

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

January 3, 2000

The Board of Supervisors met in regular session on January 3, 2000.

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

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

PLEDGE OF ALLEGIANCE: Tiana Peterson, 4th grader at Mountain View Elementary School.

ITEM NO. 1. Board of Supervisors.

1. Elect Chairman and Vice Chairman for 2000. Supervisor Brownlow moved to appoint Chairman Davis as Chairman for 2000. Supervisor Olsen seconded the motion, which carried by unanimous vote. Supervisor Olsen then moved to appoint Supervisor Brownlow as Vice Chairman for 2000. Chairman Davis seconded the motion, which carried by unanimous vote.
2. Consider approval of minutes of December 20, 1999, and reconsider approval of minutes of December 6, 1999. Mr. Hunt told the Board that in going back and reviewing the action the Board had taken on December 20, 1999, to amend the minutes of the December 6, 1999, meeting in order to clarify the motion with regard to a planning and zoning item regarding a special use permit renewal for continued operation of a golf driving range in the Chino Valley area, hearing application #5725, it appeared that neither the minutes of the December 6 meeting or the Clerk's detail notes of that meeting supported the action taken by the Board. He recommended that the Board reconsider its approval of the December 6 minutes as amended, and that it instead approve them as originally written. He said that the underlying issue in this case involved a frontage road and that if it wanted to revisit that issue, the Board could refer the matter to planning staff with regard to the subject parcel or with regard to all affected parcels in the area. Supervisor Brownlow said he understood that the Town of Chino Valley was moving towards annexing the area, and said he felt the Board should wait for the outcome of that effort before revisiting the frontage road issue. Planning & Building Director Mike Rozycki agreed. Supervisor Brownlow then moved to approve the minutes of the meetings of December 6 and December 20, 1999, each as written. Supervisor Olsen seconded the motion, which carried by unanimous vote.
3. Consider request from Highlands Center for Natural History for the County to act as fiscal agent with regard grants which may be received from the Arizona State Parks Department. Supervisor Brownlow moved to approve this request. Supervisor Olsen seconded the motion. Kathy Hayden of the Highlands Center briefly explained to the Board the Center's mission, after which Supervisor Brownlow noted that he had discussed this request with Finance Director Mike Danowski who had indicated that it would be no problem for the County to act as fiscal agent. Chairman Davis called for the vote, which carried unanimously.
4. Appeal of Hearing Officer Decision, Case #99-Z-008, Millennium 2000 Trust, Donald Crandall, Trustee. Chairman Davis reminded those present that this review was limited to the record of the proceedings before the Hearing Officer, saying that it was the Board's practice to review the record and either affirm, affirm in part, or reject the decision of the Hearing Officer. Saying that it appeared that the appellant had

been given ample opportunity to correct the violation, Supervisor Brownlow moved to uphold the Hearing Officer's decision. Supervisor Olsen seconded the motion, which carried by unanimous vote.

5. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. With the exception of items 2.b., 2.e., 7.b., and 8.a., all items appearing on these agendas 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. Hearing: Consider approval of Impact Statement for formation of the Peeples Valley Fire District and consider authorizing circulation of petitions. Ms. Staddon said that notices of the hearing on this day had been mailed to all property owners and qualified electors within the proposed district, and had been published and posted as well. She noted that the assessed valuation for the proposed district was higher than that listed in the impact statement and that the proponents of the district wanted to have the revenue that would result from the extra value included in the budget and maintain the same proposed tax rate of 92 cents. Area resident Richard Thurmer said he opposed the district and did not believe the current volunteer fire department was qualified to become a district. He said he believed this was just an effort to bail out the volunteer effort. District proponent Nancy Scott said that the current volunteer department provides service to a 9.5-square-mile area and that in order to continue providing service it would need to have funding. She said that the district would provide a mechanism for everyone to pay their fair share for the services being provided. Saying he believed at this point the Board should allow the democratic process to occur, Supervisor Olsen moved to approve the impact statement and authorize circulation of petitions. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

ITEM NO. 3. Merit Award Board Chairman Vincent Gallegos. Approve Jennifer Garbacz, Juvenile Probation Department, as Employee of the Month for November 1999. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.

ITEM NO. 4. Acting Human Resources Director Jim Holst. Consider reclassifying Public Works Account Clerk III Brooke Sines to Administrative Aide I (no action taken on this item at the December 20 meeting). Mr. Holst said the reason for the confusion on this item at the December 20 meeting had to do with the fact that while Public Works had requested reclassification to Administrative Assistant I, the Human Resources Department had said it would only support reclassification to Administrative Aide but had failed to make that distinction in its December 20 agenda request. In response to a question from Chairman Davis, Ms. Staddon said that as part of her office reorganization some months earlier, certain financial responsibilities pertaining to special districts had been shifted to Ms. Sines, and that these responsibilities amounted to a substantial amount of work. Upon a motion by Supervisor Olsen, seconded by Chairman Davis, the Board approved this request by unanimous vote of those present. (Supervisor Brownlow was temporarily out of the room). No comments from the public.

ITEM NO. 5. Public Works Director Richard Straub.

1. Hearing: Consider approval of agreement for extension of service for an existing water franchise, Antelope Lakes Water Company, Inc. Approved by unanimous vote of those present. Motion by Supervisor Olsen, second by Chairman Davis. (Supervisor Brownlow was temporarily out of the room). No comments from the public.
2. Consider approval of Rolling Hills intersection and Ponderosa Road intersection as Regional Road projects at an estimated cost of \$230,000. Half-cent sales tax projects. Supervisor Brownlow returned to the meeting and was present for the remainder of the day. Mr. Straub explained that the Arizona Department of Transportation

would contribute \$500,000 toward these projects, and that he felt sure he could find the County's share from other half-cent sales tax projects in Districts 1 and 2. Mr. Holst said he believed this was a good example of what the half-cent sales tax program was all about, but that he wanted to let the Board know that if the County is on schedule next year with all of its half-cent projects there would be cash flow issues. Upon a motion by Supervisor Opsen, seconded by Supervisor Brownlow, the Board voted unanimously to approve this request. No comments from the public.

