

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA  
Prescott, Arizona

December 6, 1999

The Board of Supervisors met in regular session on December 6, 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; Randy Schurr, Deputy County Attorney.

PLEDGE OF ALLEGIANCE: Amber MacMillan, 8<sup>th</sup> grader at Heritage Middle School.

ITEM NO. 1. Board of Supervisors.

1. Approve minutes of meeting of November 15, 1999, and of special meetings of November 10 and November 29, 1999. Approved as written, by unanimous vote, after questions regarding Ted's Truck Stop, a bid for a loader, and the one-stop permitting system were posed by Supervisor Brownlow and answered by Mr. Schurr, Public Works Director Richard Straub, and Mr. Holst. Motion by Supervisor Brownlow, second by Supervisor Olsen.
2. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. With the exception of item 5.c., all items were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public. See Consent Agenda for detail.

ITEM NO. 2. Acting Human Resources Director Jim Holst. Discussion and possible action regarding reclassifications in the Assessor's Office. Mr. Holst explained that a variety of reclassification requests had been received and that he had been working with former Acting Human Resources Director Jim Argyle on a whole new salary plan. He said that the Assessor was trying to effectuate organization in her office that is different from what it currently is, and that she would like to lower the Appraiser Supervisor position in her office to an Appraiser III position and raise an Appraiser II position to an Appraiser III position in order to have three Appraiser III positions in her office to cover specific areas. In response to a question from Chairman Davis, Mr. Holst said that approval of this request would actually save money. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, and with no comments from the public, the Board voted unanimously to reclassify the Appraiser Supervisor position to Appraiser III and to change one Appraiser II position to Appraiser III.

ITEM NO. 3. Resolve into Yavapai County Board of Equalization. Continue hearing on Notice of Claim petitions for All Seasons Development, 408-45-041 through 046; 408-45-001 through 046; and 408-26-380 through 383; All Seasons Resorts, Inc., 405-50-108 through 121; and Sedona Summit Development, 408-11-177V. Held in abeyance on November 15, 1999. Reference: Board of Equalization minutes.

ITEM NO. 4. Resolve into Board of Supervisors. Public Defender Dan DeRienzo. Request to set rate for attorney services related to the Sexually Violent Persons Act. Mr. DeRienzo explained to the Board that violent sex offenders can continue to be incarcerated at the end of their sentence if it is determined that they are likely to re-offend upon release from prison. He said that in order to retain such persons in custody, the County Attorney must petition the court to keep the person incarcerated and that as a result the offender is entitled to an attorney. Mr. DeRienzo said that his office is not allowed by statute to represent these individuals, perhaps because it is a civil matter and not a criminal matter, and he requested that the Board set a rate of \$50 per hour for attorney services related to these matters. He noted that the County must pay for these services, and said that he would absorb the cost through his budget and would return to the Board if he ran short of money. Mr. Schurr agreed that these cases are civil matters, saying that the Civil Division of the County Attorney's Office has been handling them. He said if Mr. DeRienzo felt he could retain attorneys for \$50 per hour, the County Attorney's Office had no problem with it. Following brief discussion regarding the need for the state to provide counseling to violent sex offenders while they are serving their sentences instead of waiting until the end and then requiring everyone to go through a civil process in order to obtain continued incarceration and counseling, the Board voted unanimously to set the rate for attorney services for this purpose at \$50 per hour, as recommended by Mr. DeRienzo. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.

ITEM NO. 5. Merit Award Board Chairman Vincent Gallegos. Approve Andy Watson, MIS Department, as Employee of the Year for fiscal year 1998-1999. In Mr. Gallegos' absence, Mr. Holst presented this item. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen.

ITEM NO. 6. Resolve into Board of Directors of the Yavapai County Flood Control District. Flood Control District Director Ken Spedding. Reference: Flood Control District minutes.

1. Approve minutes of meeting of November 15, 1999.
2. Consider awarding a construction contract to A. Miner Contracting for the Holiday Hills Drainage Improvement Project FCD990-008 in the amount of \$136,040 with a reallocation of \$56,287 from FCD990-006 (Diamond Valley).
3. Consider authorizing Babcock and Associates, Inc., and the District Director to acquire three floodway parcels (113-07-037, 038 and 039A) and structures for the negotiated selling price of \$150,000 plus costs and authorize the Director to sign the necessary documents, FCD990-001, Prescott area.
4. Reconsider authorizing Babcock & Associates, Inc. and the District Director to accept an offer to acquire parcel 402-16-019 for \$33,500 plus costs, and authorize the Director to sign the necessary documents. FCD990-009, Prescott Country Club area.

ITEM NO. 7. Resolve into Board of Supervisors. Fleet Management Director Dave Burnside. Award or reject vehicle bids for 1999-2000 purchases. Mr. Burnside said that by making the transition in law enforcement vehicles from rear-wheel drive Ford Crown Victorias to front-wheel drive Chevrolet Impalas which he said would perform better in snow, the County could also realize as much as \$20,000 in fuel savings on 15 vehicles over the life of those vehicles. Supervisor Brownlow asked about alternative fuels, to which Mr.

Burnside responded that at the present time there is not sufficient alternative fueling infrastructure in the County to allow for a change to alternative fuels. Discussion turned to 4x4 vehicles for the Sheriff's Office, during which Mr. Burnside said that the Ford Explorer can be obtained with a special law enforcement package, but that it still would not be a pursuit vehicle. Chairman Davis said that if there had been accidents with 4x4 vehicles, and if the claim was that it happens because the vehicles are not certified law enforcement vehicles, then the County should not purchase them. There was brief discussion regarding existing 4x4 vehicles, during which there was general agreement that there are currently sufficient 4x4 vehicles for use in difficult to reach outlying areas of the County. Mr. Burnside noted that there was \$53,000 available from insurance proceeds resulting from accidents and that the Environmental Services Department and Juvenile Probation had both requested an upgraded vehicle, and that the Verde Valley Constable would like an upgrade from an economy car to a mid-size car. He said he would also like to retain a vehicle for the VIP program, and that this was within his budget. Supervisor Brownlow moved to approve the purchase of Chevrolet Impalas for the Sheriff's Office, to retain a vehicle for the VIP program, and to approve the vehicle purchases recommended by Mr. Burnside from HURF and grant funds. Supervisor Olsen seconded the motion, which carried by unanimous vote. No comments from the public. Mr. Schurr said the transfer of \$53,000 could not be included in the motion because it was not listed on the agenda, but that he believed Mr. Holst had the authority to make the necessary transfers. There was general agreement that issues regarding vehicles for the Sheriff's Office should be revisited during the next budget cycle.

