

OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

February 5, 2001

The Board of Supervisors met in regular session on February 5, 2001.

Present: Gheral Brownlow, Chairman; Lorna Street, Vice Chairman; Chip Davis, 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: Yavapai County Flood Control District Director Ken Spedding led the Board in the Pledge.

ITEM NO. 1. Board of Supervisors.

1. Approve minutes of meeting of January 16-17, 2001. Approved as written, by unanimous vote. Motion by Supervisor Street, second by Supervisor Davis.

2. Hearing: Consider establishment of American Ranch Sanitary District. Ms. Staddon explained that petitions had been received containing the signatures of 100% of the property owners, and that because there were no qualified electors in the proposed district it was the same as if 100% of the qualified electors had signed petitions. She recommended that the Board establish the District. Area resident Lou Smith said he had seen a notice in the paper some time ago about a water district but that what was being considered on this day was a sanitary district. Ms. Staddon said that the Board had previously established the American Ranch Domestic Water Improvement District, and that it was indeed a sanitary district being considered for establishment on this day. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to establish the district and to order that William I. Brownlee, Jeffrey A. Davis and Gregory W. Huber would comprise the district's organizing board of directors.

3. Consider appeal of Hearing Officer decision, Case #00-Z-058, Paul and Nancy Nicholson. Chairman Brownlow noted that the Hearing Officer's decision was to grant a 45-day extension in order to allow time for this matter to work through the court system. He said he did not think it would hurt to grant at least a 30-day extension. Supervisor Street said that this was, in fact, a zoning violation and that the purpose of the extension was to try to meet timelines for Maricopa County Superior Court. She said

civil cases could be bumped on the court's calendar, and that she did not believe the Board could depend on an end date if it tied its decision to the Maricopa County case. Chairman Brownlow said he believed the Board should set a date and if it was held up in court, so be it. Supervisor Davis agreed, recommending a 45-day extension from this day, and saying that the Board would just muddy the waters if it got involved at this point. Chairman Brownlow asked if it would be possible to include a stipulation requiring the immediate removal of manure. Mr. Hunt said the Board could do that, but that he was not sure how it would be reviewed or enforced. Supervisor Street said she understood that the petitioners had to hold the animals based on the Maricopa County court case, and asked if there was some place that the animals could be held other than in a residential neighborhood. Mr. Hunt said it would be possible for the petitioners to find another location. He said that if the Board did not allow the extension of time recommended by the Hearing Officer the County Attorney and Planning & Building would move forward immediately with enforcement action. Mr. Schurr said that if the Board wanted to rule on whether or not to uphold the Hearing Officer's decision it could direct that enforcement action not be taken for a specified period of time. Supervisor Davis moved to uphold the decision of the Hearing Officer and postpone enforcement action for 45 days from February 5, 2001. Supervisor Street seconded the motion, which carried by unanimous vote.

4. Consider approval of items appearing on the Consent Agenda and on the Consent Agenda for Special Districts. With the exception of items 1.b., 1.d., 5., 6.d., 7.a., 7.b., 12.a., 12.d., 12.e., 12.f., and 12.q., all items were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Street. No comments from the public. See Consent Agenda for detail.

ITEM NO. 2. Dr. Terry Lovell, Prescott Frontier Days Committee. Presentation on Economic Impact Study for Prescott Frontier Days. Prescott Frontier Days member Jim Bricker told the Board that a little more than a year ago an economic impact study had been commissioned, and he introduced Dr. Lovell of Yavapai College. Dr. Lovell presented to the Board his findings, which included information about the average amount of money spent by rodeo attendees, the percentages of men and women who attend the rodeo and the age groups into which they fall, income levels of those who attend, where attendees come from, and the total gross economic impact of the rodeo. Dr. Lovell pointed out that the rodeo presents many opportunities for local businesses to recruit visitors from outside of the area. He said that the least amount of tax revenue to the City of Prescott during the rodeo would be \$332,000 and for the County it would be \$120,000 and that those figures applied only to attendance at the rodeo and did not include attendance at other activities. Dr. Lovell said that if the County supported Prescott Frontier Days it would receive guaranteed tax revenues, but if it decided to decommission the grandstands, arena and other facilities at the old Fairgrounds, it would cost a great deal of money. At this point, Chairman Brownlow announced that the Board would suspend discussion of this item in order to take care of Item 5., below. Following the Board's action on Item 5., Chairman Brownlow said the Board would include in discussion of this item discussion of Item 11.1., which he said was related to the discussion of Frontier Days. Special Projects Coordinator Angelo Manera presented information about the County's potential user of the old Fairgrounds, saying that Barn A could be converted for use by the County Facilities Department but would require the purchase of a modular office structure, and that the Mackin Building could be used to house the Parks Department and for meetings and training sessions. In response to a question from Supervisor Davis regarding the modular unit, Mr. Manera said it would be less expensive to purchase a modular unit than it would be to build permanent office space and that the unit could also be moved to a different location at a later date. He said the 4H Building could be made available to Prescott Frontier Days for its base of operations, and that the Rock Houses, which require historic preservation, could be rented out for private purposes or could be used for non-profit historic

activities. Mr. Manera told the Board that the Fair Association was moving most of the existing stalls, but that a pod of 40 stalls near Schemmer Drive and approximately nine stalls along Gail Gardner Way would remain. He recommended leaving those in place for use by Prescott Frontier Days. He also said that the grandstand and arena could be left alone and could be rented to a variety of organizations as well as being used by Frontier Days. Mr. Manera added that the Fair Association would be leaving a number of useful items at the site that could be purchased by the County for approximately \$50,000. Supervisor Street said she believed that former Supervisor John Olsen had asked Prescott Frontier Days to put together a business plan, and that at some point she would like an update on that plan. She said that her participation with Frontier Days' future would depend upon that plan. PFD representative Bob Granger said his organization had been working on a plan but that it was difficult to develop a plan without knowing what the organization's future would look like. Prescott area resident Jim LeGros asked how revenues would be affected if the rodeo moved to the Kieckhefer site under consideration by the City of Prescott for an equestrian facility. Dr. Lovell said as long as the rodeo remained within the City limits there would be no change, adding that part of the appeal of the rodeo was its historic location at the old Fairgrounds. Prescott area resident Ted Ryan referred to the Fair Association's new facility in the Prescott Valley area, saying that horse dollars would be diverted to that location and asking what type of effect that would have on rodeo revenues. Chairman Brownlow said he believed that Dr. Lovell's study dealt only with the rodeo and not with other equestrian functions. Dr. Lovell said that if all the equestrian events were at the new Fairgrounds there would probably be more revenue generated but that it would leave a void in Prescott that would have to be replaced. Mr. Bricker told the Board that Prescott Frontier Days was seeking the Board's support in ensuring that the rodeo could continue to operate in its current location. He said he would like to have a committee from Prescott Frontier Days meet with County staff to discuss issues. Supervisor Davis said he was confused because people did not seem to realize that the Board had made a commitment to Prescott Frontier Days and that he did not believe that commitment should be questioned. He said this was a win-win situation for everyone and that he did not see any downside to it. He said that for as long as he had been on the Board, the Board had never wavered in its support for Prescott Frontier Days. Supervisor Street said she was still of the opinion that the definition of support and how far it goes must be defined. She said she was in favor keeping the rodeo at its present site but in light of the fact that Prescott Frontier Days was a separate private group she believed they needed to come up with a business plan about how things would work and how it would be funded. She said she needed clarification of what kind of support was expected from the County and what the County was expected to give, and that she did not want this to become a County project that would have to be carried forever. Chairman Brownlow said he believed it was time for the City of Prescott to make a commitment to Prescott Frontier Days.

ITEM NO. 3.                Resolve into Board of Directors of Yavapai County Flood Control District. Flood Control Director Ken Spedding. Reference: Special District minutes.

