

OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona February 7, 2000

The Board of Supervisors met in regular session on February 7, 2000.

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

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

PLEDGE OF ALLEGIANCE: Thomas Holst, fourth-grader at Taylor Hicks School.

ITEM NO. 1. Board of Supervisors.

1. Approve minutes of meeting of January 18, 2000 and of special meeting of January 26, 2000. Approved as written, by unanimous vote of those present. Motion by Supervisor Olsen, second by Supervisor Brownlow.
2. Discussion and possible action regarding management of the Courthouse Plaza Park and amendment of the Courthouse Plaza Park Ordinance. Mr. Hunt said that some time ago the County had been approached by a local group that had proposed managing this park, and that it was up to the Board to decide whether or not it would be appropriate to consider allowing an entity other than the County to manage the park. He said that if someone else was going to be responsible for management, the per-booth fee would increase from \$10 per booth to \$20 per booth in order to pay for those services. Mr. Hunt said that if the Board felt it was appropriate to move forward with this plan, a Request for Proposals would be issued so that anyone who was interested in managing the park would have an opportunity to respond. He said that the hearing on the ordinance would be scheduled for the first Board meeting in March and that responses to the RFP could also be considered at that time. At this time, Chairman Davis arrived and was present for the remainder of the day. Supervisor Brownlow expressed concern that individual vendors not be charged the additional fee, saying that the sponsors of events should pay it. He said he would hate to discourage people from coming and showing their merchandise at shows because of higher per booth fees, but that he was in favor of allowing someone else to manage the Plaza. Supervisor Olsen commended Facilities/Parks Director Pat Kirshman and his staff for the way that the Plaza has looked for the past several years. He said he was concerned about overuse of the Plaza and believed that the Board should look carefully at how many weekend events are allowed because they are very hard on the landscaping. He said he believed that whoever manages the park should be representative of the downtown area because that is the area that receives an impact from activities on the Plaza. Mr. Hunt noted that the draft management agreement would give the County control over the number of events on the Plaza, and that while this proposal would allow the County to delegate the responsibility for operation of the Plaza to someone else the County would still continue to set policy regarding the Plaza. Mr. Schurr said that the sponsors of events have the right to charge whatever fee they wish, and that the Board cannot restrict events on the Plaza to non-profit organizations. There was brief discussion regarding liability issues, during which Mr. Hunt said he had included in the management agreement a requirement for appropriate insurance, and that the County needs to be sure that whatever insurance coverage is provided by event sponsors also protects the County against any kind of injury that would not have happened if the event was not taking place on the Plaza. There was general agreement to move forward with this proposal.
3. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. With the exception of items 12.a., 13.c., 13.e., 15., 16., on the regular Consent Agenda and items 2.c., d., and e. on the Special Districts Consent Agenda, all items were approved by unanimous vote. Motion by Supervisor Olsen, second by Supervisor Brownlow. No comments from the public. See Consent Agenda for detail.

ITEM NO. 2. Hearing: Consider approval of impact statement for the Holiday Lake Estates Fire Protection District and consider authorizing circulation of petitions. (***The proponents of the district have requested that the Board not approve the impact statement and not authorize circulation of petitions as they no longer wish to pursue establishment of a fire district.***) Paulden resident Herb Sperling participated in discussion. Ms. Staddon said that due to an error in her office, insufficient notice of this day's hearing had been provided and that when the proponents of the district were informed of what had happened they said they no longer wished to pursue establishment of the district. She said she had received a written request from the proponents

asking that the Board not approve the impact statement and that it deny circulation of petitions. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to disapprove the impact statement and to deny circulation of petitions.

ITEM NO. 3. Resolve into the Yavapai County Board of Equalization. Notice of Claim, 113-04-052D (Ponderosa Mini Storage) and 406-45-076A (Amerco Real Estate Co.), the Hoskins Company, Inc., agent. Reference: Board of Equalization minutes.

ITEM NO. 4. Resolve into Board of Supervisors. Prescott Municipal Airport Manager Rick Severson. Presentation of proposal to initiate a multi-jurisdictional Airport Specific Plan. City of Prescott Senior Planner Julie Pindzola was also present. Planning & Building Director Mike Rozycki and Planning & Zoning Commission member Jim Buchanan participated in discussion. Mr. Severson provided information to the Board regarding the airport's master plan and the need for regional cooperation in land use planning around the airport. He said the airport has 340,000 take-offs and landings each year and that it is the second busiest airport in the state. Mr. Severson briefly discussed the proposed runway extension and area for air tankers that are used in fighting forest fires. He said he believed that in the next several years the airport would begin to see airlines serving areas other than Phoenix, and that in order for the airport to grow land use planning around it would be necessary if air traffic opportunities were to exist. He said the worst thing that could happen would be a proliferation of houses around the airport because noise issues could become a real problem. He said the City of Prescott would like to work with the County and with other entities to ensure that there is no high density housing within a three-mile radius of the airport. Chairman Davis commended Mr. Severson for his foresight in pursuing land use planning before neighborhoods and communities are built. Supervisor Olsen agreed, saying this effort was past due. He said he could remember when the airport was busy if there were five airplanes using it on one day. Mr. Rozycki said he believed an airport specific plan would be useful to the County in its planning efforts, and that in the past the County had coordinated with the City of Prescott and had required disclosure on plats regarding areas within noise contours of the airport. Mr. Buchanan said that the Planning & Zoning Commission had met with the City of Prescott within the last two years to discuss this issue and that he was pleased to see it before the Board on this day. He said he believed the Commission wanted to see this issue move forward. There was brief discussion regarding other airports in the County, during which Supervisor Olsen pointed out that having the ability to accommodate the Forest Service at the Prescott Airport was the best insurance against forest fires for communities within 100 miles of the airport.

