

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA
Prescott, Arizona

December 20, 1999

The Board of Supervisors met in regular session on December 20, 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.

Supervisor Brownlow and Supervisor Olsen traveled together, along with staff, to the Yavapai County Administrative Services Verde Valley Complex in Cottonwood.

PLEDGE OF ALLEGIANCE: Stephen Byrnes, 3rd Grade Honor Student at Big Park Community School.

ITEM NO. 1. Board of Supervisors.

1. Approve minutes of meeting of December 6, 1999. Noting that Steve Chontos was present to discuss the minutes, Supervisor Brownlow reminded those present that he had excused himself from discussion of the Chino Golf Range use permit at the December 6 meeting because he owned property in the area and said that for the same reason he would declare a conflict on this day with regard to this portion of the minutes and would not participate in discussion or vote. Supervisor Olsen said there had been a great deal of discussion at the December 6 meeting regarding the Chino Golf Range and the issue of a frontage road and use permit. He said he had thought that the motion he made resolved the whole problem, but that there had been discussion about future jurisdictions requiring change. Supervisor Olsen said that in reviewing the discussion, his intent at the time was that Mr. Chontos would not be required to build a frontage road until such time as ADOT or the Town of Chino Valley require him to do so. Mr. Chontos said that Supervisor Olsen had said so clearly and that also was his (Mr. Chontos') intent. He said it was not so much a case of what the minutes say as it was what the minutes don't say. Mr. Chontos said that Supervisor Olsen had said that he didn't think that piecemeal frontage roads were good, that the concept wasn't working, but that it might be required by future jurisdictions. He said he believed it had been made clear. Chairman Davis said he thought it was clear and the Board could just reinforce Supervisor Olsen second of the motion. Mr. Chontos said the motion was not complete. Mr. Hunt asked if the issue of the frontage road was related to the use permit. Ms. Staddon said she believed it was. Chairman Davis said he believed the Board's intent was that Mr. Chontos would retain his access to the highway and that if anyone else requires something, the Board would not have any authority to change it. He said he believed the issue of right-of-way access had been made clear. Mr. Chontos asked if he could assume that Yavapai County would no longer pursue the private frontage road. Supervisor Olsen said he believed that the Board could say that only in Mr. Chontos' case. Mr. Chontos asked if that meant that the County would not pursue the frontage road with him with regard to his property. Supervisor Olsen said that was the intent, and that the motion would be to add that the frontage road can't be required across his property unless determined by another jurisdiction. Discussion turned to the Life Teen planning and zoning issue at

the December 6 meeting, and Supervisor Brownlow rejoined the discussion. Supervisor Olsen noted that a question had been raised by Yarnell resident Jim Nagel about the requirement that the applicant retain a hydrologist, and that Mr. Nagel had expressed his belief that the hydrologist should provide a water study of the entire area and not just the applicant's property. Supervisor Olsen said his intent was to have the study conducted on the applicant's property, and that if the water company felt it was necessary to have a water study of the surrounding area it should undertake that study. He said he had made the motion on this issue and that his intent was to have the hydrologist's study done on the lake and the applicant's property. Chairman Davis moved to approve the minutes as written, with the exception of the motion on the Chontos item. Supervisor Olsen seconded the motion, which carried by unanimous vote of those voting. Supervisor Brownlow did not vote because of his declared conflict of interest regarding the Chontos item. (CLERK'S NOTE: See Item 1.2 in the minutes of January 3, 2000, regarding this item.)