#### ITEM NO. 8. Public Works Director Richard Straub.

1. Consider approval of a resolution to extinguish a portion of an easement for the old Stazenski Road alignment, Mint Creek Ranch, Williamson Valley area. Resolution No. 1211 approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
2. Consider approval of a cooperative agreement with First American Title Insurance Company to obtain a butterfly easement to serve residents of Section 29, Township 17 North, Range 2 West. Approved by unanimous vote after Mr. Straub explained that this easement would provide access for residents in the Chino Valley area to a County-maintained road and that it would also provide access for future development. Motion by Supervisor Brownlow, who asked if there was anything being done in the state legislature to address situations like this in the future. Second by Supervisor Olsen. No comments from the public.
3. Request for permission to expend \$37,475 to finalize the right-of-way acquisition from the Arizona State Land Department for Pioneer Parkway. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
4. Consider approving the Airport Connector (SR 89A) as a Controlled Access Highway with the only access onto the highway to be at the locations designated on the Airport Connector (SR 89A) Right-of-Way plat, and require developer contribution to future interchange construction; and consider approval of intergovernmental agreement with ADOT. Mr. Straub noted that this was the County's first controlled access highway project and that several locations along it had been designated for access. He said that developers would be asked to contribute to future interchanges, and that the first developer contribution had been negotiated at approximately \$1,200 per lot. He said he expected future negotiations to be for approximately the same amount. Supervisor Brownlow moved to approve this request, saying the County had been working on this project for quite some time and that thanks were due to Mr. Holst, the Central Yavapai Transportation Planning Organization, Mr. Straub, and former District 2 Supervisor Bill Feldmeier. Supervisor Brownlow then amended his motion to include approval for the intergovernmental agreement with ADOT. Supervisor Olsen seconded the motion. Mr. Holst explained that with regard to the agreement, the County had improved its position by moving from having to pay for 40% of the costs to having to pay for 26% of the costs. Supervisor Brownlow asked that page one of the agreement be clarified to show that the cost estimate is for Phase 1 of the project. Chairman Davis called for the vote, which carried unanimously.
5. Request for permission to expend an amount not to exceed \$155,000 to purchase right-of-way for Outer Loop Road from the Arizona State Land Department, Chino Valley-Williamson Valley area. Approved by unanimous vote after Mr. Straub said this was necessary for long-range planning. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public. Chairman Davis said that as the Board moves into these types of projects he would like to see them followed with an access management plan within a

reasonable amount of time. Mr. Straub said that was a good idea.

6. Discussion regarding possible turnback of state highways in the Bagdad area to the County. Mr. Straub told the Board that the Arizona Department of Transportation had identified SR 96 and SR 97 for possible turnback to the County. He said that turning these roads back would reduce ADOT's maintenance costs on these approximately 30 miles of roadway, but that it would increase the County's maintenance and liability costs. He said he was trying to obtain information on both routes regarding deferred maintenance, the number of bridges, and the like and that he would bring that information back to the Board. Mr. Holst said this news had taken everyone by surprise. Supervisor Olsen said the state was trying to get rid of roads that either dead-end or join one state road to another. He said the state claims it does not have title to the right-of-way, and that the County needs to be very careful about agreeing to take responsibility for the roads. Mr. Schurr said ADOT staff has taken the position that even though the roads are designated as state routes there was no action taken to approve them under state statutes. He said that since the state has maintained them in the past, he did not believe the County should acknowledge having any responsibility for them.

ITEM NO. 9. Secretary of State Betsey Bayless. Present certificates to County employees who have completed Election Certification Training. Ms. Bayless presented certificates to the following individuals, saying she appreciated the time and effort these people had put into obtaining certification: County Recorder Patsy Jenney-Colon; Chief Deputy Recorder Ana Wayman-Trujillo; Elections Director Sharon Keene-Wright; Voter Registration Supervisor Judy Allen-Wise; Elections Records Technicians/Assistants Lynn Constable and Carol Tucker; former Elections Department employee Karen Hines; and Clerk of the Board Bev Staddon.

ITEM NO. 10. Planning & Building Director Mike Rozycki. Planning and zoning. Planning & Zoning Commission member Jacquie Weedon was present to represent the Commission.

1. Special use permit renewal for continued operation of a golf driving range in a C1 and R2 zoning district, Chino Golf Range, 102-01-223, south of Chino Valley, Planning & Zoning Commission, #5725. Consideration of the renewal of an expired Special Use Permit in order to allow the continued operation of a golf driving range on a twelve (12) acre parcel in a C1 (Commercial; Neighborhood Sales and Service) zoning district and an R2 (Residential Multi-Family) zoning district. Located on the east side of Highway 89, approximately three-fourths (¾) of a mile south of Road 4 South and the Town of Chino Valley town limits. The Planning and Zoning Commission recommended approval of the renewal of the Special Use Permit on a temporary, non-transferable basis through March, 2001 and subject to the stipulations approved in 1991. The maker of the motion explained the rationale for the motion is based on the time period being that which would have been granted if the renewal had been heard and renewed for five (5) years in 1996 and also allows time for Chino Valley to annex the area or for Yavapai County to pursue the goals stated at this meeting. The stipulations approved in 1991 include the following: 1). Use Permit to be non-transferable; 2). (Amended to match the motion.) Use Permit to be through March, 2001; 3). Development in compliance with the site plan dated 1-15-91; 4). All signage to conform to C1 zoning district requirements; 5). Applicant to obtain County Health Department approval for vending operations prior to commencement of the use; 6). Applicant to obtain ADOT (Arizona Department of Transportation) permits and shall install necessary right-of-way improvements along Highway 89; 7). As neighboring parcels develop, access through the property be permitted in order to achieve a frontage road concept; 8). All lighting to comply with the Dark Sky Ordinance. Supervisor Brownlow declared a conflict, saying he owned ten acres of property in the subject area, and he left the room during discussion of this matter and did not vote on the matter. Applicant Steve Chontos provided the Board with background information regarding his property, beginning with obtaining his use permit in 1991 and saying he knew at that time that there was a 50-foot easement along the front of the property. He referred to stipulation #7, saying he had read it over and over and had concluded that in making that stipulation the County had guaranteed him his driveway. He said he understood that at some point in the future his neighbors would also use his driveway. Mr. Chontos said that everything was fine until 1994, when he had received a letter from the Planning & Building Department indicating that groups of use permits would be reviewed and that some of them might be made permanent. He