3. Consider approval of Authorization of Services with The IT Group/EMCON for Post Design Services for Construction of Final Cover for Camp Verde Landfill in an amount not to exceed \$59,068. Approved by unanimous vote after Mr. Straub said this company had a very good reputation and was considered by the Arizona Department of Environmental Quality to be the best in this area of expertise. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public. Mr. Holst noted that ADEQ had indicated at one time that if the monitoring efforts for the first several years showed no problems, it might be possible to terminate monitoring instead of requiring the County to continue it for 30 years.

ITEM NO. 6. Planning & Building Director Mike Rozycki. Planning and zoning. Planning & Zoning Commission member Jim Buchanan was present to represent the Commission.

1. Extension of Time/Extinguishment for existing special use permit for outside storage for a flagstone/quarry yard in a C2 zoning district, 302-08-015, Ash Fork area, Robert Schwanbeck, #6197. Consideration of an Extension of Time/Extinguishment for an existing Special Use Permit consisting of outside storage for a flagstone/quarry yard in a C2 (Commercial; General Sales and Services) zoning district. Located on the southwest corner of the intersection of Park Avenue and First Street, in the community of Ash Fork. The Planning and Zoning Commission recommended denial of the Special Use Permit due to non-compliance with the previous stipulations of the Use Permit. Applicant Charles Hammond and Senior Planner Elise Link participated in discussion. Mr. Rozycki noted that there had been past violations and problems associated with this use permit and that the Commission had unanimously recommended denial of an extension of time. In response to a question from Supervisor Brownlow, Mr. Rozycki said that the Ash Fork Development Association had expressed opposition to this operation, but that he did not know that they objected to the location of the operation. Mr. Hammond said he was stuck with a five-year lease and that he had done everything properly with regard to the site. Mr. Rozycki noted that most of the flagstone operations in the Ash Fork area were on the west end of town, and said that in this case there was also concern because there was a mobile home on the property without proper permits. He said that the property had been in and out of compliance. Ms. Link said it was her impression that Mr. Hammond was looking for other property in an M1 zone north of the tracks in which to relocate his operation. Mr. Hammond said that was true, and that he believed he had found an appropriate piece of property but that it would take him several months to obtain the property and move. He said he thought that six months would provide him with the time he needed to move his operation. Mr. Rozycki suggested that the Board approve the recommendation of the Planning & Zoning Commission, with the understanding that staff will work with the applicant to allow him time to relocate to properly zoned property. He said he did not think that four to six months in which to accomplish that was an unreasonable request. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission, with the understanding that the applicant would be allowed a period of six months to relocate his operation. Supervisor Olsen seconded the motion, which carried by unanimous vote.
2. Extension of Time/Extinguishment, Headwaters Ranch, 306-40-001A and 006K, 306-41-001 through 093, Paulden area, Joe Ayres agent for Headwaters Association, Inc., #6973. Consideration of a fourth Extension of Time/possible Extinguishment pursuant of Section 109M.11.b and c of the Yavapai County Planning and Zoning Ordinance consisting of one thousand two hundred sixty-six (1,266) residential units, an eighteen (18) hole golf course with ancillary facilities on a total of six hundred ninety-nine (699) acres together with a Preliminary Site Plan/Preliminary Plat for Phase I that includes for seven hundred sixty-five (765) lots on a four hundred forty-four (444) acre parcel for the project known as Headwaters Ranch. Located one and one half (1½) miles east of Highway 89, northeast of Sullivan Lake, near the headwaters of the Verde River, in the Paulden area. The Planning and Zoning Commission recommended Extinguishment of the PAD (Planned Area Development) for Headwaters Ranch Master Planned Community with zoning reverting back to the underlying RCU-2A zoning district. Applicant's attorney Jim Musgrove asked the Board to continue this matter for 120 days. Area residents Steve Stopa, William Wagner and Billy Wells all asked the Board to continue the matter, saying they believed that a