ITEM NO. 5. Public Works Director Richard Straub.

1. Consider authorizing the revised scope of work in the amount of \$96,848.50 for Dava & Associates to complete the Glassford Hill Road Northern Extension Corridor Study. Half-cent sales tax project. Mr. Straub said this effort would concentrate on the southern portion of the corridor, from Highway 89A north to the the Outer Loop Road, and that he wanted to be able to move forward with the towns of Chino Valley and Prescott Valley to tie up the right-of-way. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
2. Request for permission to initiate an Adopt-a-Road program in Yavapai County. Ash Fork resident Fay Hume participated in discussion. Mr. Straub said he had received a number of requests from residents who would like to assist in keeping roadways clean and that he had experimented with a pilot project on Iron Springs Road and Williamson Valley Road. He said that signs would be placed along roadways to recognize those who are picking up trash, that the County would provide the trash bags and would then pick up the trash and deliver it to a transfer station. Chairman Davis asked if there was a liability concern for the County. Deputy County Attorney Randy Schurr said there was a definite liability, and that the Board might want to consider age restrictions and require that the work be done in a certain way. He said that Public Works would use regulations established by other agencies as a guideline. Upon a motion by Supervisor Olsen, seconded by Supervisor Brownlow, the Board voted unanimously to approve this request.
3. Consider accepting the roads in Creekside of Prescott, Phase 2, as fully maintained County roads and releasing any funds being held in retention. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. No comments from the public.
4. Report on Y2K Preparedness by Emergency Services Coordinator Nick Angiolillo. Mr. Angiolillo explained how

information had been disseminated to the public regarding the non-technical aspects of Y2K, saying that no hoarding of food had occurred, that there had not been gas lines and the like. Chairman Davis commended Mr. Angiolillo for his efforts, saying that in addition to his work on Y2K issues he also appreciated his efforts to bring in funds for nearly every fire fighting and emergency operation in the Verde Valley.

ITEM NO. 6. Sheriff Buck Buchanan. Request to accept vehicle as increase in the fleet; authorization of Fleet Management to provide maintenance and repairs; and acknowledge that majority of labor and materials can be developed through YCSO volunteer services and RICO funds. Sheriff Buchanan explained that a 1983 Bounder recreational vehicle with approximately 43,000 miles on it had been forfeited to the Racketeering Fund and that it could be used as a command post. He said this vehicle would be a great resource for the entire County as it could also be used in emergencies, and that Fleet Management Director Dave Burnside had indicated that he had no problem with providing maintenance. Emergency Services Coordinator Nick Angiolillo said he had radio equipment that could be given to the Sheriff's Office for use in the vehicle. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to approve this request.

ITEM NO. 7. Planning & Building Director Mike Rozycki. Planning and zoning. Planning & Zoning Commission member Jacquie Weedon was present to represent the Commission. Planning & Zoning Commission member Jim Buchanan was also present.

1. Zoning Ordinance Amendment, Golf Course Amendment, Planning & Zoning Commission, #6982. Consideration of an Amendment to the Yavapai County Planning and Zoning Ordinance, establishing standards for golf course development. The proposed changes are printed, in its entirety, elsewhere in this paper. The entire document is also available for viewing in the Verde Planning and Building office (10 S. 6<sup>th</sup> Street, Cottonwood) and the Prescott Planning and Building office (500 S. Marina Street, Prescott. Questions or comments may also be directed to Elise Link, Senior Planner, at (520) 771-3218. The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment related to golf course standards and to set public hearings in Prescott on March 22, 2000 and in Clarkdale on April 5, 2000 to consider further amendments as recommended by the Verde Watershed Association. Mr. Rozycki said he wanted to acknowledge Senior Planner Elise Link for her work on this amendment. Chairman Davis said he believed the County was setting the standard for good policies in its planning processes and that this was just a part of it. He said that Ms. Link had worked very hard on this amendment. Noting that it was a living document and could be changed, Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Olsen seconded the motion. He said that 450 acre feet of water per year for a 90-acre golf course was about 5 acre feet of water per acre, and that this was about the same as agricultural use. Supervisor Olsen that agricultural use has to be reduced over time and that the tendency on golf courses is to over-irrigate. He said he believed that in the future the Board would need to look at how much green turf there really needs to be on golf courses, and that as long as the Board has the ability to make conservative changes to the ordinance it was good. He said he believed the standard for the Prescott Active Management Area was a pretty good standard. Chairman Davis called for the vote, which carried unanimously. No comments from the public.
2. Special use permit for installation and operation of a wireless communication facility with a 190-foot non-lighted tower in and RCU-2A zoning district, 501-31-002J, north of Cordes Junction, American Tower agent for Orme Ranch, Inc., #6962. Consideration of a Special Use Permit in order to allow the installation and operation of a wireless communication facility with a one hundred ninety foot (190') non-lighted, lattice tower, on a one hundred by one hundred foot (100' x 100') leased area of a one thousand forty (1040) acre parcel, located in an RCU-2A (Residential; Rural; two (2) acre minimum) zoning district, located approximately one fourth (1/4) mile northwest of the Dugas intersection of I-17, approximately seven (7) miles north of the community of Cordes Lakes. The Planning and Zoning Commission recommended denial of the Special Use Permit to allow information be more adequately researched and to waive required application fees for the applicant upon reapplication. The motion carried with four (4) Commissioners in favor of the motion to deny (Commissioners Wood, Buchanan, Weedon and Lovett), two (2) Commissioners voting in opposition to the motion (Commissioners Collison and Bitner) and Commissioner Woellmer abstaining from voting. Participating in discussion were Planner Entry Andy Jochums and American Tower's Tower Development Manager Todd Doust. Mr. Rozycki said the