1. Approve minutes of meeting of January 16 – 17, 2001.
2. Consider awarding professional services contract, for \$69,498 to Project Engineering Consulting Ltd. For the Forbing Park Area Drainage Master Study, FCD001-009, Prescott area.
3. Discussion of proposed Ordinance changes and set hearing date and time for consideration of adoption.
4. Consider approval of a professional services contract with Civiltec Engineering, Inc., for \$21,600 for design, specifications and construction drawings for the Holiday Hills Area Drainage Master Study Construction Phase II. FCD 001-002, Prescott area.

5. Consider approval of an intergovernmental agreement with the Arizona Department of Water Resources for 2 years in the amount of \$20,000 (\$10,000 per year) for the State Standards Work Group.

ITEM NO. 4.            Resolve into Board of Supervisors. Public Defender Dan DeRienzo. Request to approve position opening for Legal Secretary for the Camp Verde office and permission to purchase two new computers. Mr. DeRienzo said this was the type of request typically made at budget time, but that last year he had not anticipated being able to open an office in the Verde Valley this soon. He reminded the Board that in December of 2000 one of the contract attorneys had been replaced with an in-house attorney, making the need for the Verde Valley office even greater. Mr. DeRienzo added that the computer request had been approved by the MIS Department. Supervisor Davis said he would like to see recommendations from both the MIS and Human Resources Departments with regard to this request. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to hold this item in abeyance until the next meeting in order to provide Mr. DeRienzo time to obtain the necessary recommendations. No comments from the public.

ITEM NO. 5.            Merit Award Board Chairman Vincent Gallegos. Approve Shirley Gustin, Juvenile Probation as Employee of the Month for December, 2000, and Sgt. Bill Bailey, Sheriff's Office as Employee of the Month for January, 2001. Each was approved by unanimous vote, upon motions by Supervisor Davis, seconded by Supervisor Street.

ITEM NO. 6.            Water Advisory Committee Coordinator John Munderloh. Request for approval of the current U.S. Geologic Survey project administration by the Arizona Department of Water Resources. Mr. Munderloh explained that in 2000 the state legislature had appropriated \$170,000 for Verde River hydrology studies at the direction of the Yavapai County Water Advisory Committee and that the WAC had approved a scope of work with the understanding that the Arizona Department of Water Resources would act as the contract administrator. He said that it had recently come to the attention of ADWR and the WAC that the legislation providing the funding specified that the \$170,000 was to be transferred directly to Yavapai County as the fiscal agent rather than to ADWR. Mr. Munderloh said that the project had been underway for several months and that the contract appeared to be in order, and he requested that the Board endorse the existing contract administration in order to clear up any questions regarding the funding. Supervisor Davis asked Mr. Munderloh to submit to the Board a brief summary of the project. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to approve Mr. Munderloh's request. There were no comments from the public.

ITEM NO. 7.            Public Works Director Richard Straub.

1.     Hearing: Consider renewing water franchise agreement with Dells Water Company, Inc. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Street. No comments from the public.
2.     Request for permission to proceed with building addition at Public Works facility on Commerce

Drive, Prescott area. Supervisor Davis asked how the addition would be funded. Mr Straub responded that if he could not use general building funds the cost could be taken from HURF funds. He said he could not pay for the building from the tire fund. Mr. Holst said staff would be conducting a review of the tire fund and how it is being administered. He said he thought there might be some room for working out participation with that fund, and that if the Board approved Mr. Straub's request on this day by the time the addition was ready to construct he would know how to pay for it. He added that it could be worked out during the budget process. Supervisor Davis said perhaps this item should be continued until such time as the Board has more clarification regarding funding sources. Mr. Straub said he would like to move forward with the planning process. Supervisor Street said that the Board did not allow other departments to add space and that she would like to see some justification for it. Mr. Straub said this item had been discussed during the budget process last year and he thought it was okay to move ahead with the planning process. Mr. Holst said it would have to be brought back to the Board, but that he believed Mr. Straub could move forward with a needs analysis. There was general agreement among the Board members to hold this item until the next meeting. No comments from the public.

3. Consider approval of Change Order #2 with Sunrise Engineering, Inc., in the amount of \$10,495 for additional geotechnical services and a time extension to June 30, 2001, for Authorization of Services No. 99-8862, Fain Road Realignment Project. Half-cent sales tax project. Mr. Straub explained that ADOT was requesting the additional work, and that since there was a good possibility that ADOT would ultimately assume responsibility for the road it would be a good idea to do the work requested. Upon a motion by Supervisor Street, seconded by Supervisor Davis, the Board voted unanimously to approve the change order. No comments from the public.
4. Discussion regarding possible establishment of additional permit fee on road cut permits for chip sealing, \$60 minimum or \$5.50 per square yard, whichever is greater. Mr. Straub told the Board that each year there are a great number of road cuts through asphalt that require replacement of chip seal, and that the County has experienced difficulty getting those responsible for the cuts to come back and make the necessary repairs. He said he believed it would be best to charge a fee for the repairs so the County could make them instead of having to depend on others. Chairman Brownlow said it was a good idea, but questioned whether \$60 was enough. Mr. Straub said he would take another look at the proposed fee. Mr. Straub then introduced to the Board his new assistant, Cathy Heath.
5. Clean air presentation by Lima & Associates. Pete Lima and Kathy Arthur were present. Ms. Arthur, who said she was a subcontractor for Mr. Lima, made the presentation. She said that central Yavapai County enjoyed very clean air and the purpose of this study was to help keep it that way. She said that the project was supported by ADOT, the County and cities and towns in central Yavapai County, and that the Central Yavapai Transportation Planning Organization (CYTPO) had oversight for the project. Ms. Arthur said that anticipated growth rates over the next 20 years would double the County's population and that the goal was to avoid becoming a nonattainment area, not only because local officials would not want to have to deal with the Environmental Protection Agency, but also because being a nonattainment area would give central Yavapai County a black eye. Ms. Arthur said it was important to take action early to sustain clean air while the population grows. She said the County could assist in this effort through education and through consideration of a model ordinance. Chairman Brownlow asked if there were any bills pending in the legislature that would give counties the authority to control air quality. Ms. Arthur said she was not aware of any such legislation, and that currently only Maricopa and Pima counties have that authority. Mr. Schurr said the Board has the authority to enact regulations to control air quality, but that he saw some problems with the model ordinance because it deals only with central Yavapai County. He said it would also require someone to issue permits. Supervisor Street said she wanted to be careful with this issue. She said that currently the County does not have emissions testing and that to do so would affect every resident.

She said the Board could look at the model ordinance and consider what is good for Yavapai County. Mr. Schurr said it might be possible to adopt the ordinance as part of the building code. Ms. Arthur said the model ordinance had received a great deal of attention because it was not voluntary, but that focusing on educational efforts often achieved greater results.

ITEM NO. 8. Senior Planner Elise Link. Planning and zoning. Planning & Zoning Commission member Al Wood was present to represent the Commission.

1. Use permit to allow a daycare facility, 106-31-005B and 005C, Williamson Valley area, Chris and Julia Doyle, #7163. Consideration of a home-based day care facility for a maximum of 10 children, ages 2-5, on two parcels totaling approximately 84,000 square feet, zoned R1L-70 (Residential; Single Family Limited; 70,000 square foot minimum lot size). Located on the north side of Nebeker Circle in Williamson Valley Estates, Plat 3, approximately 4 miles north of the Williamson Valley Road/Iron Springs Road intersection. The Planning and Zoning Commission recommended approval of the Use Permit with the following stipulations: 1). Use permit be approved on a five (5) year non-transferable basis with a staff review within one year of Board approval; 2). Maximum number of children not to exceed ten (10). Applicant to provide the Planning and Building Department a copy of a current state day care license for 10 children; 3). Hours of operation limited to 7a.m. to 6 p.m. Monday to Friday; 4). No signage associated with the day care facility; 5). Parcels 106-31-005 B&C to be combined into one parcel prior to initiation of use; 6). Building permit to be applied for and certificate of occupancy received for the addition to the dwelling unit, prior to initiation of use; 7). Certificate of Compliance to be received from the Planning and Building Department prior to initiation of use; 8). State and County Health Department approval and permits prior to initiation of use; 9). Pursuant to Section 108J. of the Yavapai County Zoning Ordinance, permittees must obtain building permits/Zoning clearance, 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; 10). Flood Control District approval prior to issuance of building permit; 11). County Environmental Services Department approval prior issuance of a building permit. Ms. Link explained that the applicant was requesting permission to operate a daycare facility for a maximum of ten children between the ages of two and five on a two-acre parcel. She said there had been opposition to this application, both at the Commission meeting and in the form of letters, and that the main concern expressed by those in opposition was that people felt it was a commercial operation and would set a precedent. Ms. Link told the Board that the daycare facility would generate approximately 100 vehicular trips per week, which she said fell within the range of what would be generated by two single family residences. She said that on this day she had received a petition in opposition from three adjacent property owners, which meant that 20% of the adjacent property owners by both area and number were opposed, thereby requiring a unanimous vote of the Board in order to approve the application. Applicants Chris and Julia Doyle addressed the Board, saying they had checked with their neighbors regarding their plans and had provided the required notifications and were very disappointed to learn that on this day a petition in opposition to their application had been filed. Mr. Doyle said the state would require that outside areas in which the children might play must be fenced, and that he and