subdivision in this area was preferable to lot splits. Chairman Davis asked Mr. Rozycki what the standard was with regard to granting extensions of time. Mr. Rozycki responded that in the past the Board had granted up to three extensions of time for PADs, but that he did not believe it had ever granted a fourth extension. Saying that extensions had already been granted and yet nothing was happening, Chairman Davis moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Brownlow said he would not second the motion. As Supervisor Olsen also did not second the motion, Chairman Davis' motion died for lack of a second. Supervisor Brownlow asked if anyone was present on this day to object to this application. There was no response. Supervisor Brownlow said he had followed this project for a long time, and that when it first came to the Board there had been no local opposition but only opposition from people in the Verde Valley, who he said were concerned about water. He said the developer had lost his partner due to death, and then several months ago the developer himself had been diagnosed with a brain tumor and had been hospitalized. Supervisor Brownlow said he did not think it was the Board's business to shoot someone down within 60 or 90 days of having something ready to go. He said he also believed there were several developers in the Verde Valley who received several extensions of time but who had never really put any money into their projects. He said that the developer of Headwaters Ranch had put money into the project, and asked what harm would be done by granting a 120-day extension. Mr. Musgrove said he was asking the Board to table this item so the applicant could bring the plat into compliance with current planning and zoning regulations. He told Chairman Davis that his motion was wrong for the citizens of Yavapai County because he did not know whether the use of water in the subject area would affect the Verde River, and that the experts said it would not. He said that the facts, and not politics, should dictate what happened on this day, and that he could see no harm to County citizens if the Board held this matter for 120 days. Chairman Davis said his motion was not based on politics. He said Mr. Musgrove was talking about a \$25,000 water study but that he was not taking into consideration the water studies costing millions of dollars that had been done by the U.S. Forest Service, U.S. Geological Survey, and other agencies. He said that in 1991, when the PAD was first approved, the County did not have the information regarding water that it now has. He said he could not approve this request with the knowledge that he had regarding water in the area. Mr. Stopa argued in favor of an extension of time, saying the developer had devoted his life to the project and had spent all his resources on it, and that the worst subdivision was still better than the best lot split. He said there was no rule saying that the Board could grant no more than three extensions. Mr. Wells said he had been concerned about water in the area since 1948 with regard to the Little Chino area. He said that at one time many years ago, Salt River Project had plans to build a pipeline from the Paulden area to Phoenix and that if that had become a reality people in the Verde Valley would really have something to think about. He said he appreciated Chairman Davis' position, but that people in the area wanted a fair shake. He said that the end of the Pledge of Allegiance says "and justice for all" and that people just wanted justice. Supervisor Brownlow moved to approve holding this matter in abeyance for 120 days with the following stipulations: (1) The project to be reviewed under all current applicable County and state standards; (2) the size of the lots to be worked out to provide open space; (3) proposed golf course would have to meet new Active Management Area requirements; and (4) revised preliminary site plan and preliminary plat to be submitted for Commission and Board review prior to submission of the final site plan. Supervisor Olsen said he was inclined to agree with Supervisor Brownlow's motion. He said he had been very involved in water issues for quite some time, and that the County had authorized a study committee to look at water issues throughout the County and that there should be some regard for that effort. But, he said, subdivisions would continue to come along and regardless of where they are located the Board would have to deal with them as they come up. He said there was evidence of financing for this project being in place, in addition to consideration of lower density and the use of effluent for golf course purposes. He said he did not know if there was a sewer system planned, but felt that there should be. Supervisor Olsen then seconded Supervisor Brownlow's motion. Mr. Rozycki said if he understood the motion correctly, he would be receiving a revised and updated preliminary site plan that meets today's standards and that it would be sent back to the Planning & Zoning Commission. He said that with regard to the golf course, staff would propose that the applicant comply with the County's draft golf course ordinance which would limit irrigated turf to 90 acres and which would limit the use of water for irrigation to 450 acre feet per year. Supervisor Brownlow said that someone wanted to see larger lots, and he asked how that would affect the applicant's ability to use effluent on the golf course. Mr. Rozycki responded that it takes approximately 1,000 residential units to support an 18-hole golf course. He said he was not sure that the current PAD and site plan would be approved by today's standards and that he felt it would make more sense to tie the golf course standards to the Board's and Commission's standards as set by the draft golf course ordinance and not just AMA standards. He said that if the Board's

intent was to continue this item, the County should receive a revised preliminary site plan that conforms to today's standards. Supervisor Brownlow said he would drop the four stipulations from his motion and just go with the 120-day extension. Chairman Davis said he would like to see a requirement that the applicant use effluent for the golf course. Mr. Rozycki said he understood that at the time this matter comes back to the Board it would also want evidence of financing, and that he was just asking that the Board require the applicant to submit a revised preliminary site plan. Supervisor Brownlow then moved to approve a 120-day extension with the understanding that a revised preliminary site plan would be submitted that meets today's standards and that at the time it is considered by the Planning & Zoning Commission and the Board there be evidence of financing being in place. Supervisor Olsen seconded the motion, which carried by a 2-to-1 vote, with Supervisors Olsen and Brownlow voting "Yes" and Chairman Davis voting "No."

3. **Special use permit for installation and operation of a wireless communication facility with antennae enclosed within a 75-foot flagpole in an RS zoning district, 402-08-049G, US West Wireless, agent for American Legion Post #78, #6977.**
Consideration of a Special Use Permit in order to allow the installation and operation of an wireless communication facility with antennae completely enclosed within a seventy-five foot (75') flagpole, in a ten by fifteen foot (10' x 15') leased area of a three (3) acre lot, in a RS (Residential Services) zoning district, located approximately three-fifths (3/5) of a mile south of Main Street in the community of Humboldt. The Planning and Zoning Commission recommended denial of the Special Use Permit due to concerns including problems with collocation, community opposition to tower proliferation, and fall zone hazards. Chairman Davis noted that the applicant had requested a continuance of this matter because of a possible solution suggested by staff. Mr. Rozycki said that if this matter was going to go back to the Planning & Zoning Commission because of new information, he would suggest that the applicant, the American Legion and the Dewey-Humboldt Community Association meet to work out any problems before scheduling this matter for a Planning & Zoning Commission hearing. He said he believed such a meeting should be held with the entire Dewey-Humboldt Community Association and not just with individual members of that group. Supervisor Olsen said he believed that seemed like a reasonable solution. Terry Nolan, who said he was chairman of the Dewey-Humboldt Community Association, said he was not aware that some sort of consensus had been reached between the applicant, the American Legion and his organization. He said that if the Board wanted to send this matter back to the Commission, he would ask that his organization be given 120 days before it goes back in order to get this matter on its agenda. He said his organization was willing to work with the applicant. Area resident Lydia Chapman said she was not aware of any meeting with the applicant or of any new information regarding the application. Area resident Lyle McNee said he resented that people in Dewey and Humboldt were not notified about any meeting, saying the people involved in the Dewey-Humboldt Community Association were a minority and that if they are going to have meetings they should notify everyone. Louis Wingfield said the American Legion was not trying to build a new tower, and that US West was only proposing building a taller, stronger flagpole that would support co-location. He said this would not cost people in the community anything, but that it would increase the American Legion's income by about \$300 per month and that the money would be used to help the needy in the community. There was brief discussion regarding the lease agreement for the existing tower, after which Supervisor Olsen said he would like to see the flag flown from the American Legion's location and that he believed the Board should give the community a chance to work things out. Supervisor Olsen then moved to approve sending this application back to the Planning & Zoning Commission. Supervisor Brownlow seconded the motion, which carried by unanimous vote. Larry Tharp, who said he was a resident of the area and a member of the American Legion, told the Board that the American Legion provides assistance to people in need throughout the Humboldt, Dewey, Mayer and Prescott Valley areas. He said the American Legion was not asking to put up a new flagpole, but instead to replace the existing one and that the replacement would be one that everyone could be proud of. Area resident Mary Banning said she believed the American Legion was a great organization, but that this issue was about setting a precedent. She said this was a serious subject and that the Board needed get its ordinances set and then stick by them.
4. **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 action on this matter to an unspecified date pending a revised traffic study to be reviewed and approved by the Public Works Director and Planning & Building Director. No action will be taken by the Board.***
5. **Preliminary plat/final site plan, Inscription Canyon Ranch PAD, Phase I Unit I, 306-35-005U, Williamson Valley area north of Prescott, Gordon Bowers, Dava & Associates, agent for Swayze McCraine, Williamson Valley Investors, #6974.**
Consideration of a Preliminary Subdivision Plat/Final Subdivision Plan in order to allow the future platting and eventual conveyance of thirty-nine (39) single-family residential lots ranging in size from one to two (1 to 2) acres for an overall density of 0.5 units per acre and including a 2.2 acre tract for

