558.22	C.A.S.A.	2,636.41
Case Process.	1,803.03	Childrens Justi	81.21
Teen Prenatal E	796.07	Azeip Coordin	439.31
Vict Witns Prog	6,123.97	Court Enhanceme	415.06
Concil Court	2,138.63	Yct Wellness Pr	14.00
Drug Enf Fndg	1,246.01	Vital Statistic	5,749.18
COPS Universal	3,340.45	Victimts Impleme	3,107.68
Yav Indian Agre	1,788.05	Hassayampa/LTC	3,791.05
Dietetic Intern	481.07	Immuniz Service	947.34
Idea-Preschool	1,459.51	Subs abuse/Dare	382.23
Chem Abuse	198.11	Juv Det/Pace	4,445.35
Special Program	5,788.73	Sm Schools Ecia	897.19
Sm Schools Beha	9,298.22	Public Works	304,475.91
Health Fund	43,816.41	Jail Commissary	5,622.24
Yav Cemetery As	183.59	Environ Svcs Di	16,308.51
W Yav Sol Waste	36,495.82	V V Solid Waste	21,651.84
Develop Clinic	2,006.86	Tire Recycle	6,934.19
Haz Mat Plng Gr	173.97	Safe School Pro	3,376.99
Adhs-Svc Coord	1,496.65	Famly Law Comm	3,538.55
Comm Punish Pro	2,576.66	Pace Chapter 1	90.49
Regnl Road Proj	787,203.99	Health Start	474.52
Victim Comp	4,684.14	Child Sup Auto	1,042.21
Intst Comp Prog	2,304.73	Ryan White II	589.51
COPS More	226.23	Perinatal Block	2,456.81
Tobacco Educ	13,382.99	Equal Ad Det Ed	45.26
ALTCS	1,000,245.34	Enforce Equip	22.14
D. T. E. F.	2,930.92	Netwk Tch Updat	89.85
CJEF/Children	2,869.99	Resid Care Home	96.03
Enforce Equip	3,531.34	Attendant Care	13,983.10
HIV/W.Y.G.C.	446.12	Netwrk Develop	12,254.34
HIV Targeted	483.25	Access & Visita	526.33
Child Sup & Vis	307.72	Case Flow	1,230.13
Court Automat	3,284.10	COPS Hiring	3,112.60
VOCA	3,473.59	Prenatal Outrch	434.09
JTSF Treatment	2,400.13	Divrsn Consequ	413.08
Tobacco Donatio	513.74	Resource Offcr	1,667.47
Court Imp Proj	915.46	Capital Proj	15,548.74

In addition, payroll was issued on December 18 for the pay period ending December 12; warrant numbers 25365239 through 25365240; 25365242 through 25365784 in the amount of \$358,545.99. Jury certificates were also issued, warrant numbers 838432 through 838577. Warrants issued for December 21 Board day, 96432 through 96437; 96445 through 96822; 96826 through 96835; 96843 through 97221.

ATTEST:

\_\_\_\_\_ Clerk \_\_\_\_\_ Chairman