Commission had recommended denial of this application, although staff had felt that it met many of the requirements of the Wireless Plan. He explained that some time ago the Commission had approved a 275-foot tower in the Cordes Junction area, at which time it had believed that the tower would be capable of handling all carriers. He said that in addition, the information provided by this applicant with regard to propagation maps was very different from that provided by the applicant for the 275-foot tower. He said that three carriers had committed to co-locate on the tower currently being requested, and that there had been no opposition from the public in the area. Supervisor Olsen moved to approve the tower permit, saying that approval was generally recommended by staff and that there was no public opposition. He said it would provide continuous cell phone service on I-17, that it met the general requirements of the Wireless Plan, and that other carriers would co-locate on the tower. He said he would not normally oppose the Commission's recommendation but that in this case the application met the County's requirements. Mr. Doust explained his company's criteria for locating towers, saying that it tries to locate in areas that do not have many single-family homes nearby. He said his company had determined that the subject site would provide good coverage from just south of Cordes Junction to just north of the I-17 and Highway 169 interchange. Chairman Davis noted there was no opposition from the neighborhood, and that Orme Ranch has an opportunity to rent the space for the tower. He said he did not know why the Board would deny them that opportunity or force someone to go and do business with someone else. Supervisor Brownlow seconded the motion. Chairman Davis said he believed the issue of proliferation of towers really had to do with whether or not there is opposition. Ms. Weedon said she believed it was very important to note that there was no prejudice against this applicant in particular. She said the Commission had received a great deal of information that was not factual, and that many of the tower people are only out for money and that they are in competition with each other. She said that a great deal of the information provided to the Commission had not been accurate or truthful. Ms. Weedon said she did not believe that approval of this application would be in the best interest of the landscape. Supervisor Brownlow asked how the County would ensure that the applicant could afford to remove the tower at some later date if it was necessary. Mr. Rozycki said the County requires that a bond be filed. Mr. Schurr said he believed the Commission felt it had received conflicting information, and that it had discussed having independent reviews of tower applications. Supervisor Olsen said he agreed with the idea of an independent review and understood that it was included in the new Wireless Plan. Supervisor Brownlow questioned whether the information was conflicting or whether it represented competition, and asked whether it was the County's role to control competition. Chairman Davis called for the vote, which carried unanimously.

3. Special use permit, Ted's Truck Stop, 302-08-014A, 302-12-001A through 007A and 009A through 028A, Ash Fork area, Bill Headstream, #6881. Consideration of an Amendment to an existing Special Use Permit which would allow the installation of two (2) permanent, twenty thousand (20,000) gallon, above-ground vertical fuel storage tanks in a C-2 (Commercial; General Sales and Services; one dwelling unit per two thousand (2,000) square feet minimum lot area) zoning district and the continued operation of truck weigh scales and a tire repair shop in an R1-10 (Residential; Single Family; ten thousand (10,000) square foot minimum lot size) zoning district in conjunction with an existing service station/truck stop on Lots 1 through 28 with the exception of Lot 8 in Nelson Acres, totaling approximately thirteen (13) acres in size for the project known as Ted's Truck Stop. Located approximately five hundred feet (500') north of Interstate Highway 40 and one thousand feet (1,000') northwest of the Interstate 40, Business Loop 40, and State Highway 89 interchange 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 five (5) year temporary transferable basis, with staff review in one year, and with staff notification of transfer in writing prior to transfer; 2). Applicant to obtain extension for temporary tank and apply for and obtain all applicable permits from Arizona State Fire Marshal for above ground fuel storage tanks within thirty (30) days of Board of Supervisors approval and prior to issuing Zoning Clearance for the permanent above ground fuel storage tanks; 3). Dispensing of fuel from temporary storage tanks to cease within thirty (30) days of Board of Supervisors approval and prior to issuing Zoning Clearance for the permanent above ground fuel storage tanks; 4). Fuel storage tanks shall be installed and maintained in conformance with the criteria of Section 109 H.2.j. (2) of the Planning and Zoning Ordinance, with the exception of stipulation #5; 5). Waiver of Section 109 H.2.j.(2).(e) which requires a minimum setback or separation of one hundred feet (100') from the nearest residentially zoned parcel for above ground fuel storage tanks; 6). Above ground fuel storage tanks to maintain a minimum of a forty foot (40') setback from the property line, twenty five feet (25') from the nearest building, and fifteen feet (15') from overhead power lines; 7). Existing tires to be removed from property and properly disposed of within thirty (30) days of Board of Supervisors approval and prior to issuing Zoning Clearance for the permanent above