his wife would be very forthcoming in trying to address any concerns the neighbors might have. Mrs. Doyle said she and her husband had spoken with the neighbors and that they had been told there was support for their application. Mr. Doyle said he understood the concerns of the Williamson Valley Concerned Citizens (WVCC) and was willing to work with them. Mrs. Doyle said there was a great need for daycare in the area, and that people had asked her and her husband to provide it. She said the only other daycare facility in the area was permitted for 30 children and was up for sale. Williamson Valley resident Stan Steiner, who said he was representing the WVCC, said that the WVCC was not opposed to home-based businesses that could benefit the area without ruining the rural atmosphere. He said that until a long-term growth plan was in place for the area the WVCC would feel compelled to oppose any changes in existing zoning. Area resident Lou Smith said that if the Board approved this request, he would request that the use permit not be transferable in the event the property is sold. He added that the septic system on the property was installed in 1969 and contained a 1,000-gallon tank. He said he did not see much need in the area for daycare. Royal Oaks residents Jim LeGros said that in the past he had lived near daycare facilities and had not experienced any problems. He said that daycare in a home was generally considered as a residential business and that it was acceptable as a home business. He told the Board that daycare was a needed service in the area as people with children were also moving into the area. Chairman Brownlow asked adjacent property owner Cam Smith why he had chosen to protest at the last minute. Mr. Smith said he had received a letter about the application and that he and most of his neighbors had objected to it. He said that people in the area have horses and dogs and that the cul-de-sac on which they lived had a short turnaround. He said the road was not in good repair and that he was concerned about liability. He added that the area was residential and was not appropriate for this type of business, and that traffic was already a problem. Supervisor Davis said he had to respect the wishes of the residents who purchased their property in that area because it was residential. He said he would not want a similar facility pushed on him if he was opposed to it. Supervisor Street said she did not have a problem with the application, and that the applicants had gone through all the appropriate channels in bringing this application forward. Supervisor Street then moved to approve the recommendation of the Planning & Zoning Commission. Chairman Brownlow seconded the motion. He said he was opposed to most commercial endeavors in the Williamson Valley area, but believed that the area had grown well with decisions made by the Board in the past. Chairman Brownlow then called for the vote. Chairman Brownlow and Supervisor Street voted "yes", and Supervisor Davis voted "no." Williamson Valley resident Vickie Kartchner said she wanted to make an eleventh hour plea for the Doyles. After Mr. Schurr confirmed that because of the unanimous vote requirement, the Board's vote on this day constituted denial of the application, there was brief discussion regarding rescinding the action just taken and allowing the applicants more time to work with the neighbors. Supervisor Street said she was concerned about how many eleventh hour appeals the Board would allow. Mr. Schurr responded that state law requires a public hearing on zoning issues, and that he did not believe the Board had the ability to set a deadline for appeals or objections. Commissioner Wood said that the petition presented on this day had not been reviewed by the Planning & Zoning Commission in the course of its deliberations on this matter. Supervisor Davis moved to reconsider the action taken by the Board in this matter. He said he wanted to send a message that the Board needs information in advance of the meeting in order to have time to review it, and that if the Board continued to receive new information on the day of the hearing then as far as he was concerned the matter would be referred back to the Commission. Supervisor Street seconded the motion, which carried by unanimous vote. Supervisor Davis then moved to refer this application back to the Planning & Zoning

Commission for consideration of new information. Supervisor Street seconded the motion. Area resident Richard Clark told the Board it was setting a bad example. Mr. Steiner said there were many people who had taken the time to attend this day's hearing and that he believed the Board should be receptive to those peoples' concerns. Mr. Doyle said that he and his wife had done everything they were required to do with regard to notifying the neighbors of their application, and that it was disappointing that the neighbors could come in at the last minute to oppose them. Chairman Brownlow called for the vote, which carried unanimously. Ms. Link noted that this application would be on the Planning & Zoning Commission's agenda for March 21, 2001.

2. Use permit/community plan amendment to allow the development of a horse breeding facility in a R1L-25 zoning district, 402-02-271B, Dewey area, Carolyn Lee agent for Eliot Investment, #7158. Consideration of a Use Permit and an amendment to the Dewey-Humboldt Community Plan in order to allow for the development of a horse breeding facility for up to 42 horses including an equine veterinary office, horse barns, staff quarters, and corrals on a 21-acre portion of a 36-acre parcel in a R1L-25 (Single Family Residential; 25,000 square foot minimum lot size limited to site-built homes) zoning district. Located on the northwest corner of SR 69 and Prescott Dells Road in the Community of Dewey. The Planning and Zoning Commission recommended approval of the Use Permit/Community Plan Amendment with the following stipulations: 1). Approval of an amendment to the Dewey-Humboldt Community Plan to allow the subject equine facility to be developed on the subject property; 2). Approval of a use permit on a permanent/transferrable basis with notification of staff prior to transfer, with staff review in two (2) years; 3). Property to be developed in conformance with site plan dated 1-2-01 and letter of intent dated November 24<sup>th</sup> 2000 including addendum dated January 2<sup>nd</sup> 2001; 4). No public rodeo or other large gatherings to be held on-site; 5). All outside lighting to conform to Yavapai County Zoning Ordinance (dark sky ordinance); 6). Facility to be developed in conformance with CYFD recommendations, per CYFD letter dated 12-18-00; 7). Applicant to submit appropriate drainage information for review and approval by the Yavapai County Flood Control District. Equine facility to be designed, in accordance with Flood Control District recommendations, so as to prevent storm water runoff generated by the development of the subject property from negatively impacting Prescott Dells Road or adjacent properties; 8). Applicant to participate in maintenance of Prescott Dells Road from the SR 69 right-of-way to the equestrian center driveway entrance, commensurate with traffic generated by the facility. It will be the responsibility of the applicant to insure that Prescott Dells Road from the SR 69 right-of-way to the equestrian center driveway entrance be maintained to fire code standards and to the satisfaction of the Central Yavapai Fire Department staff; 9). Applicant to provide a specific plan for manure, dust and fly abatement for staff review and approval within thirty (30) days of board approval; 10). Facility limited to a maximum of forty-two (42) horses; 11). Signage to be in keeping with C2 sign standards; 12). Building permits/Zoning clearances shall be obtained, 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; 13). Conformance to Ordinance standards for parking design, surfacing, delineation of spaces including handicapped spaces per the County Parking standards and including maneuvering lanes to accommodate horse trailers. No employee or customer parking shall be allowed along Prescott Dells Road or SR 69; 14). Veterinary office shall cater to horses only - no dogs or small animals; 15). Non-reflective roofing and siding materials shall be used, in an attempt to minimize the



visual impact of all buildings proposed; 16). Certificate of Compliance shall be required prior to initiating the use; 17). Use permit to include the entire twenty-one (21) acre parcel. No portion of the twenty-one (21) acre parcel shall be split off and sold, so long as the use permit is in effect; 18). Some minor adjustments to building placement to be administratively approved by the County Flood Control District and the Planning and Building Department, prior to issuance of building permits for the facility, in order to accommodate drainage issues; 19). Driveway to be placed a minimum of one hundred and seventy-five (175) feet from the Prescott Dells Road/SR 69 intersection. Ms. Link informed the Board that this application had been withdrawn and that no action was necessary by the Board on this day.