2. **Hearing: Adopt the 2000 property tax roll, pursuant to A.R.S. §42-15153 and §42-15154.** Mr. Holst said the tax roll provided by County Assessor Lorna Street contained a disclaimer, and that she wanted it to be clear that the values listed were not the final values. He said that the values would continue to change right up to the adoption of tax rates in August. Upon a motion by Supervisor Olsen, seconded by Supervisor Brownlow, the Board voted unanimously to adopt the roll as presented. No comments from the public.
3. **Consider appeal of Hearing Officer decision, William Chamberlain, 99-Z-037.** Supervisor Brownlow noted that as the result of a meeting with Mr. Chamberlain and Planning & Building Director Mike Rozycki, agreement had been reached regarding this matter. He moved to amend the decision of the Hearing Officer in accordance with Mr. Rozycki's memo of December 1, 1999. Supervisor Olsen seconded the motion, which carried by unanimous vote. No comments from the public.
4. **Consider appeal of Hearing Officer decision, Michael Brooking, 99-Z-041.** Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, and with no comments from the public, the Board voted unanimously to uphold the decision of the Hearing Officer.
5. **Consider approval of sale of County property offered at December 1, 1999, auction: Black Canyon City parcel, Jack Horton, bid amount \$6,300, appraised value \$7,000; Holiday Hills parcel, Charles Mathis, bid amount \$9,000, appraised value \$10,000; and Marina Street parcel, Wm. Feldmeier, Sr. and Wm. Feldmeier, Jr., bid amount \$3,417, appraised value \$3,796.** Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, and with no comments from the public, the Board voted unanimously to approve the bids as presented.
6. **Discussion and possible action regarding legislative issues for the 2000 legislative session, and appointment of a representative(s) to the County Supervisors Association legislative committee.** Mr. Hunt told the Board that he had attended the CSA meeting the previous week at which CSA had approved its top ten legislative issues. He noted that Yavapai County had not submitted any legislative items to CSA, and said that while there had been little discussion regarding the top ten issues, Rep. Gail Griffin had been present to discuss the Growing Smarter issue. He said there was a great deal of concern for the counties with regard to the Citizens Growth Initiative. During brief discussion regarding this matter, Supervisor Olsen expressed concern about the costs related to growth management and the fact that what was being discussed was a constitutional change that would be extremely difficult to undo. Chairman Davis said he did not believe the County should be concerned about legislation related to the Tobacco lawsuit since it was no longer a party to the suit. Mr. Holst said he would monitor the situation and bring information back to the Board regarding that issue. Supervisor Olsen said the issue might clarify itself at some point and that the Board might want to revisit its position. Discussion turned to an initiative that would do away with the value-based vehicle license tax in favor of a flat \$25 per year per vehicle, but which would raise gas taxes by three cents per gallon for use on limited access local highways, state routes and state highways. Mr. Holst said that the County's general fund receives more than \$4 million from the vehicle license tax and that passage of this initiative would dramatically reduce that amount and would equate to between 20 and 30 cents on the property tax. Chairman Davis said if that happened, the Board could look at transferring money from the half-cent sales tax program. Chairman Davis asked several questions regarding legislative proposals that had not been included on CSA's top ten list, and asked Mr. Holst to follow up with certain department heads regarding the proposals. Chairman Davis then said he would suggest that Supervisor Olsen be appointed as the County's representative to CSA's legislative committee. Supervisor Brownlow so moved. Chairman Davis seconded the motion, which carried by unanimous vote.
7. **Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts.** With the exception of Items 4.b. and 6.e., 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. Resolve into the Board of Directors of the Yavapai County Flood Control District. Flood Control District Director Ken Spedding. National Flood Insurance Program Community Rating System (NFIP/CRS) presentation. Reference: Special District minutes.

ITEM NO. 3. Resolve into Board of Supervisors. Environmental Services Director Alex Price and Assistant Environmental Services Director Bill Frank. Consider approval of proposal to require all non-sewage complainants to provide the Environmental Services Department with a name and contact phone number. Mr. Frank said he wanted to make the Board aware of his department's desire to have this policy, saying that many times staff is sent on wild goose chases because of anonymous complaints. Chairman Davis noted that 73% of the non-sewage complaints the department receives are anonymous, and said he did not believe the County should be the bully for anyone. Supervisor Brownlow said he agreed but was concerned about how this policy might affect other departments, such as Planning & Building. Planning & Building Director Mike Rozycki said his department had pursued zoning complaints without requiring the name of the complainant. He said it would be helpful if his department could take names, and that he believed if this policy was approved for Environmental Services then the same would probably be expected of Planning & Building. He said he had also been told that he could not keep the name of a complainant confidential. Mr. Hunt said he and Deputy County Attorney Gary Kidd had looked into the matter of redacting the names of complainants should someone ask to see the records regarding a complaint, and that they both believed this was appropriate. Chairman Davis asked how many times people lodged unfounded complaints in order to use the County to get back at neighbors. Mr. Rozycki said it happens with anonymous complaints, but also with complaints for which the complainant is willing to leave his or her name. Chairman Davis said he believed the issue was that Planning & Building, like Environmental Services, recovers fees for services and it can't recover fees on unfounded complaints. There was brief discussion about the possibility of not requiring names in some cases, during which Mr. Hunt suggested that since it appeared that the Planning & Building Department had been operating under different assumptions regarding the redaction of names that it might be appropriate to approach this situation uniformly and that the Board might wish to allow time for him to look into this before moving forward with the policy. Supervisor Olsen compared anonymous phone calls to anonymous letters, saying that most anonymous letters end up in the trash. Upon a motion by Supervisor Olsen, seconded by Supervisor Brownlow, and with no comments from the public, the Board voted unanimously to approve the Environmental Services policy as requested.

ITEM NO. 4. Public Works Director Richard Straub.

1. Requesting approval to implement drainage crew plan, including hiring three Equipment Operator I positions, to be funded out of existing budget capacity. Approved by unanimous vote, following brief discussion during which Mr. Straub assured the Board that the crew would be used wherever it is needed in the County. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.

