

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona May 26, 1999

The Board of Supervisors met in special session on May 26, 1999.

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

ITEM NO. 1. On-site visit of Mingus Avenue Extension Project and proposed Highway 89A sidewalk construction and maintenance from the Cottonwood town limits to Zalesky Road. Public Works Director Richard Straub provided Supervisors Brownlow and Feldmeier and Ms. Staddon with a tour of these areas.

ITEM NO. 2. Meet in Joint Session with the Yavapai County Planning & Zoning Commission. Present and participating in this portion of the meeting were: Planning & Building Director Mike Rozycki; Assistant Planning & Building Director Enalo Lockard; Deputy County Attorney Randy Schurr; Senior Planner Elise Link; Planners Chris Bridges and Andy Jochums; and Planning & Zoning Commission members Al Wood, Jacquie Weedon, Diane Lovett and Helmut Woellmer.

1. Report on Planning & Building Department activities and projects. Mr. Rozycki provided an update on his department's activities. As part of the update he included information regarding budget requests, revenue generated from impact fees, and permitting activity.
2. Discussion regarding Growing Smarter Act and the requirement to adopt or re-adopt a comprehensive long range County Plan (approaches and alternatives). Mr. Rozycki referred to a chart of community plans and projects, saying it was his understanding that no new community plans would be undertaken, nor would any existing community plans be updated until there was a better handle on where the County is with regard to the Growing Smarter Act. He noted that the Yavapai County Trails Plan had been completed and that he would like to have appointments to that group made in June. Mr. Rozycki said he believed the GSA Committee would have recommendations about comprehensive planning, growth management and the like available sometime in September. He said would like to hire a consultant to deal with specific issues, and that it would be important to identify specific growth areas. He told the Board there were also issues related to open space and open space preservation. There was brief discussion regarding the Arizona Preserve Initiative, during which Mr. Rozycki provided a map of the County showing the state land areas eligible for purchase under this program. He also briefly reviewed the application process. Mr. Rozycki said that the work done by the Central Yavapai Transportation Planning Organization and the Verde Valley Transportation Planning Organization would be a large part of the transportation circulation portions of the County's comprehensive plan. There was brief discussion regarding the western benefit area for impact fees and the possibility of extending the building inspections to include the Walker, Wilhoit and Skull Valley areas. Mr. Rozycki noted that there is a proposal from the Yavapai College Leadership Center to have a County-wide public participation process to find out what people would like to see included in the County's comprehensive plan and to comply with the GSA public participation requirements.
3. Discussion regarding Regional Growth Planning intending to promote regional planning and regional coordination in the Verde Valley and in Central Yavapai County. Mr. Rozycki noted that the Verde Valley Forum on Regional Growth Planning would be held June 10-14, and that the 2020 Forum was also looking at open space and regional planning issues. He said he expected that the information produced by these groups would be used in developing the County's comprehensive plan.
4. Discussion of proposed amendments to the Planning and Zoning Ordinance and Subdivision Regulations. There was brief discussion regarding the Sex-Oriented Business Ordinance, during which there was general agreement that no further changes should be made to this Ordinance.
 - a. Golf course water/effluent use and design standards. Ms. Link said that most issues related to golf courses have to do with water preservation and that staff would like to have consistent standards. She noted that the Board only considers approval of golf courses in conjunction with development, and that she had reviewed state regulations to see how golf courses are treated. She said that there are water and turf requirements within the Prescott Active Management Area, but that some of the golf course developments coming to the County are outside of the AMA and that both the Commission and the Board had looked at applying AMA regulations in those cases. Ms. Link said she would like to look at including the AMA standards as part of the Ordinance, and that she would also like to look at grading, irrigation and landscaping plans for golf courses. She noted that the USGA Audubon Plan for golf courses is more stringent than

AMA requirements. Supervisor Feldmeier said he was concerned about imposing AMA requirements outside the AMA, especially if there is already voluntary compliance with those requirements. Mr. Woellmer said he believed water use should be kept to a minimum. Chairman Davis said he preferred to take proactive steps now to protect water supplies instead of waiting for a disaster. Mr. Schurr said that currently the County is dealing with this issue on a case-by-case basis and that it would be good to have a consistent standard. Supervisor Feldmeier said that was fine in the AMA, but that the County should not be regulating water in water-rich areas where resources are available. Ms. Weedon suggested mandating a percentage of effluent to be used on the golf course and also mandating where ponds are put in. She said this would allow for most of the water used on golf courses to be effluent. There appeared to be general agreement with this idea. Supervisor Feldmeier said that where this is already working there is no need for County regulation. Mr. Rozycki said staff's intent was different. He said he had reviewed the recently approved developments with golf courses and that there was not voluntary compliance, but that the Commission and Board was setting the stipulations requiring golf courses to be designed and operated in specific ways. He said he believed if staff looked at the stipulations it believes are good ones it would be possible to develop a set of standards from that information. He said this would allow developers to know what to expect and what they will have to provide. Mr. Rozycki said that staff would like to have a good ordinance in place and not have a battle on its hands with every golf course that comes through. Chairman Davis said he would endorse applying AMA golf course standards throughout the County.