said the letter requested that he fill out two forms and return them, that he had done so and that he had not heard any more about it until this past June when he received a letter from Planning & Building indicating that his use permit had expired. He said he wanted to know why Planning & Building had waited three years to tell him that his permit was expired and why he was being threatened with losing his driveway. Mr. Chontos went on to talk about the Highway 89 Access Management Plan, saying that it had not been approved by the Town of Chino Valley and that it was full of fallacies. He said that had he known about Palm Harbor's application, he would have insisted that it be required to use his driveway but that he had not received notification from the County about that application because the notice was sent to the wrong post office box. In response to a question from Chairman Davis, Mr. Rozycki said that driveway permits along Highway 89 are approved by the Arizona Department of Transportation district engineer, and that land use and the access management plan are considered together. Chairman Davis said that the Commission's recommendation to extend the use permit was based on the Town of Chino Valley's interest in annexing the subject area, and noted that at such time as annexation might occur Chino Valley would consider the access management plan. Mr. Rozycki said the Commission felt that Mr. Chontos' argument had merit but wanted to provide Chino Valley, the applicant, ADOT and the County with an opportunity to have more time to look at the frontage road concept. He said that, in the meantime, Mr. Chontos would not be denied access to his driveway. Supervisor Olsen said he believed that Mr. Chontos had made his point. He said he had a lot of problems with this situation and that he sympathized with Mr. Chontos because he was the first one to build in the area. Supervisor Olsen said he was reluctant to place any restrictions on Mr. Chontos' driveway at this point in time, and that he should be allowed to have his driveway until such time as ADOT makes Highway 89 a limited access highway. He said he was not in agreement with requiring piecemeal frontage roads and that he was not sure a frontage road would solve any problems. Mr. Rozycki said the Commission's intent was to grant a temporary non-transferable permit through March 2001, which would provide time for everyone to look at the access management plan. Supervisor Olsen said he wanted to be sure that Mr. Chontos understood that from the County's standpoint he has access until such time as jurisdiction changes or ADOT makes a determination that the highway is a limited access highway. He told Mr. Chontos that once the area is no longer under the County's jurisdiction the County would have nothing to say about what happens. Mr. Chontos said he agreed, but asked about the permanency of the use permit. Mr. Rozycki said the Commission had recommended approval of the use permit for two years, but that he understood what Supervisor Olsen was saying about the driveway being permanent. Mr. Chontos' attorney, Ray Brown, said his client appreciated what the Commission had already done for him, and that he also realized it was not easy for the Board to consider overruling the Commission, but that what Mr. Chontos was really asking for was to have the use permit be permanent and non-transferable, and that he not be required to build a frontage road. Mr. Brown said that in addition, Mr. Chontos would like the County to ask ADOT to consider allowing him to use his driveway on a permanent basis. Chairman Davis said there were a number of people who need to work together to find a solution to this issue, and that he felt the Commission's recommendation was appropriate because it would provide time to find a solution without compromising Mr. Chontos' ability to continue operating his business. He said the Board could not make a decision regarding the access management plan with only one property owner involved. Chairman Davis then moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Olsen seconded the motion, saying he wanted to make clear that Mr. Chontos would retain his access to the highway until such time as a different jurisdiction or ADOT requests a change. Mr. Rozycki said he understood the Board's intent in this motion to mean that the use permit would be a two-year temporary permit with the original stipulations, but that Mr. Chontos' existing driveway would remain and not be removed unless another jurisdiction took action, and that additionally the County would ask ADOT to give consideration to Mr. Chontos' driveway being the main access for the area. There was additional discussion regarding Mr. Chontos' request to have the use permit made permanent, during which Mr. Rozycki told the Board that if it made the use permit permanent on this day the County would not have the ability to go back and ask Mr. Chontos to make any improvements to the frontage road if it were needed in the future. He suggested that the Board consider granting the use permit on a permanent transferable basis with the understanding that if a frontage road is extended, that Mr. Chontos would be required to participate and extend the frontage road across his property but that he would not be required by the County to move his driveway. Mr. Brown said he did not want Mr. Chontos to have to put in the frontage road, but that if the other property owners have to put in a frontage road then his client would also participate and provide the frontage road. Supervisor Olsen said that with the stipulation of what Mr. Rozycki and Mr. Brown had just stated regarding making the use permit permanent with the understanding that Mr. Chontos would participate and extend the frontage road across his

property if other property owners must do the same, he would call for the motion. Chairman Davis called for the vote, which carried by unanimous vote of those present. Following completion of the vote, Supervisor Brownlow returned and was present for the remainder of the day. (CLERK'S NOTE: See Item 1.1 in the minutes of December 20, 1999, approval of the minutes, with regard to this item; and also Item 1.2 in the minutes of January 3, 2000, approval of the minutes, with regard to this item.)

2. Special use permit for installation and operation of a temporary wireless communication facility with antennae mounted on a 30-foot wood pole in an R1-35 zoning district, Ogden Wood Pole Wireless Communications Site, 114-08-041A, Stagecoach Acres near Prescott, Darcey Rushing, VoiceStream Wireless agent for Don and Myrna Ogden, #6897. Reconsideration of a Special Use Permit in order to allow the installation and operation of a temporary wireless communication facility with antennae mounted on a thirty foot (30') wood pole, on a twenty foot by twenty foot (20' x 20') leased area of a two (2) acre parcel, in a R1-35 (Residential: Single Family, 35,000 square foot minimum lot size) zoning district, located in Stagecoach Acres, off Butterfield Road, near the city of Prescott. The Planning and Zoning Commission recommended approval of the Special Use Permit, subject to the following stipulations: 1). Use Permit shall be granted on a six (6) month, non-transferable basis. Use Permit may be considered for one additional six (6) month period only upon review and approval of the Planning and Zoning Commission and Board of Supervisors. Use Permit is non-renewable beyond the twelve (12) month period; 2). If within the time allowed by the Use Permit, VoiceStream's pending application for location of a telecommunications site on the Indian Hills water tank or any other site within the City of Prescott is denied by the City of Prescott and VoiceStream does not have a pending application, all equipment associated with hearing application #6897 including wood pole, any antennae, and all accessory equipment shall be removed from the property within thirty (30) days of City of Prescott denial; 3). The maximum height of the wood pole, including base, platform and antennae, not to exceed thirty feet (30') above grade level; 4). A revised site plan to be submitted for review and approval by staff depicting the wood pole meeting the one-to-one (1:1) setback requirement from the property boundaries, prior to obtaining building permits. The wood pole and associated equipment shall be installed in keeping with current Ordinance criteria for a wireless telecommunication facility installation regarding fall zone or collapse safety. Development shall be in conformance with the revised site plan as approved by staff; 5). Waiver of Wireless Ordinance Section F.1.g. requirement of no new facilities within three hundred feet (300') of residences for the period of time allowed by the Use Permit; 6). The communication wood pole, antennae, and any accessory uses shall be removed from the property, at the owner's expense, within thirty (30) days if it becomes unused or obsolete; 7). If the communication wood pole, antennae, and any accessory uses are not removed prior to the expiration of the Use Permit, as stated in stipulation #11, Yavapai County shall immediately disconnect and remove all equipment at the site at VoiceStream Wireless' expense; 8). Financial assurances shall be posted in the form of a construction bond by the applicant (VoiceStream Wireless) in the amount of ten thousand dollars (\$10,000.00), payable to Yavapai County, for the occurrence or possible need for removal of the tower and returning the natural state of the site, prior to submittal and approval of building permits/zoning clearances; 9). Any lighting used in conjunction with the maintenance or operation of this facility shall be in compliance with the Yavapai County Planning and Zoning Ordinance Section 120, (Dark Sky Ordinance). No lighting other than for maintenance; 10). VoiceStream Wireless shall post a forfeitable performance bond in the amount of one hundred thousand dollars (\$100,000.00), payable to Yavapai County, prior to issuance of building permits. The bond shall be forfeited if the telecommunications site is found to be in operation at the conclusion of the six (6) month period of the Use Permit or the conclusion of the second six (6) month period, if an extension is granted; 11). VoiceStream Wireless shall remove the communication wood pole, antennae, and any accessory uses ten (10) days prior to the conclusion of the six (6) month period of the Use Permit or ten (10) days prior to the conclusion of the second six (6) month period, if an extension is granted. Chairman Davis said he wanted to compliment the Planning & Zoning Commission for its work on this issue, and he called for comments in opposition to the application. There were none, whereupon Supervisor Olsen moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