ground fuel storage tanks. Used tires stored outside on-site for any purpose be limited to twenty-five (25) tires total; 8). Disabled semi-trailers to be removed from property within thirty (30) days of Board of Supervisors approval and prior to issuing Zoning Clearance or the permanent above ground fuel storage tanks; 9). Backhoe to be removed from property or stored within an enclosed structure within thirty (30) days of Board of Supervisors approval and prior to issuing Zoning Clearance for the permanent above ground fuel storage tanks; 10). Parking area to be improved with a dust-free gravel surface to be approved by staff and reviewed by the Ash Fork Community Association within six (6) months of Board of Supervisors approval; 11). No signage to be placed on the permanent tanks except that which is required by the State Fire Marshall for safety purposes; 12). Removal of underground tanks and acceptance of testing as required by ADEQ prior to issuance of Zoning Clearances. On July 6, 1999, the Board of Supervisors approved the Special Use Permit, changing stipulation #10 to read as follows: 10). Parking area/traffic circulation area to be paved. Applicant to submit a site plan identifying high traffic areas to be paved, along with a phasing schedule for paving, prior to issuance of a Zoning Clearance for permanent above ground storage tanks. First phase to be completed within the first year from the Board of Supervisors approval. Subsequent phases to be completed within the next five (5) years. The Planning and Zoning Commission recommended denial of the Special Use Permit based on the applicant's representation that the applicant cannot comply with the conditions of the Use Permit. Mr. Rozycki reminded the Board that in November of 1999 it had temporarily reinstated Mr. Headstream's use permit for a period of 90 days, with stipulations. He said that the applicant did now have a permit from the state fire marshal and he showed the Board a drawing of the applicant's proposal for paving, saying that the applicant had said he would not do any paving other than what was shown in the plan he had provided to the County. He said that in addition, the applicant had stated that he would not accept a use permit that could be revoked or voided if he was out of compliance. Mr. Rozycki said the Planning & Zoning Commission had first looked at approving the use permit with stipulations, and that when the applicant said that was unacceptable the Commission had then voted to recommend denial of the use permit. He said the Board might wish to consider granting approval of the permit if there was agreement on the paving and subject to the paving plan being completed as set forth by the Board, and conditioned on the applicant's obtaining a permit from the County for the above-ground fuel storage tanks. Mr. Rozycki said if those items were addressed the other stipulations recommended by the Commission could be eliminated. He said that the use permit would then be pretty much unrevokable, but that the applicant would have to comply with the C-2 zoning requirements. He added that if the applicant had chosen to locate the above-ground storage tanks away from residential areas they would have been an allowed use. Chairman Davis said he wanted to point out that the County had worked hard to make it possible for economic development to occur in all areas of the County, and that the Board would never endorse something that would shut down business in a community. He said he believed that the Commission had done everything it could to accommodate the applicant, but that the applicant clearly was not interested in playing. He said that someone would either buy out the applicant or build another truck stop, and that Mr. Headstream was not a good neighbor. In response to a question from Supervisor Brownlow, Mr. Rozycki said if the Board did not approve the use permit on this day the applicant would not be allowed to install the above-ground fuel tanks and that at some point there would be no fuel for the truck stop, but that it would not, by this action, require the restaurant to close. Supervisor Brownlow asked Mr. Headstream if he would be willing to negotiate on the paving, noting that the diagram he had submitted did not show any widths for paving. Brief discussion ensued, during which Mr. Headstream said the Commission's recommendation would double the area to be paved and Mr. Rozycki countered that the applicant's plan called for paving approximately 79,000 square feet and the Commission's recommendation was for an additional 20,000 square feet. Ash Fork resident Lois McGee said it would be a shame to close the truck stop because she would not be able to get a job anywhere else. In response to a question from Chairman Davis regarding what efforts had taken place between Mr. Headstream and the Planning & Building Department to find a solution, Mr. Headstream said he had submitted a plan to the department showing what he could do and the department was showing the Board what it wanted them to see. Supervisor Brownlow asked Mr. Headstream if he was willing to pave in accordance with the plan he had submitted. Mr. Headstream said that he was, provided the above-ground tanks could not be taken away. Mr. Rozycki said again that although the Commission had recommended denial, the Board could consider approving the use permit with the paving plan suggested by staff or with the plan submitted by the applicant, with a modification to allow for turning radius, and that if the Board chose to approve the permit he would ask that it also set a time frame for the work to be done. Ash Fork resident Carol Popp said she agreed with Mr. Rozycki. She said that Mr. Headstream had said he could not afford to pave, that he had a plan, but that he had never come up with a time frame for getting the work done and that he was just living on

