

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona October 27, 1999

The Board of Supervisors met in special session on October 27, 1999.

Present: Chip Davis, Chairman; Gheral Brownlow, Vice Chairman; John Olsen, Member; Bev Staddon, Clerk.

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

ITEM NO. 1. Consider appointing NACOG as fiscal agent for the Local Workforce Investment Board and approve Local Workforce Investment Board Plan. NACOG Economic Workforce Development Director Teri Drew provided the Board with a brief overview of the Workforce Investment Act, saying that it would replace the Job Training Partnership Act (JTPA) program, and that money from the federal government would be distributed first to the state and then to workforce investment areas within the state, with most of the money going to areas suffering from high unemployment rates. She said that the various service programs already in place would continue to operate, but that the Local Workforce Investment Board would provide a one-stop method of providing services for those seeking employment as well as for employers. There was brief discussion regarding where the one-stop site would be located, during which Ms. Drew said she was hopeful that all programs would be located at the same site, but that it was up to each individual program to make that decision. She said that a group of local investors was interested in constructing a building for the one-stop site, which would then be leased. In response to a question from Supervisor Olsen, Ms. Drew said that NACOG is currently paying \$52,000 per year for office space. Discussion turned to the plan itself, with Ms. Drew saying that the plan would be enacted for a five-year period, and that the Board was being requested on this day to give tentative approval to the plan. Chairman Davis noted that the plan had been put together by 14 members of the Local Workforce Investment Board, and that it would be forwarded to the Governor's office which would provide for a review of the plan by various state agencies and respond to the County with comments. Ms. Drew noted that a public hearing on the plan would held on November 11, 1999, and that a public notice would be put in the newspaper. Chairman Davis asked Ms. Drew to provide for a press release in addition to any legal notice. In response to a question from Chairman Davis, Ms. Drew said the plan did not have to be submitted to the Governor until December 3, 1999, and that prior to that time it would come back to the Board in its final form. Chairman Davis said he was happy with the plan and that he wanted to thank the 14-member committee that had put it together. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to give tentative approval to the plan. Discussion turned to the appointment of NACOG as the County's fiscal agent for the LWIB. Chairman Davis noted that the Board would be ultimately responsible no matter who was appointed as the fiscal agent. Ms. Drew said that NACOG would carry directors' and officers' insurance to protect the Board of Supervisors from liability. She said that as fiscal agent, NACOG would be responsible for disbursing money coming from the state for the Adult, Youth and Dislocated Workers' programs. She said that there would be a memorandum of understanding between the County and NACOG that would spell out all of the fiscal agent's responsibilities. There was brief discussion regarding who might act as fiscal agent if NACOG did not. Executive Dean of Community Campus and Economic Development for Yavapai College Patricia Bruneau-Gaber told the Board that other agencies could act as fiscal agent, for example, the College. She said that the College and NACOG had discussed what would be most appropriate at this point in time and had agreed that it made the most sense for NACOG to function as fiscal agent for the LWIB. DES Rehabilitation Services Manager Brandon Arterbury agreed, saying that NACOG had always done a good job and that there were only the three core programs for which it would act as fiscal agent. Mr. Holst said the County has hundreds of different funds and programs and does have the ability to act as fiscal agent, but that it had not shown interest in it because NACOG was available and was well-equipped to handle the job. Supervisor Brownlow moved to appoint NACOG as the fiscal agent. Supervisor Olsen seconded the motion, which carried by unanimous vote.

ITEM NO. 2. Peter G. Solie, Executive Director of the County Supervisors Association. Discussion regarding issues of importance to Yavapai County and how CSA can help. Chairman Davis asked Mr. Solie what plans he had to keep the counties unified, saying that the tobacco settlement and metropolitan issues would divide the counties. Mr. Solie said he did not want that to happen. Chairman Davis said that sometimes the County has an issue that conflicts with the other counties, and he asked how CSA would deal with a situation like that. Mr. Solie responded that if a majority of the other counties disagree with it, then CSA would either reject the issue or take a neutral position. He said that if the majority of CSA's board supports something, then CSA would support it. He said it was his intention to work with the counties to avoid contentious conflicts. Supervisor Olsen said he believed the real value of CSA, AACo and other such organizations is the opportunity to meet with other counties and discuss mutual interests and problems, and that it leads to a better understanding for everyone. Mr. Solie said he had met with the Coconino County Board of Supervisors the previous week, which had indicated to him that it would like more communication from CSA in the future, and that such communications should include information about what the other counties are saying.