3. Amendment to conditional zoning map change/final site plan, Grand Canyon Harley Davidson, 500-16-004H, Mayer area, Linda Swalve agent for Charles Crockatt, #7105. Consideration of an amendment to a Conditional Zoning Map Change and Final Site Plan in order to allow the addition of a 6,000 square foot restaurant, including the sale of alcohol under a Class 12 liquor license, in a conditional C2-1 (Commercial: General Sales and Services; 7,500 square foot minimum lot size) zoning district, having a total of approximately 82,000 square feet. Located along SR 69 in Mayer, approximately 2,000 feet north of the southernmost intersection of Main Street and SR 69. The Planning and Zoning Commission recommended approval of the Amendment to Conditional Zoning Map Change/Final Site Plan with stipulations as follows: 1). Development to be in conformance with the site plan dated revised layout 9/28/00 and stamped received October 10, 2000 and letters of intent dated March 31, 2000 and July 12, 2000 for installation and operation of the restaurant; 2). Operation of the Restaurant to be in conformance with the State liquor laws and the class 12 liquor license; 3). Consumption of alcoholic beverages and the serving of food shall be confined to the interior of the building; 4). Hours of operation for the restaurant limited to Sun through Thursday 11:00 a.m. to 9:00 p.m. and Friday and Saturday 11:00 a.m. to 10:00 p.m.; 5). Use of a term in the restaurant's name, signage or promotional material which places emphasis on alcohol consumption, such as bar, tavern, pub, spirits, club, lounge, cabaret, saloon or other names which denote liquor sales shall be prohibited; 6). No more than 60 percent of the total seating shall consist of barstools, cocktail tables, or similar types of seating that denote liquor sales; 7). Applicant to submit a revised site plan for staff review and approval for conformance to the stipulations prior to issuance of a building permit/zoning clearance; 8). Prior to submittal for Building Permits, applicant to provide a landscaping plan depicting a minimum of 9% of the parking area landscaped and proposed landscaping for screening purposes along the western and northern boundaries of the property; 9). Landscaping used for the purposes of screening shall be at a minimum fifteen gallon evergreen trees planted every 10 feet on center and shall be kept in a live state; 10). All signing shall comply with the standards set forth in the Ordinance for the C2 use district; 11). County Environmental Services Department approval of sanitary facilities prior issuance of building permit; 12). Flood Control District review and approval of a drainage report prior to issuance of building permit; 13). All outdoor lighting shall conform to Yavapai County Zoning Ordinance requirements (Dark Sky Ordinance); 14). Mayer Fire District Review and approval prior to issuance of building permit/zoning clearance; 15). Permittee must obtain a building permit within one year from the date of Board of Supervisors approval and must diligently pursue completion. Failure of such shall void the amendment to the conditional zoning unless a longer time has been granted or an extension of time has been applied for with the Director of the Planning and Building Department prior to the expiration of the one year period; 16). All Health Department requirements be satisfied prior to Certificate of Occupancy; 17). Applicant to obtain

either an approval or permit from ADOT in writing for the access to/from SR 69 and to install any turn lane or intersection improvements required by ADOT to address the traffic impacts associated with the proposed restaurant prior to issuance of building permit/zoning clearance; 18). Staff review after six months of initiation of use, then on an annual basis for the next five years to be reviewed concurrently with the liquor license. Ms. Link explained that at its January 24, 2001, meeting the Commission had approved this application by a 4-to-1 vote. She said that most of the opposition was related to the sale of alcohol, and that the applicant had agreed to restrict the consumption of alcohol to the inside of the building. She said the applicant had also revised the site plan to reduce the size of the bar and the number of bar stools. Ms. Link said that the applicants would request a Series 12 liquor license, which would require a 60-40 food to alcohol sales ratio. She said that because of opposition from adjacent property owners, a unanimous vote of the Board would be required in order to approve the application. Chairman Brownlow asked Ms. Link if she was sure that the Board could limit the hours of operation where a liquor license was involved. Ms. Link said that she had specifically asked Mr. Schurr that question and that his answer was yes. Chairman Brownlow said he would not open the floor for an hour of debate on this issue. He said that the Board members had read everything related to this issue, and that he would appreciate just a brief comment from the applicant and comments from one or two people who were opposed to the application. He asked the applicant if ADOT had been contacted regarding access. Applicant Linda Swalve said she had contacted ADOT and that she had a permit. Mayer residents Bill Roberts and Bob Shepherd spoke in opposition to the application, saying that additional businesses were needed in the Mayer area but that they should be appropriate businesses. Mr. Roberts said the applicant's proposal was not for a family restaurant and that the applicant's intent was not to sell food but to sell alcohol. He said that the Harley Davidson facility near Flagstaff was not in a residential area and that he hoped the Board would consider that. Mayer resident Janna Hill said she was concerned about the sale of alcohol as well. She said that ADOT had indicated it could not do anything about access, and that she was concerned that family members or others would be lost to traffic accidents before ADOT would even look at access issues. Ms. Hill said she had spoken with representatives of the law enforcement community and that there had been concerns expressed regarding response time to accidents. Ray DeMaris said he was a businessman in Mayer and that he was familiar with law enforcement in the area. He said that the Arizona Department of Public Safety was responsible for Highway 69 and that there was a minimum of four patrol officers on the highway. He said that Mayer needed more business. Supervisor Davis said he had the same problem with this application that he had with the daycare application in Williamson Valley. He said he would like to respect the wishes of the residents who had lived in the area for a while, and that the only part of the application that people seemed to be opposed to was the sale of alcohol. Supervisor Davis moved to approve the recommendations of the Planning & Zoning Commission with the exception of allowing the sale and consumption of alcohol on the premises. Supervisor Street seconded the motion, saying she wished the Board had dealt with this application prior to her taking her seat as a Board member. She said she had wrestled over this application and that, for her, what it came down to was that the applicant could build on an adjacent lot and have a restaurant and bar without having to go through any kind of public process and that the only difference was that it would cost them some more money. Ms. Link said the Planning & Zoning Commission had discussed that aspect of the issue, and that part of the reason for the Commission's approval was that the C2 zoning on the adjacent lot would allow for the consumption of alcohol outside and that such a use was restricted on the subject parcel. She said that the County could also restrict the hours of operation on the subject parcel, but

that it could not do so on the parcel with C2 zoning. Supervisor Street said that was her point, that right now the County had available to it more restrictions and controls on the applicant than it would have if the Board denied the application and the applicant purchased the parcel with C2 zoning. Mr. Roberts said if the applicant purchased the adjacent lot, residents would object at that point. Supervisor Street said that if the applicant purchased the parcel zoned C2, residents would never even receive notice regarding the operation. Mr. Schurr concurred, saying that a restaurant and bar would be allowed as a matter of right. Commissioner Wood said he had voted against this application the first time it came to the Commission but that things had changed. He said that now noise was a concern and that there were laws against excess noise. Chairman Brownlow asked what type of review would be involved pursuant to stipulation #18. Mr. Schurr said that staff would conduct a site visit after six months to see if the applicant was complying with the stipulations, and that if they weren't, the County could shut down the operation. Supervisor Davis said that after hearing more about what swayed the Commission in recommending approval of this application, he believed it was a case of "you have to be careful what you wish for, because you might get it." He said that the application before the Board on this day offered more safeguards than what could be provided if the applicant purchased the parcel with C2 zoning. Supervisor Davis then amended his motion to approve the application as recommended by the Planning & Zoning Commission. Supervisor Street seconded the motion, saying that residents in Mayer would have more safeguards this way. Chairman Brownlow called for the vote, which carried unanimously.

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. All items below were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Street. No comments from the public.