open space/trails on seventy (70) acres in a PAD (Planned Area Development) zoning district for the project known as Inscription Canyon Ranch Planned Area Development. Located on the west side of Williamson Valley Road, approximately twelve (12) miles north of the Iron Springs Road/Williamson Valley Road intersection. The Planning and Zoning Commission recommended approval of the Preliminary Plat/Final Site Plan, subject to the following stipulations: 1). Approval of the Preliminary Subdivision Plat for the ICR PAD Phase I Unit I in conformance with map dated 10-28-99. Applicant to submit Final Subdivision Plat within two (2) years of the Board of Supervisors approval of the Preliminary Plat; 2). Applicant to dedicate twenty-five feet (25') of additional right-of-way along the entire project boundaries on both sides of Williamson Valley Road prior to submittal of the Final Subdivision Plat for Unit I Phase I of the ICR Planned Area Development; 3). Applicant to submit executed agreement demonstrating that the Inscription Canyon cultural site has been dedicated to an appropriate conservation entity mutually agreed upon by the developer and the County prior to submittal of the Final Subdivision Plat for Unit I Phase I; 4). Applicant to demonstrate that the temporary trail easement through Long Meadow Ranch as depicted on map dated 12-6-99 has been recorded and agreement executed prior to submittal of the Final Plat for Phase I Unit I of the Inscription Canyon Ranch Planned Area Development; 5). Final Subdivision Plat for Unit I Phase I to include the entire Tract extending to the southern boundary of the equestrian lot section and connecting to the temporary trail easement. This tract or trail easement will need to be dedicated to the County by the developer prior to recordation of the Final Subdivision Plat for Unit I Phase I. Trail easement along this tract shall be constructed by the developer to Yavapai Trails Plan standards within one year of recordation of the Final Plat; 6). Applicant to demonstrate that a minimum of fifteen (15) acres for a Public Facilities Site has been deeded to the County prior to submittal of the Final Subdivision Plat for Unit I Phase I; 7). Applicants to dedicate a temporary trailhead site at its designated location in the Inscription Canyon Ranch subdivision prior to recordation of the Final Plat for Phase I. This trailhead shall remain in effect until such time as it is extinguished and replaced by a permanent public trailhead as part of a future phase. Applicant to clear and grade an area at temporary trailhead site and provide suitable access for parking cars and horse trailers as part of Phase I. Applicant to provide cost estimates for the construction of the permanent trailhead site as well as a maintenance arrangement for the public restroom as referred to in the Development Agreement as part of the last unit of the equestrian lots; 8). Applicants to provide a phasing schedule for the entire PAD development prior to recordation of the Final Plat for Unit I Phase I. Mr. Rozycki suggested that the Board approve the recommendation of the Planning & Zoning Commission, but modify the language in stipulations #2, #3 and #6 striking "prior to submittal of the final subdivision plat" and insert "together with the Board of Supervisors approval of the final plat." Supervisor Brownlow said he appreciated the donation of a public facilities site as set forth in stipulation #6, but asked if anything had been worked out regarding who would be responsible for taking care of the site. Applicant's attorney John DiTulio said that was included as part of the development agreement and that the applicant was in agreement with Mr. Rozycki's recommendation. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission, but to modify the language in stipulations #2, #3 and #6 striking "prior to submittal of the final subdivision plat" and insert "together with the Board of Supervisors approval of the final subdivision plat."

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. Special use permit for outside storage of flagstone in a C2-2 zoning district, Nichols Stone Yard, 302-10-018 and 019, Ash Fork area, James and Barbara Nichols, #6981. Consideration of a Special Use Permit to allow outside storage of flagstone on a one quarter (1/4) acre parcel, equating to eleven thousand (11,000) square feet, in a C2-2 (Commercial General Sales and Services, 2000 square foot minimum) zoning district. Located on the east side of Fourth Street, approximately one hundred feet (100') north of Lewis Avenue, in the community of Ash Fork. The Planning and Zoning Commission recommended approval of the Special Use Permit, subject to the following stipulations: 1). Use permit to be approved on a permanent/non-transferable basis, with a staff review in one year; 2). Development shall be in conformance with site