3. Conditional zoning map change from R1L-25, R1L-18 and R1-25 to PAD, Life Teen Camp, Retreat and Conference Center, 203-05-001, 002A and 002B, Yarnell area, Richard Walraven agent for Life Teen, Inc., #6964. Consideration of a Conditional Zoning Map Change from R1L-25 (single family residential limited to site built homes, 25,000 square foot minimum lot size); R1L-18 (single family residential limited to site built homes, 18,000 square foot minimum lot size) and R1-25 (single family residential, 25,000 square foot minimum lot size) to PAD (Planned Area Development) to allow for the construction of a camp/retreat/conference center on a one hundred sixty (160) acre parcel. Located at

the end of Shrine Road, approximately one half (1/2) mile northwest of the SR 89/Shrine Road intersection, in the community of Yarnell. The Planning and Zoning Commission recommended approval of the Conditional Zoning Map Change, subject to the following stipulations: 1). Zoning map change is subject to submittal of Final Site Plans that are in general conformance with applicant's Preliminary Site Plan dated 6-1-99 and Letter of Intent dated 9-23-99 and traffic study. Final Site Plan applications to be submitted for Commission and Board consideration for each phase of the project; 2). The Final Site Plan shall depict access from the camp property to the Hays property to the north. Access easement or legal agreement providing such access, approved by Mr. Hays or his assign, shall accompany the Final Site Plan application; 3). Fire hydrant locations and fire flows and possible sprinkler systems to be approved by the Yarnell Fire Chief. Hydrant locations to be depicted on the Final Site Plan and installed throughout the camp development; 4). Copy of Yarnell Fire District, Fire Protection Services Agreement, shall be submitted with Final Site Plan application for Phase One of the project, in order to insure that fire protection will be provided to the camp; 5). Emergency access construction plans to be reviewed and approved by the Yarnell Fire Department, prior to scheduling review of Final Site Plan for Phase One of the project for public hearing; 6). Plans for upgrading the existing Shrine Road low water crossing of Miller Creek to County standards, to be reviewed and approved by the County Flood Control District and Public Works Department, prior to scheduling review of Final Site Plan for public hearing. Crossing upgrade plans and construction to be at the applicant's expense; 7). Corporation Commission approval, allowing the Yarnell Water Improvement Association to provide water service to the camp, to be submitted as part of the Final Site Plan application for Phase One of the project; 8). A specific written agreement between Life Teen Inc. and the Yarnell Water Improvement Association, regarding upgrades to the water system that will need to be made by Life Teen Inc., shall be submitted with the Final Site Plan applications; 9). All buildings to be constructed to the current County adopted edition of the Uniform Building Codes and Uniform Fire Code or meet "life safety requirements for existing buildings" as outlined in Chapter 34 of the Uniform Building Code. Inspections to be conducted by an independent inspection agency approved by the County Chief building Official, with a letter attesting compliance from the agency conducting the inspections(s) submitted for approval of the Chief Building Official; 10). Approval of requested waiver of thirty foot (30') maximum building height, to allow the chapel and activity center to be constructed to a height not to exceed forty feet (40'); 11). Approval of the requested waiver of required twenty foot (20') building setback, to allow buildings to be setback a minimum of five feet (5') from the northern property boundary, as depicted on the applicant's site plan dated 6-6-99; 12). Approval of requested waiver from the one hundred twelve (112) parking spaces required per the County Parking Standards, to allow the camp to be served by a total of fifty-seven (57) parking spaces. Adequacy of parking to be reviewed with each Final Site Plan submittal; 13). All outdoor lighting to conform to Yavapai County Zoning Ordinance requirements (Dark Sky Ordinance). Final Site Plans to depict type and location of lighting; 14). Phase III Drainage Study to be approved by the County Flood Control District, prior to scheduling review of Final Site Plan for Phase One of the project for public hearing; 15). Emergency access shall be gated and used in emergency situations only; 16). All parking areas and internal camp roads to be constructed to County standards and surfaced with a double penetration chip seal; 17). Final Site Plan for Phase One of the project to include specific schedule for community access to the facility for Yarnell and surrounding area residents; 18). All local camp parking shall occur on-site; 19). ADEQ approval of wastewater treatment plant shall occur prior to issuing Certificate of Compliance; 20). Certificate of Compliance to be issued by the Planning and Building Department prior to opening the camp to the public; 21). Noise and/or sound shall be managed in a manner so as to not unreasonably disturb the adjacent residential areas. Sound levels not to exceed seventy-two decibels (72 dB) using day-night average method, with measurements taken at property lines; 22). Written determination by ADOT (Arizona Department of Transportation) regarding the possible need for SR89/Shrine Road improvements to be submitted as part of the Final Site Plan application. Mr. Rozycki noted that he had received protests totaling 20% of the adjacent property

owners by number, but that they did not equal 20% of the adjacent property owners by area. Applicant's agent Richard Walraven told the Board that the lawful use of the property could be for a subdivision, but that this was not the best use for the property. He said the use proposed by the applicant was the perfect use of the property. Supervisor Brownlow asked about the proposal for a lake on the property and asked if a swimming pool would suffice. Applicant's architect Jim Scalese said the lake would be under one acre in size and was a focal point of the camp. He said it would be available for firefighting purposes and that the community would be able to use the camp as well. He said there would also be a swimming pool that could be used by the youth of Yarnell. Chairman Davis asked if the water company had agreed to supply the camp. Mr. Scalese responded that the water company had indicated that it would provide 10,000 gpd provided the applicant makes some improvements to water lines. He said that since the camp's projected water use at full build-out was 9,200 gpd there should not be a problem. He added that there are four wells on the property that would provide water for the lake and an existing building. In response to a question from Chairman Davis regarding output on the wells, Mr. Scalese said that the Arizona Department of Water Resources does not require that kind of information. Supervisor Olsen suggested that the applicant have the wells tested to determine their capacity. Mr. Scalese responded that the applicant had already begun that process. Supervisor Olsen said he would also recommend that the applicant hire a hydrologist to perform a water study so that everyone would be aware of the potential for water use. Yarnell Fire District representative Tom Bransky told the Board that the fire district had had some concerns about the project since the camp is currently being used by a number of people, but that the district had reached agreement with the applicant to provide stop-gap measures until the development is completed and that the services provided to the camp would be paid for by the applicant and would not represent an additional tax burden to district residents. He said the district looked forward to having this project as part of the community. Chairman Davis called for comments in opposition to the project. Area residents or property owners Paul Barr, Holly Arquin, Jim Nagle, June Bower, Bryant Buschman, Clint Banks, and Marian Banks spoke in opposition to the application, citing concerns such as water use, noise, dust, proximity of medical facilities, and lack of information about the project being provided to the community. Supervisor Olsen said that approval of the PAD zoning would initiate the stipulations placed by the Commission and would result in many of those questions being answered. He said that the plan would have to come back to the Board. Chairman Davis called for comments in support of the project. Area residents or property owners Tom Bransky, Dave Sorensen and Elizabeth Griggs spoke in support of the project, saying that it would enhance the community and would not be as detrimental as other development might be. In response to questions from Supervisor Brownlow, Mr. Rozycki said that Life Teen owns the property and that it is zoned basically for lots one-half acre in size. He said it was his understanding that the Arizona Corporation Commission would look at agreements between Life Teen and the water company, and that with regard to building heights the one building that would exceed the allowed 30-foot height would be tucked into a rocky area that could not be seen by neighbors and that the adjacent property owner had no objection to the height. Life Teen Executive Director Phil Banowicz told the Board that the camp would be at full occupancy only during the summer months, or a maximum of 120 days per year, and that the rest of the time it would be used for weekend retreats. Supervisor Olsen said he was convinced there was a great deal of fear about this project that would be relieved as time goes on. He reiterated that this was a PAD approval and that all of the stipulations and questions would have to be answered. He said it would probably be more than 90 days before anything further on the project came back to the Board. Supervisor Olsen then moved to approve the recommendation of the Planning & Zoning Commission, adding a stipulation #23 as follows: A hydrology report shall be submitted and reviewed with the final site plan to demonstrate there is adequate water to sustain the proposed lake without adversely affecting the surrounding area. Supervisor Brownlow seconded the motion and asked if the applicant would hold more public meetings in the community. Mr. Banowicz said that two meetings had already been held but that the applicant would hold another meeting if it was



necessary. He said the applicant wanted to be a good neighbor. Chairman Davis said he could think of no better place for kids to grow up, and that his own roots in the area were deep. He said he believed this project was a better use of the property than a residential subdivision would be, and that the water issues would be addressed by a hydrologist's study. He said he was happy to hear that the fire district would be compensated for the services it provides. Chairman Davis then called for the vote, which carried unanimously. Supervisor Olsen said he could not believe that in a case like this that good people on both sides, working together, could not resolve the issues. He characterized the project as a very good one, saying the project needed to work but that it also needed to work for the community of Yarnell.