90-day extensions. There was discussion regarding the type of soil in the area, sub-base requirements, whether there was sufficient compacting and whether three inches of asphalt could be laid over the existing soil. Mr. Schurr said an eight-inch sub-base was not necessary if there was adequate existing base, but that a geotech study would be required to make that determination. He said that staff had recommended several stipulations, but that the applicant had said he would not accept them. Mr. Rozycki suggested that the Board approve the use permit for the above-ground fuel storage tanks and scales with the understanding that the applicant will pave according to his plan but will add a turning radius, that the paving consist of three inches of asphalt, and that the work be completed within one year. Chairman Davis asked if there was a history of violations on the applicant's property. Mr. Rozycki said there had been problems with violations in the past. Chairman Davis asked how responsive the applicant had been in curing past violations. Mr. Rozycki said his department had not received cooperation in the past, and that the use permit was being used in part to gain compliance on violations. Chairman Davis said he was willing to consider the applicant's paving plan but that he would like to see the County have some opportunity for follow-up in the event the paving does not address certain issues. Supervisor Olsen said the Board could always revoke the use permit. Mr. Headstream responded that he could not accept any permit that could be revoked. Supervisor Olsen countered that the Board was not going to design a permit according to Mr. Headstream's criteria. Mr. Rozycki said he did not have a problem eliminating stipulations if it would resolve the problem. He said his goal was really to get the above-ground storage tanks and scales permitted and to get the parking lot paved. Mr. Headstream responded that he had to have a land use regulation that would allow for permanent above-ground storage of fuel. He said if that use was just on a permit it could be revoked, and that if the dust problem was not completely addressed then staff could reach out and use it to shut him down. He said that even going along with staff's recommendation would be a bad investment on his part. Mr. Schurr said the Board was talking about a permanent, non-transferable use permit and that if it was looking at requiring paving to County standards then it could not go back and require anything more. He cautioned the Board that it needed to be very specific about what it wanted. Mr. Rozycki said the Board was considering a use permit and that Mr. Headstream had expressed concern that the Board could void the use permit because of the stipulations. He said that the applicant would either comply with the stipulations or he wouldn't. He said that if the Board approved the use permit and required a paving plan with three inches of asphaltic concrete and set a time period for the work, and if the applicant obtained a permit for the above-ground storage of fuel, then the Board could eliminate all of the other stipulations. He said that once the applicant had done the paving and obtained the permit for the above-ground tanks there would be no process for the County to revoke the use permit, but that if there were other violations of the Ordinance the County would use standard enforcement procedures. Supervisor Brownlow moved to approve the use permit on a permanent transferable basis for two 20,000-gallon above-ground fuel storage tanks, existing truck weight scales, and existing tire repair shop with the following stipulations: (1) Parking area/high traffic circulation area to be paved in conformance with applicant's paving plan, with paving to be three-inch asphalt with no base improvements and paving to be completed on or prior to October 1, 2000; (2) above-ground fuel storage tank shall be permitted by Yavapai County and installed, inspected and approved by the State Fire Marshal on or prior to October 1, 2000. Supervisor Olsen 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. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Olsen. Jim West of VoiceStream told the Board he wanted to commend the Planning & Building Department staff for their work, saying that they were far and away ahead of anyplace else in the County and that he hoped the information developed by staff as part of the Wireless Communications Plan would be shared with the County's cities and towns.

1. Zoning Ordinance Amendment, Wireless Communications Plan and Zoning Ordinance Section 122 Amendment, Planning & Zoning Commission, #6986. Consideration of an Amendment to the County Wireless Communications Plan and Ordinance Section 122, establishing rules and regulations for the siting of wireless communications facilities. The entire text of the existing Wireless Communications Plan, Ordinance and the current draft amendments, are available for viewing in the Verde Planning and Building office (10 S. 6<sup>th</sup> Street, Cottonwood) and the Prescott Planning and Building office (500 S. Marina Street, Prescott). Questions or comments may also be directed to Andy Jochums, Planner, at (520) 771-3218. The Planning and Zoning Commission recommended approval of the proposed Wireless Ordinance

Amendment draft dated 1-11-2000 along with additional changes recommended by staff at the January 19, 2000 meeting.