plan and Letter of Intent submitted 11-3-99; 3). Applicant to obtain County Environmental Services approval of the existing septic system within thirty (30) days of Board approval. If unable to obtain such approval, applicant shall install a septic system to current standards prior to using the RV (recreational vehicle) for residential/office purposes or remove the existing RV from the property; 4). Applicant shall install a six foot (6') view-obscuring fence around the property with a four foot (4') height at the corner of Fourth Street and Railroad Avenue intersection within ninety (90) days of Board of Supervisors approval; 5). One semi-tractor trailer truck for the purpose of loading/unloading stone shall be allowed on-site per week. Property shall be accessed via Fourth Street and not Railroad Avenue; 6). No more than fifteen (15) pallets of rock shall be stored on the property at any given time; 7). No sawing or cutting of stone shall be allowed on-site; 8). All vehicles, equipment and materials involved with the stone business shall be parked or stored on the subject property at all times and shall not be parked or stored on either Railroad Avenue or Fourth Street; 9). Hours of operation shall be from dawn to dusk; 10). No more than two (2) commercial vehicles shall be stored on the property. The extra forklift currently being stored on the property shall be removed within thirty (30) days of Board of Supervisors approval; 11). All lighting shall conform to County Lighting Ordinance (Dark Sky Ordinance); 12). There shall be no signage allowed on the property; 13). If the County Public Works Department determines that Fourth Street has been damaged by vehicles carrying stone to and from the subject property that exceed legal weight limits, the applicant will be required to repair the roadway; 14). Outside storage of stone shall not be stacked so as to extend above the six foot (6') fence; 15). No overnight parking of semi-tractor trailers shall be allowed on-site. Supervisor Brownlow said he saw no reason to put a fence around the stone yard, and that it would stick out like a sore thumb. He moved to approve the recommendations of the Planning & Zoning Commission, but to strike stipulation #4. Mr. Rozycki said there had been a great deal of discussion at the Commission meeting regarding fencing, but that there had been no intention to place an imposition on the applicant. He said part of the reason for the low fence was to help control traffic. Applicant James Nichols said there was already a low fence on the property. Supervisor Olsen seconded the motion, which carried by unanimous vote.

2. Final site plan, Yavapai County Fairgrounds, 401-01-009B, Prescott Valley area, Jim Grundy, General Manager agent for Yavapai County Fair Association, #6979. Consideration of a Final Site Plan in order to allow the construction and operation of a new County fairgrounds facility for the Yavapai County Fair Association on a two hundred (200) acre portion of a 2,608.27 acre parcel in an RCU-2A (Rural; residential; two (2) acre minimum) zoning district with an approved Special Use Permit. The property is located adjacent to and on the south side of Highway 89A approximately one mile east of the Coyote Springs Road/Highway 89A intersection, directly west of Coyote Wash in the Prescott Valley area. The Planning and Zoning Commission recommended approval of the Final Site Plan, subject to the following stipulations: 1). Final Site Plan for Phase One only, to be approved consistent with FSP map dated 12-7-99 and exhibits attached with the exception or addition of the following additional conditions; 2). No building permits or construction beyond Phase I. Any construction beyond Phase I will require submittal of a Final Site Plan for Phase II to be reviewed and approved by the Planning and Zoning Commission and Board of Supervisors; 3). Previous condition of approval of the Use Permit will still apply. ADWR must review and approve the service area map for water service provided by the Town of Prescott Valley within one year of Board of Supervisors approval; 4). Review and approval by Arizona Department of Environmental Quality of the General Permit application prior to issuance of building permits; 5). ADOT to review and approve final construction plans for highway geometrics at the intersection of 89A and the north access road prior to issuance of access permit including the redesign of the north access road to illustrate one left turn lane onto Highway 89A, rather than two (2), and only one right-out lane. Applicant to construct highway and intersection improvements to ADOT (Arizona Department of Transportation) and Public Works' standards prior to initiation of use; 6). ADOT to review and approve plan for safely and reasonably moving traffic to/from the site during large events including provisions for a traffic cop and luminaries at intersections prior to initiation of use; 7). Revised site plan to show the temporary, gated emergency access along the eastern boundary of the property to be reviewed and approved by staff prior to issuance of building permits. Additional gate interior to the facility will be provided and turn-around in order to prevent horse trailers or other event participants from using this driveway. This emergency access shall be improved to Central Yavapai Fire District and ADOT standards for an emergency access roadway prior to initiation of use. This temporary secondary ingress/egress will go away when the southern access road is constructed; 8). Applicant to commence construction of the future southern access within one year of completion of the Highway 89A Realignment Connector. Construction to include south road extending from the project site to intersect with Highway 89A Realignment Connector and including any necessary off-site improvements deemed necessary by ADOT and County Public Works Director. Cost estimates for

these improvements to be submitted by the applicant for review and approval by the County Public Works Director prior to initiation of use. Applicant to submit a revised traffic study in order to identify design geometrics, mitigation measures and phasing schedule for the construction of the road and additional off-site improvements that may be warranted; 9). Lighting plan to be in conformance with Exhibit #12 "Exterior Lighting" and not to exceed a maximum of eighteen feet (18') in height, with high-pressure sodium, fully shielded, minimum wattage lights; 10). Landscaping Plan to be in conformance with Exhibit #9 for the parking area.. Applicant to submit landscaping plan along the northern boundary of the property parallel to the highway as part of Phase I to be reviewed and approved by staff prior to issuance of building permits. Landscaping along the northern boundary of the property to be constructed within one year opening of the first phase; 11). Noise abatement plan prepared by a competent authority to be submitted by the applicant and reviewed and approved by staff prior to initiation of use. Noise abatement plan shall be managed in a manner not to unreasonably disturb the adjacent residential areas. Sound levels not to exceed seventy-two decibels (72dB) using day-night average method, with measurements taken at the nearest occupied residence. Planning and Zoning Commission review of number of events and noise abatement plan one year after initiation of use. If deemed necessary, applicant to install temporary noise barriers to alleviate excessive noise created by the special motorized events. Previous stipulation #3 relating to the maximum number of events still applies; 12). Applicant to obtain a sign variance through the County Board of Adjustments and Appeals prior to applying for a sign permit; 13). Review and approval by the Flood Control District of entire Final Drainage Report prior to issuance of building permits; 14). Perimeter fencing, at a minimum, to meet Arizona Game and Fish Department standard game fence specification with smooth wire on top and bottom and a minimum of eighteen inches (18") height of bottom wire off the ground; 15). Applicant to construct fire suppression requirements in conformance with two (2) CYFD letters dated 11-2-99 as attached in Exhibit #11 of the application submittal. Applicant to revise exhibit to illustrate location of fire hydrants, standpipes and access roadway in conformance with CYFD requirements prior to issuance of building permits; 16). Applicant to submit final cost estimate for off-site improvements including construction engineering and testing and extension of future access road to the south to be submitted with the revised traffic study. 17). Fly/dust/odor abatement plan to be executed in conformance with Exhibit #4 of the application submittal; 18). Applicant to submit information relating to building and roofing materials and proposed colors to be aesthetically-pleasing and non-reflective for review and approval by staff as part of the building permit process; 19). Additional stalls may be allowed as part of Phase I, subject to an adequate landscaping and fire protection plan to be reviewed and approved by staff. Supervisor Brownlow said that after reading all of the stipulations placed on this application by the Planning & Zoning Commission, he was concerned that the Fair Association's progress might be slowed down. He said he did not have as much faith in the Arizona Department of Environmental Quality, the Arizona Department of Water Resources and the Arizona Department of Transportation as some of the Commission members apparently had. He asked Fair Association General Manager Jim Grundy if he felt any of the stipulations had the potential of slowing progress on the new Fairgrounds. Mr. Grundy responded that stipulation #4 could be a problem because it would require approval from ADEQ prior to obtaining a building permit. He said he would prefer that the stipulation require only that the Fair Association give notice to ADEQ of its intent. Mr. Rozycki suggested that the stipulation require "review and approval of ADEQ of General Permitting application prior to initiation of use." He said he did not believe this would cause any delays in construction. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission with the change in stipulation #4 as recommended by Mr. Rozycki. He asked about the special events that would be allowed and whether auto racing was included. Mr. Grundy said it was. Mr. Rozycki clarified that auto racing was not prohibited. Mr. Grundy said that when the Fair Association had requested site plan approval it had asked for approval of two phases, but that staff had reviewed and forwarded to the Commission only the first phase. He said that if there was money available, the Association would like to add more stalls, but that the way things were now the Association would have to go back through the process in order to do so. Mr. Rozycki said the use permit was approved for the entire site subject to the final site plan, which he said was for the first phase. He suggested that additional stalls could be reviewed and approved by staff instead of having to go back through the Commission. Mr. Grundy said he believed he could work out the details with staff. Mr. Rozycki suggested striking "Planning & Zoning Commission and Board of Supervisors" from stipulation #2 and inserting "Planning & Building Director or staff." There was brief discussion regarding stipulation #19, during which it was suggested that the following language be included: "Additional stalls and exhibit buildings may be allowed." Planning & Zoning Commission member Jim Buchanan suggested including lighting and parking in stipulation #19 as well. Mr. Grundy asked whether dormitories could be included, but there was general agreement