ITEM NO. 5. Acting Human Resources Director Jim Holst. Consider approval of reclassification of Brooke Sines from Account Clerk III to Administrative Assistant I, Public Works Department; and Tim Fielding from Maintenance Worker Journey to Maintenance Supervisor/Lead, Facilities/Parks Department. Supervisor Olsen moved to approve the reclassifications. Supervisor Brownlow seconded the motion. There was brief discussion regarding the reclassification for Ms. Sines, during which it was pointed out that the memo from Human Resources did not support reclassification to Administrative Assistant I but instead indicated that reclassification to an Administrative Aide was appropriate. Chairman Davis noted that he had not received the employee lists and organizational charts he had requested in conjunction with these requests. Supervisor Olsen then withdrew his motion. Supervisor Brownlow agreed with the withdrawal. Chairman

Davis said he would support the reclassification of Mr. Fielding. Assistant Public Works Director Juanita Moffitt said she had gone through the Position Description Questionnaire with Human Resources and asked suggested that Ms. Sines be reclassified to Administrative Assistant, but that Human Resources had said she should be reclassified to Administrative Aide. She said she had prepared the employee list and organizational chart and had sent them to the Board office. Supervisor Brownlow moved to approve the reclassification for Mr. Fielding. Supervisor Olsen seconded the motion, which carried by unanimous vote. No comments from the public.

ITEM NO. 6. Planning & Building Director Mike Rozycki. Special recognition and presentation of plaque to Ken Langguth for 12 years of service on the Yavapai County Board of Adjustment and Appeals (January 1987 through November 1999). Mr. Rozycki pointed out that Mr. Langguth had been appointed by three different District 3 Supervisors, and said he had always admired Mr. Langguth's thoughtful approach to the issues coming before the Board of Adjustment and Appeals. Mr. Langguth said he had enjoyed his service to the County.

ITEM NO. 7. Planning & Building Director Mike Rozycki. Planning and zoning. Assistant Planning & Building Director Enalo Lockard presented the items. Planning & Zoning Commission member Helmut Woellmer was present to represent the Commission.

1. Special use permit to allow an off-premise six-foot, 24-square-foot sign in an R1L-10 zoning district, 405-33-426, Village of Oak Creek/Big Park area, Village Park Baptist Church agent for Village of Oak Creek Association, #6958. Consideration of a Special Use Permit to allow an off-premise six foot (6'), twenty-four (24) square foot sign in the R1L-10 (Residential, Single Family Limited, 10,000 square foot minimum lot size) zoning district on a 1.05 acre parcel known as Tract A of the Bell Rock Vista Subdivision located on the east side of Hwy 179 approximately four hundred feet (400') north of its intersection with Castle Rock Road in the Village of Oak Creek/ Big Park area. The Planning and Zoning Commission recommended denial of the Special Use Permit. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission which was to deny the use permit. Supervisor Olsen seconded the motion, which carried by unanimous vote. No comments from the public.
2. Zoning map change from R1L-35 to R1L-18, 405-33-548A, Village of Oak Creek/Big Park area, Jack Townley/MSP Companies, agent for Red Rock Sedona Estates, #6960. Consideration of a Zoning Map Change from R1L-35 (Residential Single Family limited, 35,000 square foot minimum lot size) to the R1L-18 (Residential Single Family Limited, 18,000 square foot minimum lot size) zoning district on a 2.58 acre parcel on the western side of Jacks Canyon Road approximately one hundred ten feet (110') south of its intersection with Concho Drive in the Cathedral Vista Subdivision and just north of the Atria Health Care facility in the Village of Oak Creek/ Big Park area. The Planning and Zoning Commission recommended approval of the Zoning Map Change from R1L-35 to R1L-18, subject to the following stipulations: 1). Development to comply with the site plan entitled "Jacks Canyon Ridge" consisting of one sheet and received 10-13-99; 2). Only five (5) parcels be created as shown on the submitted site plan in conformance with the 18,000 square feet Density District requirements; 3). Only two (2) access driveways be allowed onto Jacks Canyon Road; 4). All Sedona Fire District requirements be complied with prior to issuance of building permits for primary structures; 5). Drainage report be submitted and approved by the Flood Control District prior to issuance of any building permits; 6). A one foot, non-vehicular access easement to be recorded along the frontage of all lots together with adequate physical improvements to provide controlled access to the driveways designated on the site plan prior to issuance of building permits; 7). Parcels shall not be further divided; 8). These properties be connected to The Big Park Sewer System (or other community system available at the time of construction) prior to certificate of occupancy and that a disclosure statement/deed restriction with legal description be recorded within sixty (60) days of Board of Supervisors action and prior to any lot (parcel) sales in order to inform future purchasers of this requirement; 9). Maximum building height to be limited to twenty feet (20'); 10). All homes to have a side-entry driveway, as depicted on the site plan. Mr. Lockard said that the applicant had concerns about the height restriction. Applicant's agent