4. PAD amendment and preliminary site plan, Oasis at Castle Hot Springs, 204-01-010H, 002B and 204-02-038A, Castle Hot Springs area north of the City of Peoria, CCBG Architects, Inc., agent for The Garrett Hotel Group, #6965. Consideration of an amendment to a PAD (Planned Area Development) together with a Preliminary Site Plan in order to allow a seasonal, destination resort/spa with a total of thirty-five (35) individual guest units with a capacity of two (2) guests per unit consisting of existing and proposed structures, and including a restaurant for guests and an administration building on a total of three (3) parcels consisting of a total of 170.02 acres. Located seven (7) miles northwest of Lake Pleasant and approximately three (3) miles north of the northernmost boundary of the City of Peoria. The Planning and Zoning Commission recommended approval of the PAD Amendment and Preliminary Site Plan, subject to the following stipulations: 1). Submittal of Final Site Plans for each phase of the development in substantial conformance with the Preliminary Site Plan dated 10-5-99 and project summary within two (2) years of Board of Supervisors approval of the PAD amendment/Preliminary Site Plan; 2). Final Site Plan submittal shall be accompanied by a plan identifying traffic mitigation measures to be taken by the applicant to reduce the traffic on this primitive road and provide for the safety of the guests. Limited traffic plan scope to address number of vehicles including, but not limited to, shuttle system, parking, receiving station, emergency response systems, helipad use, etc. ; 3). Final Drainage reports (Phase III) to be submitted and approved by the Flood Control District as part of Final Site Plan submittal; 4). ADEQ/County Environmental Services Department approval of sanitary facilities prior to Certificate of Compliance; 5). Conformance to Ordinance standards for parking design, pavement, delineation of spaces, handicapped access, signage and landscaping; 6). Fire hydrants/fire suppression equipment plan to be reviewed and approved by the State Fire Marshal as part of the Final Site Plan submittal and to be installed prior to Certificate of occupancy. All structures to have an approved sprinkler system installed; fire extinguisher placement to be augmented by standpipe installations with preconnected one and one half inch (1½") lines; staff to be trained in the use of one and one half inch (1½") lines and in fire prevention inspection; 7). Approval of waivers from the County Zoning Ordinance to allow the proposed gatehouse/administrative building a waiver from the height, not to exceed a height of forty feet (40') for a the tower element with the remaining portion of the roof line to be a maximum of thirty-two feet (32') in height, and the proposed spa/gateway building a waiver from the height, not to exceed a total of thirty-seven feet (37') as well as a waiver to exceed the maximum number of stories. Waiver of request to exceed the height of the dining building not to exceed a height of thirty-three feet (33'); 8). Note to be on Final Site Plan map that states, "The existing +/- 4 miles of roadway named Castle Hot Springs Road is designated as a "Primitive Roadway" by Yavapai County. Castle Hot Springs is on the County "approved for maintenance" list, however no right-of-way is recorded or of record and Yavapai County cannot guarantee continued maintenance or legal access and no written easements of record for roadway right-of-way are available. The current level of service and roadway maintenance for Castle Hot Springs Road is not planned to be changed. It shall be understood that requests for increased level of service and maintenance for the Oasis Development will not be considered by the County." ; 9). Certificate of Compliance to be issued prior to initiation of use; 10). All buildings to be constructed to the current County adopted edition of the Uniform Building Code or meet "life safety requirements for existing buildings" as outlined in Chapter 34 of the UBC. Inspections to be conducted by an independent inspection agency approved by the Chief Building Official, with a letter

attesting compliance from the agency conducting the inspections submitted for approval. Chairman Davis questioned Mr. Rozycki regarding stipulation #7. Mr. Rozycki responded that the original buildings were more than 30 feet high and that the Planning & Zoning Commission had recommended approval of a wavier of the height requirements as it would be in keeping with the historic buildings that were on the property. Jeffrey Innis, architect for the Garrett Hotel Group, said the applicant hoped to match the splendor of the resort as it was years ago. Area residents Joe Hull and Eric Dodd both spoke in favor of the project. Mr. Rozycki said he would like to allow the State Historic Preservation Office to make recommendations regarding the project, and Mr. Innis said the applicant would welcome that. Upon a motion by Supervisor Olsen, seconded by Supervisor Brownlow, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission, and to add stipulation #11 as follows: An assessment or evaluation of the historical significance of the buildings and site with a plan to restore or renovate those judged to be significant shall be submitted. The assessment is to be reviewed and recommendations made by the State Historical Officer for consideration with the final site plan.

5. Special use permit for a real estate sales office in an R1L-10A zoning district, Prescott Ridge Realty, Inc., 401-01-008, near Prescott Valley, David Rodgers agent for Stanley Pawchuk, Vista Montana General Partnership, #6963. Consideration of a Special Use Permit for a real estate sales office on a 20.78 acre parcel in an R1L-10A (Residential; Limited; ten (10) acre minimum) zoning district for the project known as the Prescott Ridge Realty, Inc. Located on the Golden Eagle Lode Mining Claim, on the west side of Prescott Ridge Road, approximately one mile north of Highway 89A in the vicinity of Prescott Valley. Situs address: 9510-B North Prescott Ridge Road. The Planning and Zoning Commission recommended denial of the Special Use Permit. Supervisor Olsen moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Brownlow seconded the motion. Prescott Ridge resident Ron Pauley participated in discussion, saying that the homeowners' association was trying to hire a guard for the area and was opposed to the real estate office. Chairman Davis called for comments in opposition to the Board's motion, and hearing none called for the vote, which carried unanimously. Applicant's attorney Richard Walraven then rose and said the area has unique characteristics and meets the requirements for a special use permit. He said the permit would not violate the subdivision's CC&Rs, and that most of the homes in the subdivision were a mile away from the real estate office. Mr. Rozycki said the Commission had unanimously recommended denial of the permit and that this was not the first time the Board had considered a use permit for a temporary sales office and that the County has developed specific standards for temporary real estate offices. He said that temporary real estate offices are limited to three years and that in this case, the real estate office had already been in place for five years.

6. Final subdivision plat, Quail Village Unit I Final Plat, 201-16-014S, Congress area, Robert Bones agent for Bones Realty, Inc., #6969. Consideration of a Final Subdivision Plat in order to allow the platting and future conveyance of twenty-five (25) thirty-five thousand (35,000) square foot single family residential lots on twenty-eight (28) acres, in the RMM-35 (Single Family Residential limited to multi-sectional manufactured and site built homes and thirty-five thousand (35,000) square foot minimum lot size) zoning district. Located on the south side of State Route 71, approximately one (1) mile west of the SR 89/71 intersection, in the community of Congress. On October 5, 1998, the Board of Supervisors approved the Zoning Map Change/Preliminary Subdivision Plat, as recommended by the Planning and Zoning Commission. Approved by unanimous vote. Motion by Supervisor Brownlow, seconded by Supervisor Olsen. No comments from the public.