that that would not be appropriate. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission with the changes to stipulations #2 and #4 as recommended by Mr. Rozycki, and with the change to stipulation #19 to add "additional stalls, exhibit buildings, lighting and parking may be allowed." Supervisor Olsen seconded the motion, which carried by unanimous vote.

3. Special use permit for co-location of antennae to be mounted on an existing 100-foot non-lighted tower in an R1L-35 zoning district, 501-12-011D, Black Canyon City area, US West Wireless agent for Roman Catholic Diocese of Phoenix, #6978. Consideration of a Special Use Permit in order to allow the collocation of antennae to be mounted to an existing one hundred foot (100') non-lighted tower, located on a nineteen (19) acre parcel in a R1L-35 (Residential: Single Family Limited, thirty-five thousand (35,000) square foot minimum) zoning district in the community of Black Canyon City. 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 permanent transferable basis, with staff notification prior to transfer; 2). Development shall be in substantial conformance with site plan dated October 1999, and submitted letter of intent; 3). Pursuant to Section 108J. of the Yavapai County Zoning Ordinance, permittees must obtain the required Zoning clearance for the antennae and ground equipment, within one (1) year from the permit date and 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 Board of Supervisors prior to the expiration of the one (1) year period; 4). The communication antennae and accessory uses shall be removed from the property, at the owner's expense, within one hundred eighty (180) days if it becomes unused or obsolete. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
4. Special use permit for construction and operation of a trailer park, RV spaces, storage and horse boarding in an RCU-2A zoning district, 202-17-010B, Hillside area, Lazy Low's Place, Jerry and Patsy Low, #6975. *This matter was withdrawn at the request of the application. No action was taken by the Planning & Zoning Commission and no action will be taken by the Board.*
5. Preliminary subdivision plat, Ravencrest of Paulden Subdivision, 304-01-003A, Paulden area, Lyons Engineering agent for Lloyd Benson, #6949. *At the request of the applicant, no action was taken by the Planning & Zoning Commission. No action will be taken by the Board.*

Planning & Building Department business:

1. Hearing: Consider approval of Electronic Document Fee; consider eliminating microfilming fees; and consider increasing the amount of deposit required for residential plan checks from \$150 to \$250. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public. Mr. Rozycki said he would like the effective date of the fees to be no sooner than 30 days and that he would like to tie the fees to the implementation of the automated system.
2. Consider changing the name of two roadways known as N-S Ranch Road, McNeill Ranch Road, and X-Bar Ranch Road to the more recently and more commonly known names of Hyde Park Road and Denny 5 Road, Seligman area. Resolution No. 1213 was approved by unanimous vote, in the absence of comments from the public. Motion by Supervisor Brownlow, second by Supervisor Olsen.

ITEM NO. 7. County Administrator Jim Holst. Report on current and proposed activities. Mr. Holst provided the Board with a brief update of his activities, which included the following: Highway 89A Partnership Project (Hwy 89 to Fain Road); Fain Road realignment; Mingus Road Extension and property exchange; County budget development; reclassification system for employees; new telephone and data lines; further developing the County network system; further defining the County's GIS system; developing a jail construction plan; developing the new County services building plan for Fair Street; completing the map scanning and map customer service system; and further development of the County's Internet website. There was general agreement that a half day study session would be held on January 26, 2000, for the purpose of beginning the process of obtaining detailed information from Mr. Holst regarding these many projects.

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 sale of County property offered at December 1, 1999, auction (correction of information submitted for approval at December 20 meeting which indicated the bid price by Charles Mathis for the Holiday Hills property was \$9,000 when in fact the amount bid was \$9,100).
- b. Consider approval of request from the Town of Chino Valley for membership in the Yavapai Combined Trust.
- c. Consider approval of a resolution declaring it in the best interest of the County to include full-time paid Yavapai County Attorney's Investigators who are certified peace officers under the Public Safety Personnel Retirement System Act, and authorize entering into a Joinder Agreement with the Arizona Public Safety Personnel Retirement System Fund Manager. Resolution No. 1214.