2. Special use permit for installation and operation of a wireless communication facility with a 250-foot lighted tower, 502-14-006, near the Sunset Point rest area on I-17, American Tower agent for Billings Land Company, #6961. ***At the request of the applicant, the Planning & Zoning Commission recommended that this item be deferred to an unspecified date.***
3. Special use permit to allow private garage as an accessory structure on the Walker Fire Station site and adjoining parcel acquired from the U.S. Forest Service, Fuzzell Garage, 205-13-225A, 205-27-027 and 028, Walker area, Brian Brecto agent for James Fuzzell, #6989. Consideration of a Special Use Permit to allow a private garage to be constructed, as an accessory structure, on the Walker Fire Station site and adjoining parcel acquired from the Forest Service, totaling approximately one and one third (1 1/3) acres in size, where the primary residence is located on a separate parcel (205-13-225A) which is a one (1) acre pre-existing parcel connected to the proposed garage parcels by a three foot (3') by two hundred fifty foot (250') strip of land. All properties are located in an RCU-2A (Residential; rural; two (2) acre minimum lot size) zoning district (Residential Single Family limited to two (2) acre minimum parcel size) zoning district. Subject garage is proposed to encroach upon required twenty foot (20') setback from adjacent creek by ten feet (10'). Located on the east side of Walker Road, approximately two hundred feet (200') south of the intersection of Walker Road and Big Bug Mesa Road, on the former Walker Fire Station site and adjoining property, in the Community of Walker. 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 transferable basis, for the specified use only, with notification of staff prior to transfer, due to the unique circumstances and historic use of the subject parcel; 2). Tax parcels #205-27-027, #205-27-028 and #205-13-225A shall be combined and shall remain as one combined parcel as long as the Use Permit is in force and effect; 3). Garage to be setback from adjacent wash a minimum of twenty feet (20'), unless waiver from Flood Control District building setback requirements to allow an encroachment of ten feet (10') into the required twenty foot (20') setback, is approved by the Flood Control District. Garage foundation and structure to be constructed per Flood Control District requirements and or recommendations; 4). Driveway access easement connecting the garage and homesite properties, to be expanded from the existing twelve foot (12') width to a width of twenty feet (20'). Driveway to be constructed to a Fire Code Standard or standard acceptable to the Walker Fire Protection Association.; 5). Garage to be constructed to Uniform Building Code and meet Planning and Building Department building setback requirements for the RCU-2A Zoning District including a fifty foot (50') front and rear setback and twenty-five foot (25') side; 6). All lighting to conform to County Lighting Standards (Dark Sky Ordinance). No lighting allowed above what would normally be associated with a private garage in a residential area; 7). Prescott National Forest encroachment issue to be resolved prior to issuing a Building Permit for the garage.

#### Planning & Building Department business:

1. Hearing to consider Raymond and Beverly Schmidt's application for appeal of the Roadway Development Fee required for the manufactured home permitted for parcel 500-32-141, located in the Central Yavapai County Benefit Area in Cordes Lakes. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to deny this appeal. No comments from the public.

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

#### 1. Requests from Board of Supervisors:

- a. Sitting as the Board of Deposit, approve call for bids for County Servicing Bank.
- b. Request from the Republican Committee of Yavapai County for removal of the following persons as precinct committeemen: Dennis and Karen McGrane, Prescott Valley 1 Precinct; Jim LeGros, Williamson Valley Precinct.
- c. Appoint the following persons as precinct committeemen, as recommended by the Republican Committee of Yavapai County: Dennis and Karen McGrane, Superstition Precinct; Eddy M. Taylor, Deep Well Precinct; Joseph E. Brett, Prescott Country Club Precinct; John Charles Schultz, Miller Valley East Precinct; Thomas Reilly, Northside Precinct; and Kenton Jones, Williamson Valley Precinct.
- d. Permission transfer budgeted appropriation of \$107,000 from General Services within the General Fund to the

newly-created Water Advisory Fund, and approve intergovernmental agreements with the member cities and towns.

- e. Approve payment of maintenance agreement with Multimedia Telesys for video arraignment equipment in the amount of \$12,619.09, to be paid from Contingency.
2. Request from the County Attorney's Office for exemptions for two vehicles pursuant to A.R.S. §38-538.03. Vehicles to be used for investigations.
  3. Requests from Health Department:
    - a. Appoint Marcia Jacobson and Sam Downing, M.D., to represent Yavapai County on the Steering Board of Primary Care Planning Committee.
    - b. Permission for Environmental Health Specialist Dan DeNoon to attend the National Environmental Health Association annual meeting in Denver, Colorado, June 13-19, 2000, at approximate cost of \$1,400 to be paid from budgeted funds.
    - c. Approve sub-contracts with Helen Wright, Physical Therapist and Ann Crawford-Price, Speech Therapist.
    - d. Approve Amendment #2 to Contract 761109 with the Arizona Department of Health Services to extend Family Planning Services through December 31, 2000.
  4. Request from Sheriff to award bid for supply of pharmaceutical supplies to inmates to Diamond Pharmacy Services Medical Supply and to enter into a two-year contract for the same. Bids opened December 28, 1999, with bid also received from Southern Desert dba Goodwin Street Pharmacy.
  5. Request from Parks for permission to change the name of Filthy Five Park in Black Canyon City to High Desert Park and permission to enter into a new management agreement for the park with High Desert Helpers, Inc.
  6. Request from Planning & Building to appoint Angela Finn to the Yavapai County Trails Committee as a representative of District 1, to replace Nancy Crisman, with term to expire June 7, 2002.
  7. Requests from MIS Department:
    - a. Permission to purchase a server and required network equipment to support the planned move of the Medical Assistance Department into a new facility, and permission to transfer \$37,000 from Regular Salaries to Data Processing Hardware to pay for the same.
    - b. Permission to purchase GIS 3-D Modeling software at a cost of \$2,000 to be paid from existing budgeted funds.
    - c. Permission to purchase a server and required network equipment to provide redundant protection for critical network services, at a cost of \$23,000 to be paid from existing budgeted funds.
  8. Request from Juvenile Probation for permission for Chief Juvenile Probation Officer Gordon Glau to attend a regional training conference for the Juvenile Accountability Incentive Block Grant program, March 13-15, 2000, San Antonio, Texas, at an approximate cost of \$700 to be paid from the Juvenile Accountability Grant.
  9. Request from the Treasurer for authorization to abate the 1994 through 1998 taxes on parcel 912-30-190, now owned by the Holiday Hills Domestic Water Improvement District, Prescott area.
  10. Request from Public Defender's Office for permission for Dan DiRienzo, Craig Williams, Jim O'Haver and Jim Grandjean to attend the National Association of Criminal Defense Lawyers' Midwinter Meeting and Seminar, February 23-25, 2000, New Orleans, Louisiana, at approximate cost of \$5,725, to be paid from the Public Defender's Training Fund.
  11. Requests from Fleet Management:
    - a. Award bid for Supply of Fuel Via Card Lock System to Bennett Oil. Bids opened January 18, 2000. Bennett was sole bidder.
    - b. Permission to purchase S-10 pickup truck for Parks Department, in the amount of \$12,865, to be paid from Contingency.
  12. Requests from Medical Assistance:
    - a. Consider approval of an additional \$1,200 expenditure from the General Fund to Orion Consulting for actuarial services provided to Yavapai County regarding employee benefits and associated costs (request made in conjunction with Human Resources Department). Mr. Holst and Mr. Hunt explained that this service would provide information about the County's participation of benefits within the Trust and would also study the County's losses as compared to the rest of the Trust. Mr. Hunt said there is a multi-county trust of small counties in the state that have been quite successful, and that information would also be obtained regarding that trust. He said the expenditure was only for County-related information. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to approve this request.
    - b. Permission to purchase vehicle for the Long Term Care Division at approximate cost of \$12,100 to be paid