- b. Mobile food vendors. Mr. Rozycki said that health, traffic congestion and parking issues were involved in this. He said he believed there would be many different opinions on whether or not to allow this kind of activity, and that he would recommend getting feedback from the business community. He said his department had received some complaints about this type of activity. He said he would personally like to address some of the temporary uses that staff has traditionally turned its head away from, such as road construction projects and batch plants, but that he did not know that it was appropriate to go as far with this issue as Coconino County had gone. Ms. Lovett said it was always better to have standards that the Commission could use. Mr. Woellmer agreed, saying having such standards removes the emotion from issues. Mr. Rozycki said he believed staff could make it clear that manufactured and mobile homes are not to be used for commercial purposes such as barber shops and the like. He said he thought there were a number of things in the Coconino County ordinance that would only foster hate and discontent between vendors and business owners. Following brief discussion, there was general agreement that staff would not change the current Ordinance as it relates to mobile vendors, but would try to address temporary uses and bring that information back to the Commission and Board, and then submit those recommendations to the business and community associations for feedback.
 - c. Hillside/slope development. Mr. Rozycki said this item has appeared on nearly every joint session agenda because there was always concern about it. He said that most of the activity on hillsides probably occurs on individual parcels, and that there is also a fair amount of grading and site work from mining that the County does not regulate. Mr. Rozycki said that some communities want regulation regarding hillside development and that some communities don't want regulation. Mr. Woellmer said he had been asking for years for something to help deal with this issue. He said he would go along with staff in establishing a maximum height. Ms. Weedon agreed that building heights need to be addressed. Supervisor Feldmeier said he was concerned about the County regulating this to the point where it would be easier for people to parcel split than to go through the subdivision process. He said it may be necessary to compensate people for property if they are not allowed to build. Mr. Rozycki said this could be looked at as it relates to the development of individual lots, not just subdivisions. Chairman Davis suggested coming up with some minimum standards that could help the Commission in its review. Mr. Schurr said both the Ordinance and the Subdivision Regulations could be changed. Supervisor Feldmeier said he did not want to go there. Chairman Davis said he believed that viewscape is one of the highly valued qualities the County has, and he suggested identifying what the Commission and Board would like to achieve and then allowing Mr. Rozycki an opportunity to accomplish it with minimum regulations. Ms. Link suggested looking at the use of incentives for staying off of hillsides. There was general agreement that staff should look at basic criteria for hillside development but keep it to minimum regulation, and that staff would also look at open space issues and approach both items from an incentive point of view.
5. Consideration of alternative subdivision and development review standards for large-lot subdivisions. Mr. Rozycki said that many new homesites are the result of parcel splits and that there may be situations in which the Commission and the Board would want to consider exceptions to the

Subdivision Regulations. He said it might also be possible to have large lot subdivisions receive initial review and preliminary plat approval administratively, instead of putting them through the Commission process. He said it was also possible that these developments might need to be considered on a case-by-case basis. There was brief discussion regarding Bradshaw Ranches, during which Supervisor Feldmeier said that area needs to be added into the western benefit area for impact fees. He said he had no problem with the idea of making some exceptions to the Subdivision Regulations in an effort to avoid more parcel splits. Chairman Davis said he also agreed about making exceptions where the owners are willing to increase the minimum lot size and reduce the density, but that he was concerned about allowing such developments to move forward with a negative report from the Arizona Department of Water Resources with regard to adequate water supply. There was general agreement that Mr. Rozycki should move forward with developing some proposals for alternative subdivision and development review standards.

6. Discussion regarding the purpose and intent of development agreements. Mr. Rozycki said he was just providing some basic information about what a development agreement is, and that it was important to consider when it is most appropriate to use such agreements to enhance regulations. He said he believed that sometimes development agreements are used as a way to get another "bite" at the zoning approvals and stipulations.
7. Discussion regarding items for future meetings and meeting dates. The next joint session will be held on August 25, 1999, in Prescott.