2. Requests from MIS Department:

- a. Permission to purchase an IBM Training card at a cost of \$4,950 and transfer \$5,000 from Regular Salaries to Training to pay for the same.
- b. Permission for Mark Ruddeforth, Daryle Parker and Henri Prud'Homme to attend VoiceCon telecommunications conference, February 7-10, 2000, Crystal City, Virginia, at a cost of \$7,500 to be paid from existing budgeted funds. Following a brief explanation from Mr. Holst regarding the need for three people to attend this conference in order to take advantage of all the courses being offered, the Board voted unanimously to approve the request. Motion by Supervisor Brownlow, second by Supervisor Olsen.
- c. Award bid for Case Management Software to Microfirm Software Corporation in the amount of \$36,500. This procurement was approved in an amount not to exceed \$38,000 at the November 15, 1999, Board meeting. Bids opened November 30, 1999 with one bid also received from Graphic Computer Solutions in the amount of \$99,686.25.
- d. Award bid for Large Format Scanning Station to OSAM of Arizona, Inc., in the amount of \$23,944.60. Bids opened November 9, 1999 with bids also received from LinCum, Inc, \$26,234.68 and Scott Blueprint, \$29,688.64.
- e. Permission to consolidate IBM hardware and software maintenance under a single master contract. Contract will apply to all IBM maintenance services for County MIS and the Sheriff's Department. There was general agreement to hold this item until MIS Director Mark Ruddeforth could be present to explain it. Later in the day, Mr. Ruddeforth told the Board that IBM had recently offered to consolidate the County's hardware and software contracts under one contract, and that this would provide the County with a price break. Upon a motion by Supervisor Olsen, seconded by Supervisor Brownlow, the Board voted unanimously to approve this request.

3. Requests from Planning & Building Department:

- a. Appoint Leo Scott to the Building Safety Advisory & Appeals Board as a representative of General Contractors, to replace Bob Bell with term to expire October 6, 2002.
- b. Appoint Terry Nolan to the District 1 Board of Adjustment and Appeals to replace Ron Vennell, with term to expire July 14, 2004.

4. Request from Public Defender for permission to purchase a standard personal computer in the amount of \$1,409.10 to be paid for with existing funds.

5. Requests from School Superintendent, Special Programs Division:

- a. Permission to travel to Navajoa, Sonora, Mexico January 14-17, 2000, to assist Humboldt Unified School District personnel with planning for future school exchange program, at approximately cost of \$45 to be paid from budgeted funds.
- b. Consider amending contract with Vocations Unlimited, Inc. for educational services at the Juvenile Detention Center from \$129,440 to \$136,089. Original contract approved June 21, 1999.
- c. Permission for Jill Shuck to attend the National Association of School Psychologists Annual Convention, March 28-April 1, 2000, New Orleans, Louisiana, at approximate cost of \$1,215 to be paid from budgeted funds.
- d. Permission to purchase additional economy vehicle, and transfer \$14,000 from Outside Services to Motor Vehicles.

6. Requests from Health Department:

- a. Consider approval of contract with Joan Crosby to provide adult smoking cessation classes in west Yavapai County, with all costs to be paid by the Tobacco Education Contract.
- b. Consider approval of Amendment #4 to extend contract with Arizona State University/Arizona Prevention Resource Center through June 30, 2000, to provide evaluation of the Tobacco Education Program.

- c. Consider approval of a partial refund of \$102 for a bed and breakfast permit issued to Jean B. Urban.
- d. Permission to recruit vacant Health Nurse II position as unclassified at a salary of \$35,000.
- e. Consider approval of salary adjustment to \$35,000 for two Health Nurse II's, who have agreed to become unclassified.
- 7. Requests from Public Works:
 - a. Consider accepting petition to establish High Mesa Drive in the Rimrock area and set hearing for January 18, 2000 at 10:00 a.m.
 - b. Award or reject bids received for Supply and Delivery of One (1) or More Loader(s) in Yavapai County, Arizona, Contract #998844. Bids opened October 26, 1999. Recommend rejecting all bids. Public Works Director Richard Straub and Deputy County Attorney Randy Schurr participated in discussion. Chairman Davis asked why there was a recommendation to reject all bids. Mr. Schurr said that based on some confidential communications there appeared to be some irregularities, and that the County Attorney's Office had some concerns about the bidding procedures for heavy equipment. He said the County should probably consider whether it wanted to continue purchasing heavy equipment, or just lease it. Chairman Davis said he believed the County should set the standard with regard to bidding and that the reason for going to bid was to save the taxpayers money. There was brief discussion regarding whether to have an executive session on this matter, after which Chairman Davis said he did not believe the bids should be rejected. Mr. Holst said he understood there were some concerns about some behaviors that may have gone on during the bidding process. Mr. Schurr said there were allegations that there were some communications between a vendor and a staff member and that because of those allegations the County Attorney's Office was recommending that the bids be rejected. There was general agreement to hold a decision on this matter until staff could talk to Board members individually regarding the situation. Later in the day, Mr. Holst said that the time for which bids were guaranteed had expired, but that staff could ask John Deere whether it would honor its original bid. Chairman Davis moved to award the bid to John Deere contingent upon its agreement to honor the original bid. Supervisor Brownlow seconded the motion, which carried by unanimous vote.
- 8. Requests from Sheriff:
 - a. Approval to purchase a Panasonic Digital Copy Machine, Model FP-D600s3, with Network Printer Interface, at a cost of \$17,823.50, to be paid for with Jail Enhancement funds. Supervisor Brownlow moved to approve, contingent upon review by MIS Director Mark Ruddeforth to determine whether the equipment would be compatible with the rest of the County system. Supervisor Olsen seconded the motion, which carried by unanimous vote.
 - b. Ratify interim agreement with Goodwin Street Pharmacy to provide pharmaceutical supplies to inmates pending final award. Bids to be opened on December 28, 1999, with recommendation for award expected to be on the January 18, 2000, agenda.
- 9. Approve vouchers.