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. **Notice to the public: All of the items listed below were either deferred by**

***the Planning & Zoning Commission, or withdrawn by the applicant. As a result, the Board of Supervisors will take no action with regard to any of these items.***

1. Preliminary subdivision plat, Ravencrest of Paulden Subdivision, 304-01-003A, Paulden area north of Chino Valley, Lyons Engineering agent for Lloyd Benson, #6949. *The Planning & Zoning Commission postponed the hearing on this matter until December 15, 1999, in order to resolve technical issues. No action will be taken by the Board.*
2. Special use permit to allow the installation of a 2-foot by 4-foot double faced off-premise directional sign in an R1L-70 zoning district, 402-14-223D, intersection of State Route 69 and Fain Road, Dewey area, Redwood Memorial Gardens agent for Fain Family Limited Partnership, #6959. *At the request of the applicant, this application was withdrawn. No action was taken by the Planning & Zoning Commission and no action will be taken by the Board.*
3. Final site plan for construction and operation of a Taco Bell restaurant in a C2-7.5 zoning district, 500-04-371, Cordes Lakes area, Greg Hitchens agent for Hot Tacos, Inc., #6928. *The Planning & Zoning Commission deferred this matter until December 15, 1999, to allow the applicant to be present. No action will be taken by the Board.*
4. Special use permit to allow the installation and operation of a wireless communication facility with a 190-foot non-lighted lattice tower in an RCU-2A zoning district, 501-31-002J, north of Cordes Lakes, American Tower agent for Orme Ranch, Inc., #6962. *The Planning & Zoning Commission deferred this matter for 60 days to allow time for further site research and co-location possibilities and tower designs, as well as to gather additional pertinent information. No action will be taken by the Board.*
5. Special use permit to allow the installation and operation of a wireless communication facility to a 250-foot lattice tower, lighted with a daylight strobe light and nighttime red beacons in an RCU-2A zoning district, 502-14-006, near the Sunset Point rest area on I-17 between Cordes Lakes and Black Canyon City, American Tower agent for Billings Land Company, #6961. *The Planning & Zoning Commission deferred this matter for 60 days. No action will be taken by the Board.*

Planning & Building Department business:

1. Consider changing the roadway officially named Honey Do Lane to Prairie Lane, Coyote Springs area, as petitioned and requested by a majority of the adjacent property owners to the roadway. Area resident Karen Benson said that all of the property owners on the road were in favor of the change. Resolution No. 1212 was approved by unanimous vote. Motion by Supervisor Brownlow, seconded by Supervisor Olsen.
2. Discuss revising fees for Planning & Building and other permit departments by establishing an "Electronic Document Fee" for the automated permit system. There was very brief discussion regarding this item, during which Mr. Rozycki said if the Board was satisfied with the back-up information he had provided, he would place this item on the agenda for January 3, 2000. There was general agreement that Mr. Rozycki should proceed as stated.

LUNCH RECESS

ITEM NO. 11. Hearing: Consider establishment of Coyote Springs Road Improvement District II. Mr. Schurr explained that the Board had received petitions containing the signatures of 51.5% of the properties owners in the proposed district requesting establishment of a road improvement district in order to upgrade Coyote Springs Road to paved standards. He noted that the Board had been provided a great deal of background information and said that there was only a portion of the road that has actually been dedicated to the public and that Coyote Springs was not a subdivision. Mr. Schurr said that because there is no right-of-way along the road, County staff could negotiate with property owners to acquire right-of-way but if people do not wish to give up their property the district would be forced to resort to condemnation and that the Board would have to consider County funding for such action since the district, upon formation, would have no resources. He said that if the proposed improvements did go forward, the district would have to sell bonds and that there must be sufficient value to support a bond issue. Mr. Schurr noted that Public Works Director Richard Straub's estimate of the cost for improving the road was around \$2.5 million, saying that based on that figure and assuming a per parcel assessment there were a number of properties in the

proposed district that would not meet bond requirements. He added that staff had not determined the most appropriate method of applying assessments, but that the area was zoned RCU-2A allowing for parcels to be split down to two acres in size. Supervisor Brownlow asked what the assessment on a per-acre basis would be and how much a 400-acre parcel would have to pay. Mr. Schurr responded that based on Mr. Straub's estimate, a per-acre assessment would be \$507 and that on that basis, the 419-acre parcel in the district would be subject to an assessment of more than \$200,000. Supervisor Brownlow asked if the area could be rezoned. Mr. Schurr said it could be, but that it would be necessary to obtain the consent of all of the property owners involved. He reiterated that the cost estimate provided by Mr. Straub was only tentative, saying that if the district was established the Board would need to hire an engineer to determine the cost of improvements. He said again that there was no way to pay for condemnation of right-of-way, and that the district could not go to bond until he had a judgment on condemnation so everyone would know what the total costs would be. Mr. Schurr said that in order to proceed with condemnation, the County would have to make a contribution and that it might be able to recover its costs when the project goes to bond. He estimated the cost to condemn five parcels, not including the cost of purchasing the right-of-way, at \$30,000. Coyote Springs Road Association president Bob Launders said he did not believe the County knew how many people lived in Coyote Springs. He said that many people had deeded over easements for the road, that people in the area had paid to have the road graded, that the Environmental Protection Agency had informed the Road Association that it could no longer grade the road because of dust, and that Humboldt Unified School District was no longer running its buses down the road. He said he believed that most of the people present on this day would like to find out what it would cost to have the road improved. Coyote Springs resident Art Gustafson asked whether utilities would have to be moved. Mr. Straub said he believed that because of the utility poles along the road, the best approach would be to move from the side of the poles. He said that to build a minimal double chipseal County road with a 40-foot right-of-way plus easements would cost about \$2.5 million, and that this would produce a suitable road with an adequate sub-base. He said that there would probably need to be a number of low water crossings, and that he would recommend moving utilities on only one side of the road. In response to a question from Supervisor Olsen, Ms. Staddon said that staff's estimate of a per-parcel assessment was approximately \$6,800. Supervisor Olsen said his experience with improvement districts was that if only 51% of the people sign petitions to establish, the result is a great deal of animosity in the community. He said he likes to see at least 60% of the property owners sign petitions. He said he had driven Coyote Springs Road, that it was a typical rough country road, and that there was a great deal to consider in this matter. Coyote Springs resident Howard Boucher said that people had been told they needed only 51% to establish the district and now the County was saying that 60% was necessary, and that this was frustrating to people. He said he saw no reason to move the utility poles. Coyote Springs resident Bob Janus said that four years ago people were told that only 40 feet of right-of-way was necessary and that the telephone poles would not need to be moved. He said he had it in writing from the County that the telephone poles would not have to be moved. Coyote Springs resident Fay Lawrence said she had worked on this road issue for more than seven years and that every time people in Coyote Springs have come to the County the County has changed the rules. She said that more than 51% of the people want the road improved but that people would not send petitions back because the petitions had to be notarized. She said she would be willing to bet that there were not more than 20 families in the area who did not want the road improved. Supervisor Olsen said there was uncertainty about whether the area could bond because of valuation. Ms. Lawrence said that people in the area understand the pitfalls of establishing a district, and that they were willing to pay for an engineering study. She said that if the County could build a road from Williamson Valley Road to Willow Creek Road for \$3.5 million, it could fix Coyote Springs Road. Mr. Straub said that Pioneer Parkway was a \$9 million project. Chairman Davis reminded those present that this was a hearing, and not Coyote Springs against the County. He said he would like nothing better than to see Coyote Springs Road paved, but that he would like to know why the first effort had failed. He said the Board's purpose on this day was to determine whether people in Coyote Springs willing to accept everything it will take to put this project together. He asked if everyone agreed in concept that this was the right direction in which to go, saying that if there was not agreement it would not be a wise expense of money. Coyote Springs resident Gilbert Bemus said he was told when the petition was circulated that the assessment would be done by property owner and that everyone would pay the same amount. Chairman Davis said a possible assessment had been estimated by parcel and by acreage. Mr. Schurr agreed, saying staff had provided that information for demonstration purposes. He said it was not up to the Board to decide on this day how assessments would be applied. He said the Board might want to hire a financial consultant to determine up front whether or not bonds could be sold, saying that what had happened in Diamond Valley Road Improvement District No. 2 was that engineering had been performed and then, after that expense had been incurred, it was determined that the district could not bond. Supervisor Brownlow noted that the previous effort to improve Coyote Springs Road had failed because the district could not bond, and he added that the County also had