from Enterprise funds.

13. Requests from Public Works:

- a. Consider approval of call for bids for the Lease/Purchase of a New or Used Distributor Truck and a Chip Spreader.
  - b. Revise schedule for Free Dump Day.
  - c. Award bids received for Supply and Delivery of Portland Cement Concrete and Shotcrete in Yavapai County, Contract #998851, bids opened January 25, 2000. Bids received from Paulden Sand & Rock; Pioneer Concrete of Arizona, Inc.; Prescott Redi-Mix; Superior Materials; and Pioneer Concrete of Arizona of Wickenburg. Recommend awarding to all bidders at various unit prices bid. Supervisor Brownlow said he just wanted to note that the Board would be considering a special use permit in the Ash Fork area on this day that involved the need for paving and a property who said he could not afford to pave and that it would be cheaper to put concrete down. He said these bids clearly indicate what the costs for concrete are. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to award contracts to all bidders, as recommended.
  - d. Award bids received for Contract/Supplemental Agreement #1 to Supply Rental Equipment (Chip Spreader and Distributor Truck) in Yavapai County, Contract #986393. Bids opened January 25, 2000, with one bid received from Bearcat Manufacturing, Inc. Recommend awarding to Bearcat Manufacturing, Inc.
  - e. Consider approval of an intergovernmental agreement with the City of Prescott providing for a County contribution of \$1,000,000 to the City of Prescott for construction of the 69/89 Connector Road. Half-cent sales tax project. Supervisor Brownlow said this was a significant amount of money, with no apparent strings as to specifically what it would be used for. He said it was possible that the County might be entering into a similar agreement with the Yavapai Prescott Tribe. Following brief discussion, during which Mr. Holst noted that the County had provided \$1 million to the Town of Prescott Valley for widening of Glassford Hill Road, and that the agreement being considered on this day would provide for a regional benefit, the Board voted unanimously to approve the agreement. Motion by Supervisor Brownlow, second by Supervisor Olsen.
14. Request from Facilities Department for permission to sell one radiator that was replaced at the Courthouse and is of little value to the Arizona Pioneer Home for \$1.00.
15. Consider approval of agreement to hire Bruce Solper as a consultant on a contingency basis to develop and Local, Regional and State Parks Heritage Fund grant application for Windmill Park, Cornville, Arizona. Payment will be ten percent of grant award amount, if successful. Approved by unanimous vote. Motion by Chairman Davis, second by Supervisor Brownlow.
16. Request from Finance for permission to increase the budgeted transfer of \$80,000 to \$240,000 from the General Fund to the Parks Fund. Mr. Holst said that when the budget was developed there was an estimate of unused Parks funds but that Finance had since done an audit. He said that in the past parks expenditures had come from the General Fund in the Facilities Department and that by funding these expenditures in a separate fund it would be easier to see what was spent and what was not spent. He said the fund would probably be broken down even farther into four funds, one for each district and a miscellaneous fund. Upon a motion by Supervisor Brownlow, seconded by Supervisor Olsen, the Board voted unanimously to approve this request. Chairman Davis requested a copy of the audit and asked that discussion of the fund be included in an upcoming study session.
17. 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: Ash Fork Street Lighting Improvement District; 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 the Yavapai County Free Library District:
  - a. Approve minutes of meeting of November 15, 1999.
  - b. Permission to accept and expend awarded LSTA funds in the amount of \$10,300.
  - c. Permission to enter into a service agreement with Kathryn Reisdorfer, Historian, to fulfill Phase II of the

"Yavapai Heritage Roundup" LSTA grant.