1. Zoning map change from a combination of R1L-12 and R1L-35 to R1L-2A zoning district, 107-11-011E, Prescott area, Janet Childress, #7159. Consideration of a Zoning Map Change from a combination of R1L-12 (Residential; Single Family Limited; minimum 12,000 square foot lot size) and R1L-35 (Residential; Single Family Limited; minimum 35,000 square foot lot size) zoning district to R1L-2A (Residential; Single Family Limited; minimum 2-acre lot size) at the request of the property owner to decrease the overall density that would be allowed as a matter of right on an approximate 10-acre parcel. Located approximately 3,000 feet south of the intersection of Copper Basin Road and Copper Canyon Drive, approximately 700 feet east of the Timber Ridge subdivision and the City of Prescott Incorporated Limits, and immediately adjacent to the Prescott National Forest. The Planning and Zoning Commission recommended approval of the Zoning Map Change.
2. Use permit to allow the installation and operation of a wireless communication facility, 301-17-049, Seligman area, Gary Cassel for Crown Atlantic Company agent for Lisa A. Stults, #7161. Consideration of a Use Permit in order to allow the installation and operation of a wireless communication facility with a 195-foot, non-lighted lattice tower and accessory equipment storage structure on a 100-foot x 100-foot leased area of a 62-acre parcel located in a RCU-2A (Residential; Rural; 2-acre minimum) zoning district. Located on the north side of Interstate 40, approximately 1.5 miles west of the Jolly Road exit and approximately 19 miles west of the community of Seligman.

The Planning and Zoning Commission recommended approval of the Use Permit with the following stipulations: 1). Use Permit shall be granted on a 10 year, transferable basis, with staff notification prior to transfer, and a staff review after five years; 2). Development shall be in general conformance with the site plan dated November 1, 2000, and with modification to tower location lease area, dated December 19, 2000, with the tower, antennae, and dishes being painted a non-reflective color, and any buildings, walls and ground equipment to be painted to match the existing natural environment. The maximum height of the tower, including base, platform and antennae, not to exceed 150 feet above grade level; 3). Upon issuance of Zoning Clearances for construction, VoiceStream Wireless, shall be permitted to locate their antennae on the tower and equipment on the ground. All additional collocation of carriers shall follow the review and permitting guidelines outline in the Wireless Ordinance; 4). Prior to issuance of Building Permit/ Zoning Clearance, financial assurances shall be posted by the applicant for the occurrence or possible need for removal of the tower. The communication tower shall be removed from the property, at the owner's expense, within one hundred eighty (180) days if it becomes unused or obsolete. The accessory structures could remain and be permitted according to the Planning and Zoning Ordinance; 5). Pursuant to Section 108J. of the Yavapai County Zoning Ordinance, permittees must obtain building permits/Zoning clearance, 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; 6). Pursuant to the Wireless Plan and Ordinance, applicant to provide certification that the 150' tower is co-locatable with at least five (5) or more wireless communication providers with adequate coverage in addition to any emergency agencies, and will execute a written co-location agreement in a form approved by the County Attorney that provides for the information as set out in the Wireless Plan, prior to issuance of Zoning Clearances.

3. Use permit or zoning map change from C2 to M2 zoning district to allow an office, stone cutting, fabrication and unscreened outside storage of stone, Stoneworld, 302-08-040, Ash Fork area, Radomir Bosilcic, #7164. Consideration of a Use Permit or Zoning Map Change from C2 (Commercial; General Sales and Services) to M2 (Industrial; Heavy), as well as an amendment to the Ash Fork portion of the Yavapai County General Plan in order to allow an office, stone cutting, fabrication, and unscreened outside storage of stone on a 3/4-acre parcel. Located on the I-40 Business Loop directly north of the westernmost interchange, adjacent to the existing Stoneworld Retail facility in the Community of Ash Fork. The Planning and Zoning Commission recommended approval of the Conditional Zoning Map Change and General Plan Amendment with the following stipulations: 1). Conditional Zoning Map Change and General Plan Amendment to M2 for the structures shown on the site plan dated 12-8-00 and for the operation of an office, stone fabrication and outside storage of rock with no retail sales; 2). Hours of operation shall be limited to 8:00 am to 6:00 p.m., Monday to Friday; 3). Applicant to clearly delineate entrance for controlled access and to avoid loading/unloading and parking in right-of-way, prior to initiation of use; 4). All driveways, and parking areas to be surfaced with either asphalt or concrete, prior to initiation of use. Maximum width for entrance or exit driveways is to be no greater than 30'; 5). Waiver of section 108 N of the Planning and Building Ordinance to allow 11 parking spaces; 6). Waiver of section 108 H.4 of the Planning and Building Ordinance to allow unscreened outside storage; 7). Any wastes or by-products associated with stone cutting and fabrication to be stored and discarded in a method to be reviewed and issued permits if necessary by ADEQ; 8). Signage not to exceed thirty (30) square feet; 9). County Environmental Services

Department and Flood Control District approval prior issuance of building permit; 10). Building permits/Zoning clearances shall be obtained, 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; 11). All outdoor lighting shall conform to Yavapai County Zoning Ordinance requirements (Dark Sky Ordinance); 12). Issuance of Certificate of Compliance within ninety (90) days of Board approval.

4. Preliminary subdivision plat, Talking Rock, 306-35-203F, Prescott area, Doug Zuber agent for Harvard Investments, #7166. Consideration of a Preliminary Subdivision Plat consisting of a total of 196 lots ranging in size from 0.50 acre to 1.62 acres on a total of 310.86 acres in a Planned Area Development (PAD) zoning district. Located on the east side of Williamson Valley Road approximately 5 miles north of its intersection with Outer Loop Road and approximately 10.5 miles north of the City of Prescott. The Planning and Zoning Commission recommended approval of the Preliminary Subdivision Plat with the following stipulations: 1). Development in general conformance with the Preliminary Plat maps stamped and dated 12-12-00 consisting of three sheets; 2). Adequate 100 year water supply for both the golf course/amenities and residential units will need to be demonstrated before this first phase can be recorded; 3). All state and Federal permits to be issued prior to recordation of the Final Plat for Phase I; 4) Applicant to comply with CYFD letter dated 12-29-00 as part of the submittal of the Final Subdivision Plat; 5). Setbacks, building envelopes according to the development agreement to be illustrated on the Final Plat; 6). Applicant to submit Street names to be reviewed and approved by the County Addressing Coordinator in cooperation with CYFD prior to submittal of the Final Plat; 7). Trail along Williamson Valley Road to be dedicated to the County prior to submittal of the Final Plat for Phase I; 8). Maintenance of the Trail along Williamson Valley Road to be to be included in the CC&Rs by the Talking Rock Ranch Community Association; 9). Public Works to review and approve interior roadway and entrance road geometric, construction plans, road striping prior to submittal of the final plat for phase I; 10). Public Works to review and approved construction plans for off-site improvements to Williamson Valley Road at both access points to Williamson Valley Road prior to submittal of the final plat for phase I; 11). Final Plat to illustrate the 25-foot of additional right of way along Williamson Valley Road; 12). A Final Phase III Drainage report to be submitted and approved by the Flood Control District prior to issuance of a development permit; 13). ADEQ/County Environmental Services Department approval of sanitary facilities as part of Final Plat approval; 14). One Foot Non-vehicular access easement along Williamson Valley Road the entire length of Phase I to be illustrated on the Final Plat; 15). Water storage tank site to be shown on the map and information provided showing how it will be aesthetically treated and screened from view using thematic architectural elements and landscaping as part of the final plat submittal; 15). Applicant to comply with the terms of the approved development agreement.