Jack Townley compared height restrictions in the surrounding La Barranca and Vista subdivisions, saying that La Barranca could go to 30 feet, and that there was a lot with a two and one-half story house in that subdivision directly across from lots 4 and 5 in the applicant's subdivision. Mr. Rozycki explained that the height restriction in the underlying zoning in all residential zones is 30 feet, or limited to two stories. He said that the La Barranca subdivision has PAD zoning and is height restricted to 24 feet, but that it was also required to provide building envelopes consistent with what is required by the City of Sedona. He said the Commission had a concern that similar height restrictions be applied in the Red Rock Estates subdivision. He said that the Vista subdivision was an older subdivision and did not have height restrictions. He suggested that restricting height to 24 feet instead of 20 feet might be appropriate. Commissioner Woellmer said he was concerned about the ridgeline and the possibility of having a 30-foot high house on top of the ridge. Chairman Davis asked if 24 feet would be out of hand. Commissioner Woellmer said he believed that was still too high. Mr. Townley said that because of the terrain the bottom of a house might be quite a bit lower than the rest of the house, and that as a result a 20-foot height restriction would actually be more restrictive than 20 feet. Mr. Rozycki said he believed the County's concern was that the houses be single story as opposed to two story. Mr. Townley said he believed what was reasonable was 20 feet above the main floor. Mr. Rozycki suggested limiting the maximum height to 20 feet, with the applicant and the County to agree on how to measure the 20 feet. Mr. Townley said the subdivision falls 14 feet from Lot 1 to Lot 5, and that he believed the height restriction should apply only to Lot 4 because it is the highest lot in the subdivision. He said he believed that 24 feet above the highest point on the lot would be reasonable. Commissioner Woellmer said that none of the information being presented on this day was available at the Planning & Zoning Commission meeting, but that it sounded to him like this might be the way to go. Supervisor Brownlow moved to approve the recommendations of the Planning & Zoning Commission, but to amend stipulation #9 to read that maximum building height be limited to 20 feet from the highest point of each lot. Supervisor Olsen seconded the motion, which carried by unanimous vote.

3. Special use permit to allow for 20 outdoor art and craft shows a year to be held in a parking lot in a C1-2 zoning district, 405-27-818, Village of Oak Creek/Big Park area, Lynne Crowe agent for Bell Rock Plaza Association, #6967. Consideration of a Special Use Permit to allow for twenty (20) outdoor Art and Craft shows a year to be held in the Bell Rock Plaza Parking Lot in a C1-2 (Commercial: neighborhood sales and services, 2,000 square feet per dwelling unit, 7,500 square foot minimum lot size) zoning district. Located on the west side of SR 179 in the Bell Rock Plaza south of Bell Rock Blvd. in the Village of Oak Creek/Big Park area. The Planning and Zoning Commission recommended approval of the Special Use Permit, subject to the following stipulations: 1). The art and craft shows shall conform to the October 1999 site plan; 2). The art and craft shows shall conform to the operation guidelines represented in the applicant's letter of intent dated January 16, 1999 regarding Hearing Application #6839, except where the stipulations of the Board of Supervisors differ with the operation guidelines, the stipulations shall govern; 3). The Special Use Permit shall be granted for a period of two (2) years commencing January 1, 2000 and ending December 31, 2001, with staff review in one year; 4). No off-site signage shall be allowed. If signage is placed in the ADOT (Arizona Department of Transportation) right-of-way, staff may review the use and find the applicant in noncompliance with the stipulations of the Special Use Permit. Violations of the terms of the Special Use Permit shall void the Special Use Permit. Signage shall be limited to one twenty-four (24) square foot sign in the face area, adjacent to the existing free-standing sign, not exceeding ten feet (10') in height and it shall be located along Highway 179 with no portion of the sign being placed on the ADOT right-of-way. It shall be removed at the conclusion of each event; 5). Under any Use Permit, there shall be no more than fifteen (15) shows a calendar year, excluding cancellations. There shall be no more than two (2) shows in one month; 6). Hours of operation shall be between 9:30 A.M. and 5:00 P.M. on Saturdays and Sundays only; 7). Applicant shall submit an annual calendar of events to Staff within thirty (30) days of the Board of Supervisors' approval; 8). Alternative sanitary facilities shall conform to Yavapai County Environmental Services standards and shall be located at the rear of the tent area; 9). No more than four (4) of the participants' self-contained recreational vehicles shall park overnight in the Bell Rock Plaza parking lot. Parking shall be restricted to the area specified on the October 1999 site plan; 10). All activities shall occur on paved surfaces; 11). If additional property owners and/or tenants locate in the Bell Rock Plaza and this addition reduces available parking by more than fifty (50) spaces, the Yavapai County Planning and Zoning Commission shall reexamine the Special Use Permit; 12). Compliance with all Sedona Fire District requirements as specified in the review comments dated October 27, 1999. Mr. Lockard explained that while the Commission had recommended approval for 15 shows per year for a two-year period, the applicant was requesting 20 shows per year. Chairman Davis asked if the Big Park Regional Coordinating Council (BPRCC) had reviewed this request and