a different Public Works Director at the time who had recommended against the project. He said that the Coyote Springs area was all lot splits. There was brief discussion regarding benefits, during which Supervisor Brownlow noted that in the Highland Pines Domestic Water Improvement District property owners could be assessed later if they split their parcels. Mr. Schurr responded that in a county road improvement district, the Board must determine up front how much everyone will pay, and that there is no mechanism to go back later and assess people additional amounts if they split their property. In response to a question from Supervisor Olsen, Mr. Straub said he believed the cost for engineering services would run approximately \$150,000. Coyote Springs resident Joe Rogers said he had been involved in establishment of the first Coyote Springs Road Improvement District, and that the people involved in it did not have much experience in putting together a request for a district. He said he believed what people needed most at this time was the County's help to get something done with the road that would be in the best interests of the people in Coyote Springs and in the County's best interest as well. Mr. Holst told those present that the road improvement district standards that were discussed in conjunction with the first Coyote Springs Road Improvement District were in line with the County's policies at that time. He said that roads in the Prescott Country Club were built to County standards through a road improvement district, and that what was being discussed on this day was a deviation from the County's policy. He said what he was hearing was that if the district was successful in improving the road and the road was turned over to the County and then there are problems with people running into telephone poles and the like, it would be the County's responsibility. He said he believed there was a concern that this is a request to build a road that would be less than standard. He added that if the district was established, staff would do its best to make it work. Coyote Springs resident Lucille Corsair said that no one at the County had the answers and that the County was telling residents to take a hike. Supervisor Olsen said he would take issue with that comment. He said the County was trying to make things work, but that it wants to make certain that people understand all the ramifications. He said the Board did not want anyone telling it later that they did not know what the pitfalls of forming a district and doing improvements are, and that if the Board established the district on this day, the first step would be to get an opinion on bonding ability. Coyote Springs resident Alfie Ware suggested getting all of the property owners to dedicate right-of-way to the County and asking the County to take over the road. Coyote Springs resident Sandra Sasser said there had been mention of the bonds being for 10 years. She suggested making the term of the bonds longer, saying that over time values will go up in the area. Mr. Straub responded that if the bonds were for more than 10 years the road would have to be upgraded to an asphaltic concrete surface, at a cost of approximately \$250,000 more. Ms. Lawrence said there were approximately 85 people living along Coyote Springs Road and that all but about 15 of them had signed easements. In response to a question from Supervisor Olsen, Mr. Schurr said that with Mr. Straub's cost estimate it would be possible to have a financial consultant look at whether the district could bond. Saying he believed the district should be established with the idea that staff would pursue the necessary studies to determine whether or not improvements could move forward, Supervisor Olsen moved to establish Coyote Springs Road Improvement District II. Supervisor Brownlow seconded the motion. Coyote Springs resident Jack Richardson said he had not signed petitions to establish, nor had he protested establishment. He said his concern was that if the people in Coyote Springs paid to have the road improved and then turn it over to the County, the County might look at it as a way to make it an arterial road. He said he would like to see the road improved, but that he was very concerned about paying for it and then turning it into a County road. He said he would also be opposed to seeing the road used for access to any subdivision that might go in to the north of Coyote Springs. Supervisor Olsen said it was not the Board's intent to turn the road into an arterial or to use it for access to new development, but that the current Board could not say what might happen in future years with a different Board. Mr. Straub reiterated that if the term of the bonds was for 20 years, the road would have to be built with asphaltic concrete because it would not be possible to sell bonds for 20 years on a road that would only good for 10 years. Mr. Richardson said he believed that staff's per parcel assessment was pretty close based on what had happened in the past, but that people had agreed before that assessments should be applied on a 10-acre basis. Supervisor Olsen encouraged those present to obtain more easements and to get more people on board with the project, saying more people would need to be in favor of it to make it work and that he could tell people right now that it was going to be hard to make the district work. Coyote Springs residents Ken Page, Michele Unroh, Pat Janus, and Pam Carver expressed concerns about dust on the road, the school district canceling bus runs, the need to move telephone poles, and where the realigned Fain Road would enter Highway 89A. Supervisor Olsen said in view of the fact that the County had not been consistent in the past regarding this issue, it would try to make the district work. Chairman Davis told those present that there is an established road standard for the County, and that the Board was willing to compromise on that standard in order to make this improvement district work, but that he wanted those present to understand that when the Board compromises it means that all of the taxpayers in the County are taking on a liability. Chairman Davis then called for the vote, which carried unanimously.

CONSENT AGENDA FOR BOARD OF SUPERVISORS: Unless otherwise noted, all items were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.

1. Requests from Board of Supervisors:

- a. Consider approval of bingo license for the Black Canyon Bicentennial Lions Club, Black Canyon City area.
- b. Ratify approval of settlement agreement, KZPZ vs. Yavapai County.
- c. Consider approval of Letter of Agreement with Improvement District Services, Inc., for purchase of a copy of the County's special district assessment program software.
- d. Approve payment of \$13,000 to the U.S. Postmaster for mailing of the Jail District publicity pamphlets to be paid from Contingency.
- e. Approve amended Order of Establishment for Calvary Chapel Domestic Wastewater Improvement District in order to correct the legal description.
- f. Approve intergovernmental agreements with the City of Prescott for Court Facilities, Animal Control, Emergency Management and Health Services for the 1999-2000 fiscal year.
- g. Approve Board meeting schedule for 2000.
- h. Approve intergovernmental agreement with the Arizona Department of Revenue for data processing services for the period January 1, 2000 through December 31, 2000.
- i. Approve personnel policy language adjustment.

2. Request from Planning & Building to appoint Janie Holmberg to the Yavapai County Trails Committee as a representative of District 2.

3. Requests from MIS Department:

- a. Authorization to purchase four additional licenses of IBM's JAVA software development product, at a cost of \$7,316 to be paid from existing budgeted funds.
- b. Authorization to transfer \$10,000 from Regular Salaries to Computer Maintenance to cover the cost of network management software maintenance.

4. Request from Sheriff for permission to transfer \$2,500 from Data Processing Equipment capital to Minor Equipment for purchasing printers for Sheriff's secretary, Operations secretary and other clerical positions.