CONSENT AGENDA FOR DIRECTORS OF YAVAPAI COUNTY FLOOD CONTROL, FREE LIBRARY AND JAIL DISTRICTS, AND COUNTY IMPROVEMENT DISTRICTS:

- 1. Resolve into the Boards of Directors of the Yavapai County Flood Control and Free Library Districts and other County improvement districts as follows, for the purpose of approving vouchers: Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Street Lighting Improvement District; Seligman Sanitary District.
- 2. Resolve into the Board of Directors of Prescott East Sanitary District:
 - a. Approve minutes of meetings of August 16, September 7 and December 6, 1999.
 - b. Pursuant to A.R.S. §48-2011.01, approve Order of Election for debt authorization for loan with the Water Infrastructure Financing Authority of Arizona (WIFA) to be held on May 16, 1999, and approve conducting the election by mail ballot pursuant to A.R.S. §16-558.
- 3. Resolve into the Board of Directors of the Yavapai County Flood Control District:
 - a. Approve minutes of meetings of December 6 and 20, 1999.
 - b. Consider awarding professional services contract to Civiltec Engineering, Inc. for the Hays Ranch Road/Peeples Valley Road, Model Creek Crossing Design Concept Report for a not-to-exceed amount of \$18,000, FCD990-004, Peeples Valley area.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,362,854.06	Family Planning	994.41
Family Planning Fees	626.08	Home Health Ser	11,081.63
Health Promotion	762.58	Teen Pregnancy	18.89
Nutrition	1,911.64	T.B. Control	340.30
WIC Program	9,727.87	Stop Violence - Women	0.00
Jail Enhance	2,012.26	Diversion Intak	6,712.72
Juvenile IPS	11,849.75	Family Counseling	308.00
Juvenile Food Prog	253.26	Probation Serv	3,157.07
Adult IPS	25,525.72	Adult Probation Fees	14,468.57
Prob Enhance	24,233.07	Stor/Ret Conv	0.00
Indigent Def/Dg	2,651.84	Crim Just/Atty	4,193.59
Bad Check Prog	4,233.68	CDBG Grant	0.00
Juv Prob Sys	2,430.38	Commodity Fd	504.99
Azeip Case Mgmt	1,508.57	Five Day Hispanics	1,230.00
Sexual Trans Disease	513.08	Hi Risk Chld HI	2,003.32
Clerk's Storage	1,561.56	WIC/TOB Intervention	1,752.86
HIV Prevention	2,488.87	Atty Anti-Racket	10,879.00
PANT	2,430.93	Law Library	332.95
CASA	4,028.18	Case Process	362.10
Childrens Justice	68.68	Teen Prenatal	170.45
Azeip Coordinator	541.15	Vict Witns Prog	4,247.72
Court Enhancement	416.44	Concil Court	3,572.79
Yct Wellness Pr	0.00	Drug Enf Fndg	1,640.11
Vital Statistic	1,072.00	COPS Universal	1,844.73
Tech Upgrade	211.01	Victims Rights Impl	2,905.22
Jaibg Juv Acctability	1,203.97	Yav Indian Agreement	3,561.61
Hassayampa/LTC	4,065.82	Dietetic Intern	899.64
Immuniz Service	811.18	Lower Ct Automation	0.00
Idea-Preschool	1,069.49	Subs Abuse/DARE	319.83

Family Drug Court	11.79	Juvenile Drug Court	906.10
Chem Abuse	119.58	Juv Det/PACE	104.57
Collab Comp Rev	331.27	Special Program	9,552.75
Sm Schools Ecia	1,082.64	Sm Schools Beha	12,760.47
Public Works	209,420.85	Health Fund	42,031.46
Jail Commissary	6,343.68	Environ Svcs Di	11,364.75
W Yav Solid Waste	17,385.22	V V Solid Waste	624.00
Develop Clinic	1,073.29	Tire Recycle	7,812.77
Haz Mat Plng Gr	0.00	Safe School Pro	3,277.27
Adhs-Svs Coord	1,193.29	Family Law Commiss.	3,481.85
Comm Punish Pro	900.64	Pace Chapter 1	83.66
Regnl Road Project	94,570.86	State Grant In-Aid	21.23
Health Start	1,342.35	Victim Comp	6,782.89
Intstcomp Prog	2,116.23	Ryan White II	1,048.73
COPS More	11,173.42	Perinatal Block	2,307.75
Tobacco Educ	21,357.85	Equal Ad Det Ed	41.84
DTEF	3,460.41	Rerintal Sub Abuse	21.81
Attendant Care	14,812.31	HIV/WYGC	420.86
Network Develop	6,125.45	HIV Targeted	90.14
Children's Justice	489.39	Child Sup & Vis	474.81
Domestic Relations Ed	239.63	Case Flow	770.29
Court Automation	0.00	COPS Hiring	2,673.83
Self Service	504.19	VOCA	2,619.44
Prenatal Outreach	0.00	NACOG Vlt	1,145.48
JTSF Treatment	3,306.44	Divrsn Consequ	627.92
Tobacco Donation Fund	258.73	Alt Dispute	559.13
Resource Offcr	1,646.89	Court Imp Proj	688.96
Auto Theft Author.	1,563.42	Dom VInc Prevent	1,217.62
COPS 99	7,293.26	FDA Inspection	283.31
Capital Projects	1,727.14	CJEF/Spanish	1,138.10
ALTCS	271,211.10		

In addition, payroll was issued on December 30 for the pay period ending December 25; warrant numbers 2381281 through 2381845, in the amount of \$377,814.55. Jury certificates were also issued, warrant numbers 6843520 through 6843559; 6843562 through 6843611. Warrants issued for January 3 Board day, 4118459 through 4118845; 4118846 through 4119150.

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

ATTEST:

_____Clerk _____Chairman