made a recommendation. Mr. Lockard said it had, and that it had recommended only 12 shows per year for a one-year period. Supervisor Brownlow asked if there had been opposition from area merchants. Mr. Lockard responded that there was no opposition from the Bell Rock Plaza merchants. Lynn Crowe, representing the Bell Rock Plaza Association, provided the Board with pictures of the Bell Rock Plaza parking lot on non-show days and on show days, saying that she agreed with all of the stipulations except the number of shows per year. She told the Board she believed that 18 shows per year was reasonable, and that there had been no problems whatsoever with shows over the last few years. In response to a question from Chairman Davis, Ms. Crowe said her organization was not invited to make a presentation at the BPRCC meeting. She went on to say that the Bell Rock Plaza Association was not part of the Village of Oak Creek Association or the BPRCC, and that neither of those organizations represented her organization or had any authority over it. She said that her organization uses the money from the shows to pay their taxes and to visually improve the Bell Rock Plaza property. Supervisor Olsen moved to approve the recommendations of the Planning & Zoning Commission, but to allow for 18 shows per year instead of 15. Supervisor Brownlow seconded the motion. Bell Rock Plaza merchant Jerry Crandall told the Board that the shows were very important to Bell Rock Plaza merchants, and that the community was responsive to special events like the shows. Joanne Johnson, representing VOCA and BPRCC, said she felt that 15 shows per year was a good compromise. She said she was concerned about precedents being set, and that people did not want the area to end up looking like a tent show on weekends. She said that businesses had come to her about this application, and that there were businesses in the area selling the same items being sold at the tent shows. She expressed concern about the use of "sandwich" signs for the shows in the past, saying that banners should be placed on the monument sign instead. Commissioner Woellmer said he was concerned about the artists who had moved into the old Weber's IGA building across the street, and felt that the tent shows might be stealing their thunder on weekends. In response to a question from Chairman Davis, Mr. Lockard said the Weber IGA property, now known as the Artists' Galleria, was zoned for its current use. Supervisor Brownlow asked if there was a limit on the number of vendors allowed to participate in the shows. Mr. Rozycki said there was not a limit on the number of vendors, but that the number of vendors was instead limited by the site plan. Ms. Crowe said there were approximately 35 vendors who could be accommodated in accordance with the site plan. Mr. Rozycki said he believed the Commission agreed that this is a good location for this type of activity because of access, improvements and the like, and that the issue was really the number of events. Ms. Crowe said that the shows had been in existence for two years before the artists moved in across the highway. Supervisor Olsen withdrew his motion. Supervisor Brownlow said at one time everyone had promoted craft shows in Prescott but that if such shows become too large they detract from the local merchants. He said that if the vendors are limited to no more than 35, there is still time for people to peruse the show and shop in local businesses. He said he did not see much difference between 15 shows per year and 18 shows per year, and that the profits from the shows were coming back to the community in the form of beautification. He said if the shows were helping people he had no problem with allowing 18 shows per year. Area resident Joan McClelland asked if the shows had been permitted by the County prior to March of last year. Donna Campbell told the Board she was the person who put the shows together, and that when she first began she had contacted the County and was told that the shows were permitted under a resolution. Chairman Davis said he would like to see the BPRCC give applicants for various projects the opportunity to present their case at a BPRCC meeting. He suggested allowing 12 weekend shows and six weekday shows. Ms. Campbell noted that most of the vendors at the shows are from the Verde Valley or from the Yavapai County or Coconino County area, and said that the vendors all pay sales tax. Chairman Davis moved to uphold the recommendation of the Planning & Zoning Commission, with the condition that 18 shows per year would be allowed if a letter to that effect is provided by the BPRCC. Mr. Crandall said he had a problem with that motion because the business community is not adequately represented on the BPRCC. Ms. Campbell said that not only was a representative from the Bell Rock Plaza Association not invited to the BPRCC meeting, but that another business owner was solicited by Ms. Johnson to attend the BPRCC meeting for the purpose of opposing the application. Chairman Davis said the BPRCC was made up of a very diverse group of people. He then amended his motion to uphold the recommendation of the Planning & Zoning Commission. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

4. Special use permit to allow for outside vehicle storage, dismantling, sale of auto parts and allow the use of sea transport or freight container as an office and storage facility in an RCU-2A zoning district, 304-23-181B(portion of), McGuireville area, Nanette Jewel agent for Nathan and Kerry White, #6968. Consideration of a Special Use Permit to allow for outside vehicle storage, dismantling, sale of auto parts and allow the use of sea transport or freight container as an office and storage facility in the RCU-2A (Residential; Rural; 2 acre minimum lot size)

zoning district on 2.86 acres for the project known as Valley Auto Sales. Located southwest of Cornville Road approximately three-fourths ($\frac{3}{4}$) of a mile west of its intersection with Interstate 17, in the McGuireville area. The Planning and Zoning Commission recommended approval of the Special Use Permit, subject to the following stipulations: 1). Development to be in conformance with the plan entitled "Proposed Auto Storage Site Map" consisting of one sheet dated 11-7-99 and letter of intent; 2). Use Permit to be permanent and non-transferable; 3). Any outdoor lighting to conform to Yavapai County Zoning Ordinance Requirements (Dark Sky Ordinance); 4). All structures to comply with Flood Control District requirements as to setback from watercourses and further that all vehicle storage remain twenty feet (20') back from the top of the bank of any washes on site; 5). Caretaker's residence to meet underlying zoning setbacks; 6). Screening along east boundary to be installed within one hundred eighty (180) days or Use Permit shall be null and void; 7). Parking for office to comply with Ordinance requirements and be demonstrated on a revised site plan prior to issuance of any building permits; 8). Permittee must obtain any building permits to implement the storage unit, fencing or shade structure within one year from the date of use permit approval and must diligently pursue completion. Failure of such shall void the permit unless a longer time has been granted or an extension of time has been applied for with the Director of the Planning and Building Department prior to the expiration of the one year period; 9). No customer activity permitted on site until Use Permit amendment reviewed and approved by Commission and Board in order to address access and other issues pertaining to public safety and welfare; 10). All wastes such as oil, antifreeze and other vehicle fluids to be managed in a manner approved by the Environmental Services Department and EPA guidelines and consistent with the letter of intent dated November 7, 1999; 11). Environmental Services approval of all sanitary facilities, such as vault and haul or septic system, prior to installation of caretaker's trailer or inception of use of the office.