#### Planning & Building Department Business:

1. Hearing: Consider adoption of official street name changes for the following areas: (a) Aggie Hode Road to Aggie Hodge Road, in Peeples Valley; (b) Hawkins Drive to Hankins Drive, in Poland Junction; (c) Mayer-Dugas Road and Chauncy Ranch Road to Old Sycamore Road, in the Mayer

area; (d) Kirkland-Kirkland Junction Road and Kirkland-Hillside Junction Road to Thompson Valley Road, in the Kirkland/Hillside area; (e) Prescott Kirkland Highway and Kirkland-Skull Valley Highway to Iron Springs Road, southwest of Prescott; and (f) Prescott Simmons Highway to Williamson Valley Road, in the Williamson Valley area. 911/Addressing Coordinator Vincent Gallegos presented this item. He said that there had been no opposition to the changes for (a), (b), (c) and (f), and requested that the Board approve those changes. Upon a motion by Supervisor Street, seconded by Supervisor Davis, the Board voted unanimously to approve Resolution No. 1279 providing for the street name changes noted in items (a), (b), (c) and (f). Mr. Gallegos said that with regard to the changes proposed in items (d) and (e), the intent had been to change the names of the roads to coincide with what the community knows them to be. He said that with regard to item (d), a large portion of the road is known as County Route 15, and that because of concerns from area residents regarding the proposed changes he would recommend postponing action on that name change to allow the community time to agree on another name. Supervisor Street said that several people had contacted her regarding this proposed name change, and that one of them, Mr. Ritter, had indicated that he would like the road named after his family. She said she believed at this point that more people would be happy leaving the name alone. Mr. Ritter told the Board that his family had been in the area since 1868 and that he would like to have his family name considered for the road name. Supervisor Street moved to hold the change for (d) in abeyance. Supervisor Davis seconded the motion, which carried by unanimous vote. Mr. Gallegos then turned his attention to (e), saying that the proposal was to identify the road as Iron Springs Road to its intersection with Tonto Road and from that point on as Skull Valley Road into the Kirkland area. Chairman Brownlow suggested contacting the Skull Valley Fire Department to see if it wanted to become involved in the name change. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to hold (e) in abeyance.

ITEM NO. 9. Julie Ayers, Human Resources; Mona Berkowitz, Medical Assistance; Dave Hunt, Board of Supervisors. Discussion only regarding Yavapai Combined Trust as it relates to the acceptance of new entities. Due to time constraints, this item was held in abeyance, upon a motion by Supervisor Davis, seconded by Supervisor Street. No comments from the public.

ITEM NO. 10. MIS Director Stephen Welsh. Request for permission to purchase 200 Cisco IP Phones to complete Cottonwood and start installation at the Fair Street Administration Building, at a cost of \$428,042.19. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Street. No comments from the public.

ITEM NO. 11. County Administrator Jim Holst.

1. Consider contracting for architectural services for the new Fair Street building. After a brief presentation by Special Projects Coordinator Angelo Manera, the Board voted unanimously to approve a contract with DLR Architects, to include landscaping, for a 6% fee. Motion by Supervisor Davis, second by Supervisor Street.

2. Discuss old Fairgrounds facilities issues. This item was discussed in conjunction with Item 2., presentation of the economic impact study for Prescott Frontier Days. Please refer to Item 2. for information.

ITEM NO. 12. Resolve into the Board of Directors of the Yavapai County Jail District. Reference: Special District minutes.

1. Approve minutes of meeting of January 16 and 17, 2001.
2. Consider approval of Jail District consultant recommendations.

ITEM NO. 13. Resolve into Board of Supervisors. County Assessor Tony Martinez. Request for permission to hire Title Examiner at advanced step. Human Resources Director Julie Ayers participated in discussion of this item. Mr. Martinez said the previous Title Examiner in his office was making about \$34,000 when she left and that he would like to hire Walter Serrano at the same salary given Mr. Serrano's 37 years of experience in title work. He said that Mr. Serrano also had legal experience and that he believed having Mr. Serrano on board would save the County money with regard to litigation resulting from title problems. He said he had sufficient funds in the budget to pay Mr. Serrano the requested salary. Chairman Brownlow said the Board usually did not do things like this. Mr. Martinez said that in his first year as Assessor he believed this would help him to build a good team. He said he had been able to bring other employees in at a lower cost. Supervisor Davis said the County's policy requires starting employees at the probationary level. Ms. Ayers said that department heads have the ability to hire new employees at a salary between steps 1 and 10 on the range. Supervisor Davis said he did not like to deviate from what the Board had recently set as a standard, adding that if the Board approved this request it might as well throw the standard out. Mr. Martinez said he understood the dilemma but that he wanted to have quality people in positions that could save the County money. Supervisor Street asked how many applicants there were for the position. Mr. Martinez said he looked at 14 or 15 applicants. Ms. Ayers said she knew the Human Resources Department had sent Mr. Martinez a good number of qualified applicants. Supervisor Street asked if the job posting for the position listed the beginning pay. Ms. Ayers confirmed that it did. Supervisor Davis told Mr. Martinez he could understand his frustration because he, too, had employees who came to the County with rich experience but he could not offer them higher pay. Supervisor Davis then moved to maintain the standard which would allow Mr. Martinez to hire Mr. Serrano at up to step 10 of the range and denying the advanced step hire request. Ms. Ayers said she had already approved hiring Mr. Serrano at step 10. Supervisor Davis asked what opportunities Mr. Martinez would have to reward Mr. Serrano. Ms. Ayers responded that he would be eligible for an evaluation-based increase in October as well as for any range adjustment the Board might grant in July. Supervisor Street seconded the motion. Chairman Brownlow told Mr. Martinez the issue was not money, but rather the wisdom of breaking a pattern the Board has followed for a long time. He called for the vote, which carried unanimously. No comments from the public.

ITEM NO. 14. Convene in executive session pursuant to A.R.S. 38-431.03(A)(7) for discussion of real estate. Due to time constraints, the Board did not hold this executive session. Instead, there was general agreement that it would be held over for another meeting.

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

1. Requests from Board of Supervisors:

- a. Liquor licenses for which there are no protests, and which are approved by the Sheriff: (1) Series 9 Location Transfer, Circle K Store, Sedona area, Kim Kenneth Kwiatkowski; (2) Series 12 Original, The Mothership, Dewey, Barbara A. Osusky; (3) Series 12 Original, The Titanium Club, Dewey, Leroy M. Valencia.
- b. Consider authorizing the Planning & Building Department to issue an RFP for cleanup of the Baxter property in Paulden. Supervisor Davis said there was no indication that a lien would be placed on this property in order to recover the County's costs for clean-up. Mr. Schurr said the County had a court order to go on the premises and clean up the property, but that he did not know what it would cost. He said that if the County could not recover the cost of the clean-up from the property owner, the Board would be asked to approve placing a lien on the property. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to approve this request contingent upon the County placing a lien or other mechanism on the property to recover the County's costs for clean-up.
- c. Approve intergovernmental agreement with the Arizona Department of Revenue for data processing services for the period of January 1, 2001 through December 31, 2001.
- d. Consider approval of a 5% increase for Administrative Aide Linda Bruner for moving from classified to nonclassified status, effective January 1, 2001. Chairman Brownlow said he would like to hold this item in abeyance until such time as restructuring of the Board office could be considered. Human Resources Director Julie Ayers said that if the Board did not proceed with the increase on this day, she would recommend that Ms. Bruner retain her classified status. Supervisor Davis moved to hold this item in abeyance with the understanding that Ms. Bruner would be a classified employee. Supervisor Street seconded the motion, which carried by unanimous vote.

2. Request from School Superintendent, Special Programs, for permission for Al Garbagnati to attend Cognitive Behavior Therapy Workshop, Las Vegas, Nevada, February 16 – 18, 2001, at an approximate cost of \$900.00, to be paid from budgeted funds.

3. Requests from Superior Court:

- a. Permission to transfer \$20,754 from Outside Services to Salary & ERE for Division 6 Court Reporter.
- b. Permission to spend approximately \$1,200 from Furniture & Equipment to purchase equipment used by judges to conduct court proceedings telephonically. Request is for new Division 6 of Superior Court.

4. Request from Human Resources to re-appoint Robert Palmer to the Employee Merit Commission Board for a 4-year term beginning March 15, 2001 through March 16, 2005.