- d. Permission to accept and expend awarded LSTA federal funds of \$41,420 and transfer \$15,418 from the Library District General Budget as a grant match.
- e. Permission to enter into an IGA with Yavapai College for a pilot project that will be located in the Mayer Public Library for Yavapai College courses and services.

**CLAIMS AGAINST YAVAPAI COUNTY**

General Fund	1,623,002.65	Family Planning	6,289.27
Family Planning Fees	3,921.22	Home Health Ser	10,907.88
Health Promotion	1,167.31	Teen Pregnancy	30.60
Nutrition	2,223.84	T.B. Control	682.18
WIC Program	12,854.24	Cable TV	25,415.00
Jail Enhance	4,462.35	Diversion Intak	8,766.87
Juvenile IPS	14,452.85	Family Counseling	955.00
Juvenile Food Prog	340.91	Probation Serv	3,503.03
Adult IPS	32,379.13	Adult Probation Fees	16,308.81
Prob Enhance	27,220.27	Recorder's Surcharge	8,061.94
Indigent Def/Dg	1,899.94	Crim Just/Atty	4,544.47
Bad Check Prog	6,395.28	CDBG Grant	575.87
Juv Prob Sys	2,557.75	Commodity Fd	427.83
Azeip Case Mgmt	1,964.06	Five Day Hispanics	95.26
Sexual Trans Disease	190.07	Hi Risk Chld HI	2,375.82
Clerk's Storage	1,821.88	WIC/TOB Intervention	4,833.55
HIV Prevention	2,380.84	Atty Anti-Racket	11,093.79
PANT	2,875.98	Law Library	10,465.37
CASA	4,044.56	Case Process	1,273.86
Childrens Justice	0.00	Teen Prenatal	65.67
Azeip Coordinator	632.91	Vict Witns Prog	5,334.44
Court Enhancement	428.37	Concil Court	4,345.76
Health Advisor	14.00	Drug Enf Fndg	1,866.55
Vital Statistic	1,246.31	COPS Universal	1,781.00
JAIBG Juv Acct.	1,605.64	Victims Rights Impl	3,396.96
Recycl Educ Program	377.66	Yav Indian Agreement	3,815.39
Hassayampa/LTC	5,891.78	Dietetic Intern	829.27

Immuniz Service	1,451.77	Prevent Child Abuse	1,032.07
Idea-Preschool	1,127.92	Subs Abuse/DARE	361.97
Chem Abuse	153.21	Juv Det/PACE	5,116.09
Family Drug Court	885.49	Juvenile Drug Court	1,027.14
Collab Comp Rev	7,541.59	Special Program	9,980.51
Sm Schools Ecia	1,153.26	Sm Schools Beha	8,745.35
Public Works	360,569.04	Health Fund	45,685.09
Jail Commissary	5,839.33	Environ Svcs Di	16,439.12
W Yav Solid Waste	6,883.55	V V Solid Waste	41,072.61
Support Prsnl Train.	6.27	Technology Upgrades	664.29
Develop Clinic	2,202.45	Tire Recycle	2,191.48
Haz Mat Plng Gr	49.88	Safe School Pro	3,569.93
Adhs-Svs Coord	1,286.95	Family Law Commiss.	4,111.30
Comm Punish Pro	1,552.26	Pace Chapter 1	5,622.24
Regnl Road Project	343,282.13	GOHS Safety Grant	895.22
Health Start	2,037.70	COPS More	2,578.72
Intstcomp Prog	2,351.60	Ryan White II	1,218.43
State Grant In-Aid	127.29	Perinatal Block	2,662.68
Tobacco Educ	37,582.30	Equal Ad Det Ed	44.85
DTEF	1,761.50	Rerinatal Substance A.	7.81
Attendant Care	14,261.62	HIV/WYGC	488.62
Network Develop	6,123.06	HIV Targeted	165.29
Children's Justice	1,072.59	Child Sup & Vis	560.64
Domestic Relations Ed	265.55	Case Flow	856.73
Court Automation	0.00	COPS Hiring	2,231.34
Self Service	551.12	VOCA	2,582.51
Prenatal Outreach	0.00	NACOG Vlt	844.35
JTSF Treatment	4,304.66	Divrsn Consequ	962.02
Tobacco Donation Fund	1,760.92	Alt Dispute	619.61
Resource Offcr	1,693.67	Inmate Food	1,030.47
Court Imp Proj	692.31	Dom VInc Prevent	1,386.14
COPS 99	6,906.18	FDA Inspection	47.62

Capital Projects	893.47	Seligman Arpt Land	18,328.00
Bagdad Airport	4,437.00	Sedona Air-Taxiway	257,099.20
Sedona Muni Airport	18,243.80	ALTCS	404,166.30
Henry Cordes Park	3,705.65		

In addition, payroll was issued on January 28 for the pay period ending January 22; warrant numbers 2382411 through 2382979, in the amount of \$377,492.59. Jury certificates were also issued, warrant numbers 6843683 through 6843796; 6843799 through 6843892; 6843895 through 6843939. Warrants issued for February 7 Board day, 4119938 through 4120296; 4120297 through 4120801; 4120802 through 4121125.

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

ATTEST:

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