Mr. Lockard told the Board that at this time the applicant was requesting permission to store and dismantle vehicles on site, but would not have any customers on the premises. In response to a question from Supervisor Brownlow, Mr. Rozycki said there are other salvage yards or junk yards in the area, which he described as being an industrial area. He said that while the zoning was not industrial, the Board had approved a number of industrial uses in the area. Mr. Lockard noted that there had been a number of improvements to Cornville Road which provided access to the area. Chairman Davis said that in the past the Board had required applicants to participate in making improvements and now someone would benefit while not being required to make improvements. Mr. Rozycki said the Commission felt this was an appropriate land use, and that he did not know to what extent the County had participated in the improvements on Cornville Road. Mr. Lockard said the applicant was proposing the use of a pre-manufactured structure to store parts and to use as an office. Robert Fancher, who said he was representing Nanette Jewel, told the Board that the biggest concern he had heard had to do with customer traffic and roads. He said at this time he just wanted to store and dismantle some vehicles and that there would be no customer traffic because he did not want to put in the improvements necessary to allow for that type of traffic. He said that in addition to storing and dismantling of vehicles, the property would also be used to store vehicles that people want to keep but cannot keep at home for one reason or another. Mr. Fancher noted that the subject property was 1,000 feet off Cornville Road and was not visible from the road. Sandy Hardy, who said she was representing the Hardy family and Carr's Auto Wrecking and Salvage, told the Board there had been some letters of complaint regarding this application. She questioned Mr. Fancher's ability to follow through on this business proposal, saying she did not believe there was enough land involved to do everything Mr. Fancher said he was going to do. She also told the Board that there were three existing wrecking yards within a 20 mile area. She said if Mr. Fancher was going to provide for public storage, then it was the same as opening it up to the public. Mr. Rozycki said Ms. Hardy had asked the same general questions at the Commission hearing. He said that with regard to the number of junk yards in the area, the County Attorney had advised that it was appropriate for the Commission to look only at the issue of land use, not competition. Mr. Fancher said that with regard to the storing of vehicles for the public, such vehicles would be picked up by a tow truck and delivered and there would be no customers on the premises. He said he did not intend to stack vehicles. He told the Board that the wrecking yard adjacent to his business, Valley Auto Sales, was charging \$20 per vehicle per month for storage, and that Ms. Jewel was going to charge only \$10 per vehicle per month. Area resident Susan Fish asked about the topography on the subject property. Mr. Rozycki responded that the applicant would have to comply with the Flood Control District and that he did not expect that much earthwork would be done, but that if the applicant did do extensive grading, he would have to obtain a development permit. Chairman Davis suggested approving the Commission's recommendation, but changing stipulation #2 to make the use permit temporary and non-transferable, and to limit the use of the property to storage. Mr. Fancher stated he would agree to a stipulation that there be no sale of auto

parts on the property. Chairman Davis then moved to approve the recommendations of the Planning & Zoning Commission, but to change stipulation #2 to make the use permit temporary, non-transferable, and for a two-year period, and to prohibit the sale of auto parts to the public. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

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

1. Conditional zoning map change from R1L-1- to RS-10, 405-33-288, Village of Oak Creek/Big Park area, Stephen Thompson agent for Casa Natural Builders, Inc., #6956. *The Planning & Zoning Commission deferred action on this item until its January 5, 2000, meeting in order to address a variety of concerns raised at the December 1, 1999, Commission hearing. No action will be taken by the Board.*

ITEM NO. 8. Fleet Management Director Dave Burnside. Reconsider the purchase of six 4x4 utility vehicles for the Sheriff's Office in lieu of six Chevrolet Impalas as originally approved on December 6, 1999. The purchase of the 4x4 utility vehicles was approved by unanimous vote of those present (Supervisor Olsen was temporarily out of the room). Motion by Chairman Davis, second by Supervisor Brownlow. No comments from the public.