5. Requests from Health Department:

- a. Approve 5% salary increase for Chris Sexton, Environmental Health Manager, who has agreed to become non-classified. Additional salary to be paid from budgeted funds.
- b. Approve refund of \$196 to Team D, Incorporated, for overpayment of permit fee.
- c. Approve subcontract with Verde Valley Medical Center to provide adult smoking cessation services in Camp Verde. Reimbursement of up to \$5,500 will be paid from the Tobacco Education Contract. Chairman Davis said there was no back-up with this item and that he would like to have back-up materials. Approved by unanimous vote. Motion by Chairman Davis, second by Supervisor Brownlow.
- d. Approve Per Capita Grant application for fiscal year 1999-2000.
- e. Approve agreement with West Yavapai Guidance Clinic, extending HIV counseling and testing services through June 30, 2000.
- f. Approve agreement with Arizona Department of Commerce, Office of Housing and Infrastructure Development to provide Housing Opportunity for Persons with AIDS (HOPWA) services through December 31, 2000.

6. Requests from Public Works Department:

- a. Approve purchase of new printer for the Verde Roads Division, at approximate cost of \$2,900 to be paid from existing available funds.
- b. Approve application for an extension of service for a water franchise, Antelope Lakes Water Company, Inc., and set hearing for January 3, 2000, at 10:00 a.m.
- c. Request for permission to purchase a portable storage shed at approximate cost of \$1,100 to be paid for from the Tire Fund, Recycling, Verde Valley and Solid Waste accounts.
- d. Award or reject bids received for Supply and Delivery of Liquid Asphalt Products in Yavapai County, Contract #998846, bids opened November 23, 1999. Bids received from Chevron Products Co., Phoenix; Koch Materials Co., Phoenix; Copperstate Emulsions, Inc., Chandler; Western Emulsions, Inc., Tucson; and Paramount Petroleum Corporation of Arizona, Inc., Phoenix. Recommend awarding to all bidders.
- e. Consider approval of Changer Order #3 with A. Miner Contracting for Verde Valley School Road Reconstruction, Phase III, Project #997575. Increase of \$14,125. Half-cent sales tax project.
- f. Consider approving development project at the intersection of Kachina Place and SR 69, Dewey area.
- g. Consider approving a design, right-of-way acquisition, and double chip seal project on South Aspaas Road, Verde Valley area.

# 7. 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; Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Street Lighting Improvement District.
2. Resolve into the Board of Directors of Prescott East Sanitary District and approve intergovernmental agreement with Humboldt Unified School District and the Town of Prescott Valley related to future Sanitary District improvements.
3. Resolve into the Board of Directors of the Yavapai County Jail District and approve Resolution No. 1999-1 Authorizing the Levy and Collection of a County Jail District Excise Tax for the Yavapai County Jail District.

## CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,170,865.40	Family Planning	2,158.82
Family Planning Fees	5,218.12	Home Health Ser	21,785.24
Health Promotion	3,253.76	Teen Pregnancy	57.38
Nutrition	3,756.40	T.B. Control	350.64
WIC Program	20,842.75	Cable TV	6,360.00
Jail Enhance	7,082.85	Diversion Intak	16,465.00
Juvenile IPS	25,372.23	Family Counseling	155.00
Juvenile Food Prog	865.49	Probation Serv	6,970.68
Adult IPS	54,788.19	Adult Probation Fees	26,876.45
Prob Enhance	50,679.93	Stor/Ret Conv	8,851.31
Indigent Def/Dg	3,528.23	Crim Just/Atty	8,695.29
Bad Check Prog	7,310.93	CDBG Grant	6,702.52
Juv Prob Sys	9,791.22	Commodity Fd	816.02
Azeip Case Mgmt	3,312.46	Five Day Hispanics	15.40
Sexual Trans Disease	233.33	Hi Risk Chld HI	3,821.75
Clerk's Storage	3,377.07	WIC/TOB Intervention	4,001.33
HIV Prevention	3,550.78	Atty Anti-Racket	4,196.25
PANT	4,995.12	Law Library	11,577.36
CASA	7,053.88	Case Process	1,633.83
Childrens Justice	293.42	Teen Prenatal	219.41

Azeip Coordinator	1,163.90	Vict Witns Prog	9,341.93
Court Enhancement	5,685.75	Concil Court	5,591.25
Yct Wellness Pr	14.00	Drug Enf Fndg	3,483.04
Vital Statistic	5,468.60	Lib Network Sys. Upg	159,609.48
COPS Universal	3,300.22	Victims Rights Impl	6,272.53
Recycl Educ Program	316.95	Yav Indian Agreement	6,844.50
Hassayampa/LTC	7,314.57	Dietetic Intern	1,112.52
Immuniz Service	1,095.46	Jaibg Juv Acct.	163.60
Idea-Preschool	1,885.56	Subs Abuse/DARE	597.88
Chem Abuse	192.60	Juv Det/PACE	10,172.46
Family Drug Clearing	937.75	Juvenile Drug Court	2,769.12
Collab Comp Rev	684.85	Special Program	15,570.97
Yav. Family Advocacy	2,298.34	Identify/Prosecution	1,960.24
Sm Schools Ecia	1,686.44	Sm Schools Beha	16,221.91
Public Works	954,728.27	Health Fund	111,118.41
Jail Commissary	12,405.57	Environ Svcs Di	23,633.15
W Yav Solid Waste	23,242.03	V V Solid Waste	17,568.72
Develop Clinic	3,661.11	Tire Recycle	13,675.61
Haz Mat Plng Gr	49.85	Safe School Pro	6,674.56
Adhs-Svs Coord	3,103.11	Family Law Commiss.	7,512.70
Comm Punish Pro	4,016.61	Pace Chapter 1	172.42
Regnl Road Project	198,395.72	Yav. Cemetery Assoc.	10.00
Health Start	3,410.55	Victim Comp	10,653.58
Intstcomp Prog	4,625.68	Ryan White II	2,181.49
Perinatal Block	5,560.25	Tobacco Educ	29,345.09
Equal Ad Det Ed	86.21	DTEF	24,709.31
Attendant Care	27,066.07	HIV/WYGC	860.80
Network Develop	12,007.87	HIV Targeted	195.73
Children's Justice	2,019.36	Child Sup & Vis	1,024.47
Domestic Relations Ed	504.21	Case Flow	1,623.90
COPS Hiring	4,309.17	Self Service	926.96
VOCA	5,717.34	NACOG Vlt	2,747.21



JTSF Treatment	5,179.98	Divrsn Consequ	326.61
Tobacco Donation Fund	34.04	Alt Dispute	1,176.47
Resource Offcr	3,452.98	Inmate Food	1,834.14
Court Imp Proj	1,381.41	Dom Vlnc Prevent	2,703.13
COPS 99	12,528.87	FDA Inspection	87.22
Capital Projects	25,666.95	CJEF/Spanish	6,159.00
Seligman Arpt Prep	205.53	Sedona Air-Land Acq	2,500.00
ALTCS	376,446.08		

In addition, payroll was issued on November 19 for the pay period ending November 12; warrant numbers 2379401 through 2379979, in the amount of \$378,883. Jury certificates were also issued, warrant numbers 6843085 through 6843196; 6843199 through 6843207; 6843208 through 6843234. Warrants issued for December 6 Board day, 4116403 through 4116847; 4116848 through 4117257; 4117258 through 4117642.

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

ATTEST:

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