ITEM NO. 3. Bev Everson, Geologist for the Bradshaw Ranger District of the Prescott National Forest, and Anne Fischer, Forest Service Zone Hazmat Coordinator. Presentation regarding abandoned mines and hazardous materials as they relate to the Hassayampa River area and the Lynx Creek drainage. Ms. Everson told the Board that the Forest Service had been conducting tests in the upper drainage of Lynx Creek and in the vicinity of the headwaters of the Hassayampa River. She presented slides of the various mines in the area, saying that the Forest Service was concerned about mine sites because when rock is broken up, erosion occurs and metals such as arsenic, cadmium, and selenium are released and present a potential hazard to people and wildlife because the result is acid drainage. She said that most milling sites are located on creeks or drainages. Ms. Fischer said that in 1992 the Forest Service began looking into whether there was a problem with metals draining off of private lands. Ms. Everson noted that heavy metals had been found in fish in Lynx Lake, and that although the concentrations were not high enough to close the lake, they were higher than normal. She said that many of the patented mining claims are now being developed for homes, and that the sites contain hazardous materials. She said that the Forest Service's tests on various mines in the area had found high levels of lead and arsenic in some areas. Ms. Fischer explained that the Forest Service was working in conjunction with the Arizona Department of Environmental Quality, the Arizona Department of Health Services, and the Arizona Game & Fish Department, and that together they were trying to identify the worst areas, such as the Blue John Mine near Walker. She said that one of the group's tasks would be to determine where mine wastes could be hauled to, and she asked if there was someone at the County who could serve as a team contact for the group. Ms. Fischer said she also would like to know how much involvement the County wanted to have in this matter, saying that the Forest Service could provide written reports and/or periodically make presentations to update the Board. There was brief discussion regarding whether there was any danger to aquifers in the area, during which Ms. Fischer said that ADHS was testing wells in an effort to determine that. Ms. Everson said that the water sampling done by the Forest Service had just been in streams, and that samples were taken upstream of the mines in order to establish a baseline for what is happening downstream. Ms. Fischer told the Board that in some places minerals occur in the water naturally, but that streams were not good places for children to play. Supervisor Olsen said he agreed, and that such information should be included in disclosures related to real estate. He said he remembered the Forest Service talking about this problem as long ago as the 1970s, and asked if there was any evidence that there is a health hazard resulting from mine dumps and leach fields. He said that most wells will show evidence of minerals, no matter where they are, and that this was a situation that had been going on for 100 years but that he had not heard that there was a real health hazard for anyone. There was general agreement that the Forest Service should send the Board reports and provide periodic presentations. Public Works Director suggested that Solid Waste Coordinator Robert Sander be the County's contact for the group.

ITEM NO. 4. Study session for discussion only regarding the unanimous vote requirement for Half-Cent Sales Tax Projects. There was very brief discussion regarding this item, with Supervisor Brownlow saying his main concern was whether it would take a unanimous vote of the Board to change the unanimous vote requirement for approval of half-cent sales tax projects. There was brief discussion regarding the possibility of voting to confirm the unanimous vote requirement through December 31, 2000, after which a new Board would be in office and could make its own decision. There was general agreement that more information

was needed regarding whether the Board's previous action to require a unanimous vote is binding on future Boards.

ITEM NO. 5. Convene in executive session pursuant to A.R.S. §38-431.03(A)(3) for legal advice regarding Tobacco Lawsuit. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen.

ITEM NO. 6. Reconvene into open session to consider Yavapai County's participating in the Tobacco Lawsuit. Upon reconvening in open session, Chairman Davis announced that the Board would not take any action on this item on this day, pending additional information.

CONSENT AGENDA FOR BOARD OF SUPERVISORS:

1. Requests from Board of Supervisors:

- a. Approve entering into agreements for grants for Quail Ridge Park in the Chino Valley area and Kylo Park in the Spring Valley area. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
  - b. Consider implementing a deposit fee of \$5 for the Board Room key. There was brief discussion regarding the cost related to re-keying the Board Room doors, during which there was general agreement that a \$5 deposit was not sufficient. There was general agreement that staff should return to the Board with a more stringent policy. The Board took no action with regard to this item. No comments from the public.
  - c. Approve letter to Arizona Department of Revenue requesting an extension, pursuant to A.R.S. §42-17257, to February 15, 2000, of the notification deadline for boundary changes with regard to Calvary Chapel Domestic Wastewater Improvement District. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
  - d. Remove the following individuals as precinct committeemen, as recommended by the Republican Committee of Yavapai County: Rozalind Holbrook, West Chino Precinct; Beverly Pritchard, Cordes Lakes Precinct; Ana Wayman-Trujillo, Mile High Precinct; Beth Scalia, Mile High Precinct; and Don and Barbara Riddle, Yavapai Hills Precinct. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
2. Request from Sheriff for a vehicle for the Verde Valley Evidence Technician. Supervisor Brownlow moved to approve the request with the stipulation that the vehicle is not taken home by the employee unless there is an emergency. Supervisor Olsen seconded the motion, which carried by unanimous vote. No comments from the public.
3. Request from Planning & Building to change Chief Building Official position from classified to unclassified, with a hiring range to be at 5% above the current classified salary range. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.

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

ATTEST:

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