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. Liquor license for which there are no protests, Series 10 Original, Wagner's Ranch Market, Black Canyon City area, Roger Wagner, approved by Sheriff.
 - b. Award contract for publication of newspaper advertising, legal notices and minutes for 2000 to Prescott Newspapers, Inc. (The Daily Courier). Bids opened December 7, 1999, with one bid received from Prescott Newspapers, Inc.
 - c. Approve appointment of the following persons to the Yavapai County Water Advisory Committee, as recommended by their respective jurisdictions: Larry Tarkowski, Town of Prescott Valley, to replace Ken Rittmer; Ruben Jauregui, City of Cottonwood, to replace Mike Baker.
 - d. Approve appointment of the following precinct committeemen, as recommended by the Yavapai County Democratic Committee: Betty Houser, Cougar Precinct; Marjorie Fulton, Taylor Hicks Precinct; Susan Friedman, Yavapai Hills Precinct; Jose C. and Joan C. Gose, Superstition Precinct; Wendy Eckberg, Fir Precinct; Carl B. Furlong, Prescott Country Club Precinct; Evelyn Edwards, Pine Lakes Precinct; Sharon Sweeney Fee, Prescott South Precinct; Shirley Gissendaner, Prescott Southwest Precinct.
 - e. Receive impact statement proposing creation of the Holiday Lakes Estates Fire Protection District and set hearing on impact statement for February 7, 2000, at 9:30 a.m.
 - f. Appoint Mike Emmett to the District 3 Board of Adjustment and Appeals, to replace Ken Langguth, with term to expire July 14, 2001.
 - g. Approve new operator for Center Adult Day Care-Cottonwood and approve the County to enter into a new agreement with the new operator, to be in effect until November 25, 2001.
2. Request from MIS Department for approval to award bids for Laptop Computers to Gateway Companies, Inc., Sioux City, South Dakota as providing the best price and performance of the bids received. Bids opened November 30, 1999. Bids also received from: GHA Tech., Agoura D.Sys., CompuTime, MicroChip, ACT, Mercy, E-Biz, Custom Fit, Continental, Transource, ARSys, Michigan, and JPK Micro.

3. Request from Finance for permission to accept final payment of \$3,440 from Big Park Domestic Wastewater Improvement District to resolve remaining open costs associated with the deletion of the sewer in connection with the Verde Valley School Road project.
4. Requests from the Sheriff:
 - a. Award bid for Sheriff's Copy Machine to CopySystems of Prescott, in the amount of \$16,580. Bids opened November 23, 1999. Bids also received from TNT Office Equipment (\$17,223) and IKON Office Solutions (\$19,386).
 - b. Permission to accept Governor's Office of Highway Safety grant #2000AL-003, in the amount of \$80,000 for the purchase of video cameras and stop sticks and salary for a Traffic Enforcement Sergeant. Supervisor Brownlow moved to approve this for a one-year period only, saying that if more than one year was involved it would have to come back before the Board. Supervisor Olsen seconded the motion, which carried by unanimous vote.
5. Request from the County Attorney and Medical Assistance Department for permission to hire unclassified Attorney for the Medical Assistance Department at \$65,000.
6. Request from Public Works:
 - a. Consider approval of a planning and construction project on High Mesa Drive, Rimrock area.
 - b. Consider approval of Change Order No. 4 to Various Overlays in the Prescott area, Walker Road, Project #997582 with Asphalt Paving and Supply Co., Inc. Decrease of \$3,465. HURF Project.
 - c. Consider approval of Change Order No. 5 to Various Overlays in the Prescott area, Road 5 North, Project #997116 with Asphalt Paving and Supply Co., Inc. Increase of \$43,459.50. Half-cent sales tax project.
 - d. Consider approval of Change Order No. 4 to Verde Valley School Road Reconstruction, Phase III, Project #997575 with A. Miner Contracting. Increase of \$4,450. Half-cent sales tax project.
 - e. Award or reject bids received for Construction of Final Cover for the Camp Verde Landfill, Project #998845, Recommend awarding to Eagle Mountain Construction, \$378,505. Bids opened November 2, 1999. Bids also received from: Tonto Supply, \$546,775; RE Monks, \$590,310; McDonald Brothers, \$605,868; Az Earthmovers, \$673,745; Tiffany Construction, \$681,279; Pine River Construction, \$684,294; Fann Contracting, \$697,570; and Asphalt Paving & Supply, \$849,870. In response to a question from Supervisor Brownlow, Mr. Holst said there were sufficient funds available in the Camp Verde Landfill account to cover this cost. Supervisor Brownlow said he would like to know how much would be left in the account, and he asked if this landfill was actually going to be closed. Public Works Director Richard Straub said it would be. He noted that the County would receive 80,000 cubic feet of free dirt from ADOT that could be used for cover, and said that the Prescott Valley landfill was 90% physically closed and was very close to receiving closure approval from ADOT. Supervisor Olsen asked why there was such a difference between the low bid and the other bids. Mr. Straub said he believed the low bid was just a very good bid. He reminded the Board that when the County had closed some small landfills about four years ago it had a similar bid situation and the low bidder had done a good job. Chairman Davis asked Mr. Straub if there was any chance that the low bidder knew about the free dirt from ADOT. Mr. Straub responded that there was no chance. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to approve the bid as recommended. No comments from the public.
7. Request from Finance for payment of \$1,757 from Contingency to the Elected Officials Retirement Plan for Seligman Justice of the Peace Kathy Blaylock.
8. Approve vouchers.