ITEM NO. 3. Discussion and direction to the County Administrator regarding 1999-2000 fiscal year budget, including program changes, priorities for capital improvements, and transfers. As part of this item, the Board will convene in executive session pursuant to A.R.S. §38-431.03 (A)(1) for the purpose of discussing unclassified salaries. Participating in discussion were County Administrator Jim Holst, Public Works Director Richard Straub, Assistant Public Works Director Juanita Barnett, and Flood Control District Director Ken Spedding. Mr. Holst said he was not requesting any kind of vote on the budget at this point, but merely asking for an indication about what information he could distribute to the departments. He said he would like to get the information out to the departments and then allow elected officials and department heads to come back in for final requests on June 7, 1999. He said the budget was moving towards tentative adoption, which he set would set the ceiling on expenditures, and he told the Board that the Arizona Tax Research Association had requested a budget meeting with the Board on July 1, at 10:00 a.m. Mr. Holst then reviewed the expenditure limits, and noted that the proposed budget would be below the levy limit. He said he had reviewed program changes and technical equipment requests with MIS Director Mark Ruddeforth, and that he had reduced funding for the Jail by one-half million dollars in anticipation that the money would not actually be needed in the next fiscal year. Mr. Holst told the Board that the state legislature had passed a mining severance tax reduction and that while he did know the exact amount of impact this would have on the County, because of the new law he had reduced the estimated state shared sales tax by \$200,000. He said there might be a \$100,000 to \$150,000 reimbursement from ALTCS. He said that at this time, it appeared the County's tax rate could be reduced by two cents, and said that if the tax rate was not lowered by another cent the County would be required by law to hold a Truth in Taxation public hearing. Mr. Holst and the Board then reviewed program changes by department. During discussion of the Sheriff's program change requests, Supervisor Brownlow expressed concern about adequate staffing in the Prescott Jail. Chairman Davis and Supervisor Brownlow indicated they had no problem with granting the Sheriff 9 new positions for the Jail, and Supervisor Feldmeier said he was comfortable with 6 positions. There was brief discussion regarding the Sheriff's internal management policies and what effect those policies may have on staffing levels. Chairman Davis and Supervisor Brownlow indicated they were in favor of a Probate Accountant/Investigator for the Superior Court, to be funded for a period of six months. Chairman Davis said he also was in favor of a Secretary Journey position for the Alternate Dispute Resolution Coordinator because this would assist in freeing the judges for more critical work. There was brief discussion regarding a sixth division of Superior Court and whether it would be appropriate to make that commitment this year to activate the new division for the 2000-2001 fiscal year. There was also discussion regarding the HURF Road budget. At this point, Supervisor Brownlow moved to convene in executive session pursuant to A.R.S. §38-431.03(A)(1) in order to discuss unclassified salaries. Supervisor Feldmeier seconded the motion, which carried by unanimous vote. Following completion of the executive session, the Board reconvened in open session to continue budget discussions. At this point Supervisor Feldmeier left the meeting in order to be at a previously scheduled deposition and was absent for the remainder of the day. There was brief discussion regarding the Flood Control District budget and Mr. Spedding's efforts to reduce the tax rate for the District. There was general agreement that it might be necessary to raise the tax rate a little, eliminate some projects or move them to future years, and consider alternate funding sources. During discussion of the Regional Road Construction Program, Chairman Davis said he was not happy with the distribution of funding and that his district should

receive 33% of the funding so the Verde Valley can set about solving its traffic problems. He said he would not support another half-cent sales tax, nor would he support borrowing money for these projects when he could not get his fair share. He asked why he was always shorted on funding. Mr. Holst pointed out that District 3 was probably up by \$400,000 to \$500,000 over the rest of the County with regard to Flood Control projects. Chairman Davis said he would like to see 33% or more of the half-cent sales tax revenue allocated to his district in the next two years. Mr. Holst said staff had tried to look at allocating money based on when projects are ready. He asked if it would be appropriate to consider borrowing money if funding was going to be allocated two-thirds and one-third each year. Chairman Davis said he would like to jump ahead on some projects and that the funding allocation had not been fair. Supervisor Brownlow disagreed, saying that when the half-cent sales tax program was implemented the first project to be considered for funding was Red Rock Crossing. He said if that project had gone forward the Verde Valley would have received a great deal of money. Supervisor Brownlow said he did not believe that the Verde Valley generates one-third of the sales tax revenue in the County, and that there were many more road miles in Districts 1 and 2. He said that in the past, the Board had never really looked at this program as "ours" and "yours", and that he did not agree that the Verde Valley had not received its share of the money. He said he believed the Verde Valley had received its share and probably more when all road projects were taken into consideration. Supervisor Brownlow said he also would not support another half-cent sales tax. He said he would work as hard as he could to see that the Verde Valley received its fair share, but that Chairman Davis' statement about the Verde Valley not having received its fair share in the past was not true. Mr. Holst said he had made an adjustment and that at the end of the current Supervisors' terms the breakdown would be two-thirds and one third. Mr. Straub said that Supervisor Feldmeier had indicated that he would like to see Fain Road get started right away and that this would mean beginning the process of putting together a list of consultants. Supervisor Brownlow said he believed Chairman Davis should sit down with Mr. Holst, Mr. Straub and Ms. Barnett and go over the last ten years of work in order to put this issue to rest. He said that most of the half-cent sales tax projects in the western part of the County were in his district, and that District 2 had hardly received anything. There was general agreement to move forward with Beaverhead Flat Road and Fain Road, and to leave the proposed budget for the Flood Control District as it is with an anticipated increase in the tax rate.

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

ATTEST:

_____Clerk _____Chairman