5. Request from Assessor for permission to purchase two new Dell computer systems at an approximate cost of \$2,700 to be paid from existing budgeted funds. Chairman Davis said there was no



back-up information with this request and that the Board was trying to send a message that these types of requests should be part of the budget process and should go through the MIS Department. He said he would like to stay with the process the Board had established. Mr. Holst said he believed computers had been transferred from the Assessor's Office to the Board office. Supervisor Street said she and her assistant had brought their computers with them to the Board office but that she had not believed it would create a problem. Supervisor Davis moved to hold this item in abeyance. Supervisor Street seconded the motion, which carried by unanimous vote.

6. Requests from Sheriff's Office:

- a. Approval and signature of contract amendment for an eighteen-month extension with Alliance Mobile Diagnostic for x-ray services for inmates.
- b. Approval and signature of a medical contract with Dr. Kirk Westervelt to provide dental services to inmates housed at the Camp Verde Detention Facility.
- c. Request to retain Animal Control vehicle for increase in fleet.
- d. Renewal of lease with Arizona State Land Department for the land on which the repeater in the Seligman area is located, for a period of five years at a cost of \$1,500 per year to be paid from existing budgeted funds. Supervisor Davis asked if it would be possible for the County to purchase this state land instead of paying \$1,500 per year to lease it. Public Works Director Richard Straub said he believed that would be possible but that the County would run the risk of being out-bid for the property. Chairman Brownlow said that purchase of the property could be looked into, but that this property was one of the few locations along Interstate 40 with a repeater. He said he believed there were also other repeaters on the property. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to approve renewal of the lease.

7. Requests from the Parks Department:

- a. Authorization to apply for Local, Regional and State park grant for High Desert Park playground equipment replacement. The Board considered this item and item b., below, together. Parks Coordinator Jim Boyd said he was requesting permission to apply for the grants, and that any matching funds would come from the parks fund as well as in-kind matches. Mr. Holst said that Mr. Boyd's time could not be charged back to projects, and that only Public Works time could be charged back. He said he had not reviewed the specifics of these requests. Chairman Brownlow said he did not believe Supervisor Street would be out any funding on these requests as the only request on this day was for permission to apply for the grants. Supervisor Davis said he believed there needed to be better communication, and that Supervisor Street should have been made aware of what was happening. Supervisor Street said she was not opposed to park improvements and that she did not mind Mr. Boyd preparing the application package, but that she would request a meeting regarding these proposals so that she could have a better understanding of how the funds work and what would or would not have to come out of parks money allocated for her district. Supervisor Street moved to approve the application for the grants. Supervisor Davis seconded the motion, which carried by unanimous vote.
- b. Authorization to apply for Local, Regional and State park grant for Tenderfoot Park playground

equipment replacement. Approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Davis. See item a., above, for detail.

- c. Authorization to accept Land, Water and Conservation Funds (LWCF) from the state for the Highland Center Park project per Resolution No. 1220 approved February 22, 2000.

8. Requests from Health Department:

- a. Permission for Nancy Reid-McKee to attend Basic Colposcopy Education Program, Torrence, California, March 5-9, 2001, at an approximate cost of \$1,900, to be paid by Reproductive Health Fee Revenues, and permission to take a County car out of state.
- b. Approve Tobacco Education/Prevention/Cessation Services contract with Prescott Unified School District #1, for provision of Site Coordination through June 30, 2001.
- c. Approve contract with George Sein, M.D. to provide tuberculosis clinical services.

- 9. Request from Public Defender for permission for Daniel DiReinzo to attend seminar in Las Vegas, Nevada, February 21-24, 2001, at approximate total cost of \$1,312.74 to be paid from the Public Defender's Training Fund Grant.

- 10. Request from Mayer Justice Court for permission for Judge John Kennedy to attend the National Judicial College in Reno, Nevada, January 28, 2001 through February 2, 2001, at approximate total cost of \$835.50 to be paid from existing budgeted funds.

- 11. Request from Finance Department for adoption of new bidding guidelines.

12. Requests from Public Works:

- a. Consider accepting a drainage easement from the City of Prescott with regard to the Willow Hills Subdivision on Willow Lake Road in the Prescott area. Chairman Brownlow noted that all of Willow Lake Road is in the City of Prescott, asking why the County continues to maintain the road. He asked if it could be abandoned to the City of Prescott. Public Works Director Richard Straub said that with the exception of a small subdivision on the east end of the road that is in the County, the property along both sides of the road was in the City limits. He said the County had tried to give the road to the City but had been unsuccessful. Mr. Holst said the City had indicated something about wanting an overlay done on the road. He said there was a bill in the legislature that would require cities and towns to take roads when they annex property. Mr. Schurr said he did not believe that bill would go anywhere as the League of Arizona Cities and Towns was opposing it. He said that current annexation statutes require cities and towns to take adjacent roads when they annex. He asked why the County wanted the drainage easement, saying current statutes could be followed up on. Chairman Brownlow moved to approve accepting the easement and to follow up with the City regarding its acceptance of the road. Supervisor Street seconded the motion, which carried by unanimous vote.
- b. Consider approval of Authorization of Services #10747 with SWCA Environmental Consultants, Inc. in an amount not to exceed \$42,650 for Fain Road Alternate Data Recovery.
- c. Consider releasing financial assurances for Canyon Mesa Country Club Phase III, and release any funds being held in retention.

- d. Consider approval of contract extension with Sedona Recycles, Inc. until November 14, 2001, for Recycling Services in the Verde Area, Yavapai County, Arizona, Contract #998149. Supervisor Davis said he had just dealt with Sedona Recycles regarding Christmas tree removal, and asked if it would be possible to amend the contract to provide for Christmas tree removal at a cost of no more than \$500. Public Works Director Richard Straub said he could negotiate with the company. Chairman Brownlow suggested holding this item until the meeting of February 20, 2001, in Cottonwood, saying that it would be appropriate at that time to have a presentation from Sedona Recycles. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to hold this item in abeyance until February 20, 2001.
- e. Consider approval of Authorization of Services #018870 with Bock Appraisal Services in an amount not to exceed \$15,000 for Professional Appraisal Services for Various Regional Road Projects. Half-cent sales tax project. Supervisor Davis said the Board had approved new purchasing criteria as part of this day's Consent Agenda, and asked if there were written proposals for this item. Mr. Holst said that professional services were not included in the new criteria, which he said pertained to the bidding process. Public Works Director Richard Straub said he was having difficulty getting appraisals done on a timely basis. He noted that the County was also prohibited by state law from soliciting price quotes from engineers and the like. Supervisor Davis moved to approve the request, but asked that next year this type of service be handled in a manner similar to that for rented equipment. Supervisor Street seconded the motion, which carried by unanimous vote.
- f. Consider approval of Authorization of Services #018871 with Cannon & Associates in the amount of \$14,733 for the design of the Cottonwood Street Canal Bridge Replacement Project in the Cottonwood area. Supervisor Davis said the concern he had expressed in item e., above, also applied to this item. He asked why this firm had been chosen. Public Works Director Richard Straub said that Cannon & Associates was probably the best bridge engineer in the state and that the company had previously done good work for the County. Mr. Holst pointed out that this was a professional service and not subject to the bidding guidelines approved by the Board. Upon a motion by Supervisor Davis, seconded by Supervisor Street, the Board voted unanimously to approve the request.
- g. Consider approval of On Call Contract for professional services and Authorization of Services #2110464 with Kenney Aerial Mapping, Inc., in an amount not to exceed \$11,220 for Beaver Creek Road Aerial Survey Mapping.
- h. Consider approval of On Call Contract for professional services and Authorization of Services #2110465 with Kirkham Michael Consulting Engineers in an amount not to exceed \$5,250 for Preliminary Feasibility and Cost Estimate for Bradshaw Mountain Extension across Agua Fria (part of the New Fain Road). Half-cent sales tax project.
- i. Award or reject bids received for Quail Ridge Park Irrigation Project in the Area of Chino Valley, Arizona, Yavapai County Project #998599. Bids opened January 23, 2001, with bids received as follows: K-Ler Land Works, Inc., \$36,250; Critco, Inc., \$37,000; Rocky Landscape, \$43,000; Ann Cole Contrating, \$45,000. Recommend awarding to K-Ler Land Works, Inc., in the amount of \$36,250.
- j. Award or reject bids received for Supply and Delivery of Portland Cement Concrete Products in

Yavapai County, Contract #2010461. Bids opened January 23, 2001, with bids received from Dunbar Stone Co. dba Paulden Sand & Rock Redi Mix; Earth Products, Inc.; Hanson Aggregates; and United Metro Materials. Recommend awarding to all bidders a various unit prices.