CONSENT AGENDA FOR DIRECTORS OF YAVAPAI COUNTY FLOOD CONTROL, FREE LIBRARY, AND JAIL 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: (vouchers were not submitted in time for inclusion on this agenda and will be included with voucher approvals on the January 3, 2000, agenda)
2. Resolve into the Board of Directors of the Coyote Springs Road Improvement District II:
 - a. Appoint Sunrise Engineering as District Engineer; Keith Hoskins of Gust Rosenfeld as the District's bond counsel; and Robert Casillas of Peacock, Hislop, Staley & Given as the District's financial consultant.
 - b. Pursuant to A.R.S. §42-17257, approve letter to the Arizona Department of Revenue requesting an extension of the deadline to notify DOR regarding new districts and requesting taxing authority for the 2000 tax year.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,400,136.83	Cable TV	354.75
Family Planning	1,257.35	Family Planning Fees	1,822.17
Home Health Ser	9,149.29	Health Promotion	2,348.96
Teen Pregnancy	30.60	Nutrition	2,214.10
T.B. Control	1,290.21	WIC Program	10,668.08
Jail Enhance	1,638.41	Diversion Intak	7,621.91
Juvenile IPS	13,175.72	Family Counseling	1,558.00
Juvenile Food Prog	934.47	Probation Serv	3,279.45
Adult IPS	27,693.13	Adult Probation Fees	15,252.22
Prob Enhance	27,999.45	Stor/Ret Conv	18,174.32
Indigent Def/Dg	1,838.24	Crim Just/Atty	4,544.47
Bad Check Prog	3,657.35	CDBG Grant	33,714.25
Juv Prob Sys	2,771.06	Commodity Fd	480.98
Azeip Case Mgmt	1,779.69	Anti-Drug Grant	0.00
Sexual Trans Disease	100.01	Hi Risk Chld HI	2,244.99
Clerk's Storage	1,817.64	WIC/TOB Intervention	2,867.38
HIV Prevention	2,063.34	Atty Anti-Racket	6,204.24
PANT	2,925.33	Law Library	327.19
CASA	3,293.89	Case Process	447.45
Childrens Justice	0.00	Teen Prenatal	156.78
Azeip Coordinator	553.95	Vict Witns Prog	5,688.89
Court Enhancement	959.77	Concil Court	5,151.30
Yct Wellness Pr	14.00	Drug Enf Fndg	1,962.25
Vital Statistic	2,401.05	COPS Universal	1,973.10
Heritage Rndup	0.00	Victims Rights Impl	3,462.59
ADR Mayer Justice Ct	12,004.74	Jaibg Juv Acctability	1,414.95
Yav Indian Agreement	3,538.26	Hassayampa/LTC	3,017.63
Dietetic Intern	676.17	Immuniz Service	867.71
Idea-Preschool	977.75	Subs Abuse/DARE	316.62

Chem Abuse	299.45	Juv Det/PACE	796.91
Family Drug Court	409.95	Juvenile Drug Ct	840.19
Collab Comp Rev	6,357.26	Special Program	6,577.67
Sm Schools Ecia	876.46	Sm Schools Beha	8,566.92
Public Works	385,599.83	Health Fund	45,211.04
Jail Commissary	3,130.05	Environ Svcs Di	14,998.58
W Yav Solid Waste	29,196.28	V V Solid Waste	15,811.00
Develop Clinic	1,097.28	Tire Recycle	5,916.91
Haz Mat Plng Gr	48.16	Safe School Pro	3,411.19
Adhs-Svs Coord	1,204.79	Family Law Commiss.	4,149.68
Comm Punish Pro	2,581.88	Pace Chapter 1	89.70
Regnl Road Project	733,157.05	Prevent Child Abuse	1,332.74
Health Start	2,029.05	Victim Comp	-168.83
Intstcomp Prog	2,383.38	Ryan White II	1,212.03
COPS More	212.85	Perinatal Block	2,745.89
Tobacco Educ	18,019.73	Equal Ad Det Ed	44.85
Grant in IAS #98	2,471.28	DTEF	7,981.18
Attendant Care	15,691.25	HIV/WYGC	106.61
Network Develop	6,194.26	HIV Targeted	106.61
Children's Justice	891.51	Child Sup & Vis	565.88
Domestic Relations Ed	264.90	Case Flow	854.64
Court Automation	0.00	COPS Hiring	2,542.39
Self Service	346.90	VOCA	3,527.97
Auto Theft Authority	1,913.92	NACOG Vlt	789.83
JTSF Treatment	3,213.71	Divrsn Consequ	113.72
Alt Dispute	618.09	Resource Offcr	1,554.69
Court Imp Proj	711.06	Dom VInc Prevent	1,371.45
COPS 99	7,101.55	FDA Inspection	20.64
Capital Projects	7,877.43	ALTCS	1,156,821.70

In addition, payroll was issued on December 17 for the pay period ending December 11; warrant numbers 2380717 through 2381280, in the amount of \$387,745.81. Jury certificates were also issued, warrant numbers 6843235 through 6843503; 6843505 through 6843518. Warrants issued for December 20 Board day, 4117643 through 4118032; 4118033 through 4118458.

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

ATTEST:

_____Clerk _____Chairman