- k. Consider approval of Change Order #1 with Fann Contracting, Inc., for Various Overlay Projects in Yavapai County, Project #209890. Decrease of \$19,306.50.
- l. Consider approval of Change Order #1 with C and E Paving & Grading, L.L.C., in an amount not to exceed \$29,916.30 for Beaverhead Flat Road and Drainage Improvements in the Area of Cornville, Project #998138. Half-cent sales tax project.
- m. Consider approval of Change Order #1 with A. Miner Contracting, Inc., for Various Turn Lane Projects in Yavapai County, Project #208272, Williamson Valley Road and Pioneer Parkway, in an amount not to exceed \$5,733. Half-cent sales tax project.
- n. Consider approving a right-of-way project on Merritt Ranch Road, Cornville area.
- o. Consider accepting a petition to establish Mountain View Drive in Verde Palisades as a County highway and set hearing for February 20, 2001, at 10:00 a.m.
- p. Consider approving a right-of-way and drainage project on Loy Road, Cornville area.
- q. Consider approval of intergovernmental agreement with the Yavapai-Prescott Indian Tribe for the establishment of unified emergency management for the 2000-2001 fiscal year. Supervisor Davis asked if the amount listed in the agreement, \$53, was correct. Public Works Director Richard Straub said that a per capita cost is applied to determine reimbursement for this type of agreement. He said that under the terms of the agreement the County would review emergency management procedures with the Tribe and develop a plan in the same manner as is done for cities and towns. Supervisor Davis asked if it would be possible to adjust the rate formula, saying that meeting with the Tribe for just a couple of hours would eat up the \$53 reimbursement. Mr. Straub said he could look into that for the next budget year. He added that it was quite a step forward to have the Tribe come on board with this type of agreement. Mr. Holst said staff would look into the formula, saying that there were different levels of service that could be provided. Supervisor Davis said the Board just needed to be fair with the taxpayers' money. He then moved to approve the agreement. Supervisor Street seconded the motion, which carried by unanimous vote.

### 13. 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, Free Library District, Jail Districts and other County improvement districts as follows, for the purpose of approving vouchers: Ash Fork Street Lighting Improvement District; Coyote Springs Road Improvement District; Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Street Lighting Improvement District; Sun-Up Ranch Road Improvement District.
- 2. Resolve into the Board of Directors for the Coyote Springs Road Improvement District II:

- a. Approve minutes of meeting of January 16-17, 2001.
- b. Approve purchase of right-of-way from property owner Jackie Duncan.
- c. Consider approval of Authorization of Services #018869 with Sunrise Engineering, Inc., for Coyote Springs Road Improvement District Post Design Services in an amount not to exceed \$15,900.

# CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,790,654.69	Jail District	337,359.81
Dist 1 Park Fund	77.02	Dist. 2 Park Fund	156.84
Dist. 3 Park Fund	217.50	Windmill Park Fund	14,025.00
Family Planning	13,397.79	Family Planning Fees	2,433.92
Home Health Ser	12,501.57	Health Promotion	1,887.99
Teen Pregnancy	115.44	Nutrition	1,121.88
T.B. Control	4,187.10	WIC Program	11,992.56
Jail Enhance	6,435.53	Diversion Intak	10,035.38
Juvenile IPS	15,679.73	Family Counseling	759.00
Juvenile Food Prog	2,237.59	Probation Serv	4,573.95
Adult IPS	27,427.07	Adult Probation Fees	19,075.37
Prob Enhance	26,086.03	Recorder's Surcharge	9,307.32
Community Advis. Bd	112.28	Nutrition Fees	2,636.00
Indigent Def/Dg	1,627.47	Crim Just/Atty	3,794.84
Bad Check Prog	2,823.01	CDBG Grant	8,812.54
Juv Prob Sys	3,000.89	Commodity Fd	302.90
Azeip Case Mgmt	1,655.92	Sexual Trans Disease	326.72
Hi Risk Chld Hl	1,564.61	Clerk's Storage	691.49
WIC/TOB Intervention	1,305.30	HIV Prevention	1,699.68
Atty Anti-Racket	119,187.48	PANT	2,496.43
Law Library	2,910.70	CASA	3,136.98
Case Process	923.84	Azeip Coordinator	4,129.49
Vict Witns Prog	6,281.92	Court Enhancement	1,048.57
Concil Court	4,471.90	Workforce Invest Bd	1,079.31
Drug Enf Fndg	1,115.15	Vital Statistic	2,020.45
Developmental Svs	5,506.88	Youth Count	400.00
Victims Rights Impl	3,253.46	JAIBG Juv Acct	1,397.30
Child Proverty Book	51.12	Yav Indian Agreement	2,018.55
Hassayampa/LTC	3,673.59	Dietetic Intern	722.72
Immuniz Service	3,210.89	Idea-Preschool	1,014.63
Subs Abuse/DARE	235.17	Chem Abuse	219.17
Recycle Education	205.67	Identify/Prosecution	0.00
Pro			
Family Drug Court	1,014.34	Juvenile Drug Court	3,544.71
Juv Det/PACE	224.88	Collab Comp Rev	441.95

Prevent Child Abuse	1,811.93
Sm Schools Ecia	985.80
Cops in School	2,702.69
Public Works	273,052.19
Jail Commissary	14,677.33
Environ Svcs Di	0.00
V V Solid Waste	5,414.91

Develop Clinic	1,237.22
Safe School Pro	4,169.02
Family Law Commiss.	4,214.22
Pace Chapter 1	89.19
Health Start	13,897.39
Intstcomp Prog	2,202.69
COPS More	5,278.17
Tobacco Educ	33,302.45
Primary Care Fees	135.00
Hopwa Housing Op	128.40
Grant in IAS #98A14	0.00
Attendant Care	13,218.19
Network Develop	3,375.99
Children's Justice	707.11
Domestic Relations Ed	516.26
COPS Hiring	-83.16
VOCA	2,865.56
Divrsn Consequ	1,497.63
Capital Projects	112,807.51
Sedona Airport	56,815.73

Special Program	11,836.71
Sm Schools Beha	12,961.15
Fill the Gap – Courts	1,421.92
Health Fund	88,972.82
Yav Cemetery Assoc	9.15
W Yav Solid Waste	5,414.91
Water Advisory Comm	3,378.08
Tire Recycle	15,651.52
Adhs-Svs Coord	1,116.22
Comm Punish Pro	1,116.00
Regnl Road Project	2,000,738.45
Victim Comp	7,444.60
Ryan White II	1,764.04
Perinatal Block	1,912.54
Equal Ad Det Ed	89.20
Child & Adoles. Grant	698.62
DYNIX to Horizon	12,800.00
DTEF	1,772.01
HIV/WYGC	473.30
HIV Targeted	1,529.32
Child Sup & Vis	574.69
Case Flow	430.07
Self Service	1,208.00
JTSF Treatment	3,876.86
Tobacco Donation	44.44
Seligman Runway Air	156.00
ALTCS	442,187.00

In addition, payroll was issued on January 26 for the pay period ending January 20; warrant numbers 2400536 through 2401075; 2401616 through 2402145, in the amount of \$420,093.77. Jury certificates were also issued, warrant numbers 6849142 through 6849201; 6849202 through 6849477; 6849478 through 6849520. Warrants issued for February 5th Board day, 4142200 through 4142540; 4142541 through 4143004; 4143005 through 4143326.

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

ATTEST:

\_\_\_\_\_  
Clerk \_\_\_\_\_Chairman

