

OFFICE OF BOARD OF SUPERVISORS

YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

October 1, 2001

The Board of Supervisors met in regular session on October 1, 2001.

Present: Gheral Brownlow, Chairman; Chip Davis, Member, Carolyn Dicus, Administrative Aide.

Absent: Lorna Street, Vice Chairman; Bev Staddon, Clerk, due to previously scheduled vacations.

Also Present: Jim Holst, County Administrator; Dave Hunt, Board Counsel/Assistant County Administrator.

Due to Supervisor Street's absence from this meeting, all notations of Board action approving agenda items by "unanimous vote" are by unanimous vote of those present.

ITEM NO. 1. Resolve into Board of Directors of Bryce Canyon Drive Sewer Improvement District. Reference: Special District Minutes.

1. Approve minutes of meeting of September 4, 2001.
2. Conduct hearing on protests and objections to proposed improvements set forth in Resolution No. 2001-1, the Resolution of Intention.
3. Consider approval of Resolution No. 2001-2, a Resolution of the Board of Directors of Bryce Canyon Drive Sewer Improvement District of Yavapai County, Arizona, Ordering the Improvement Done as Described in Resolution of Intention No. 2001-1.

ITEM NO. 2. Resolve into Board of Supervisors.

1. Consider approval of a proposal to replace the cover on the capped rock lined well in the southeast portion of the Courthouse Plaza with laminated tempered glass, along with lighting to be able to see into the well. Cost of approximately \$700, to be paid from the Facilities budget. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Brownlow. No comments from the public.
2. Discussion regarding state revenue deficit and possible effect on the County's budget. Mr. Holst spoke regarding a fax that he had received from the County Supervisors Association outlining what was being done at this point to be prepared for the proposed budget cuts and regarding Senator Gnant's letter for future meetings to be held to discuss this issue. He said that Governor Hull was planning on having a special session on November 13, 2001, to discuss state revenues. Mr. Holst presented revenue information saying the July state shared sales tax payment was at the same level as last year's payment but that the August payment was down by 4% coinciding with the state's 4% information. He said the County's state shared sales tax payments made up 35% of the General Fund revenues and 12% of the total budgeted revenues and that the highway user revenue from the state makes up approximately 6% of the total budget. He said the County was anticipating significantly higher revenue this year than what was budgeted for and if the increase occurs with the highway user funds, the Board may wish to review how to transfer monies between the funds. Mr. Holst explained what the different shortfalls made by the state budget's cut would mean to the County's budget saying the Capital Improvement program had a short-term ability to adjust some expenditures. He said the state had claimed of seeing a softening in the sales tax revenues before the September 11, 2001, event and that the state was watching to see in what direction this would go. Mr. Holst spoke of monitoring the expenditures every month saying he should be able to stay on top of what is being spent in the different funds. Supervisor Davis asked why the half-cent sales tax revenues were expected to be higher in which Mr. Holst replied that the revenues were coming in higher this year as Yavapai County's assessed valuations were expected to come in higher than Maricopa County's assessed valuations. Chairman Brownlow questioned how the new mall opening in March of 2002 would affect the state sales tax revenues. Mr. Holst answered that it would take about three months after the opening of the mall for any information to come in to the County from the state to show the results of those sales.
3. Discussion and possible action regarding request from the Prescott YMCA to set aside space at Badger Park for development of a skate park. Mr. Hunt explained that this issue had been approved in May of this year

and that the County had leased to the YMCA a portion for a skate park and in the original provisions, there was a condition included for the removal of the skate park if it became obsolete. He said today's action was to sign an amendment to the original lease purchase agreement to clarify this issue and make the agreement more specific. This clarification included separating out 26,000 square feet of the leased premises for use as a skate park, for the removal of the concrete and other improvements associated with the skate park if the park is no longer going to be in use and to require a fifteen day deadline of the Board's intent to require removal. Supervisor Davis moved to approve the amendment to the agreement. Chairman Brownlow seconded the motion, which was approved by unanimous vote. No comments from the public.

4. Consider approval of items appearing on the Consent Agenda for Board of Supervisors and on the Consent Agenda for Special Districts. With the exception of item 1.e and 4, all items were approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Brownlow. No comments from the public. See consent agenda for details.

ITEM NO. 3. Public Works Director Richard Straub.

1. Consider approval of an intergovernmental agreement between Yavapai County Public Works and the Yavapai County Flood Control District for ongoing flood mitigation and drainage improvements for four projects within the County. To be paid for by the Flood Control District. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Brownlow. No comments from the public.
2. Consider approval of a right-of-way project on a portion of Happy Valley Road, Highland Pines area. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Brownlow. No comments from the public.
3. Consider accepting an easement and quit claim deed for Naples Street, Paulden area. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Brownlow. No comments from the public.
4. Consider approval of items appearing on the Consent Agenda for Public Works. Approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Chairman Brownlow, and with no comments from the public.

CONSENT AGENDA FOR PUBLIC WORKS: Approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Chairman Brownlow, and with no comments from the public.

1. Consider approval of Change Order #1 with Asphalt Paving & Supply in an additional amount not to exceed \$4,088.80 for the Williamson Valley Road Overlay Project in Yavapai County, Arizona, Project #2111066. To be paid for with HURF.
2. Consider approval of Change Order #2 with R.J. Myers Co. in the amount of \$69,959 for reconstructing parallel taxiway at the Sedona Airport. No County funds involved.
3. Permission for Emergency Management Coordinator Nick Angiolillo to attend the International Association of Emergency Managers Annual Conference in Riverside, California, November 3-6, 2001, at an approximate cost of \$450 to be paid from the School/Training Travel account in the Emergency Services budget, and permission to take a County vehicle out of state.

ITEM NO. 4. Development Services Director Ken Spedding and Senior Planner Elise Link. Planning and zoning. Planning & Zoning Commission member Tom Thurman was present to represent

1. Zoning map change from RCU-2A to PAD-2 and General Plan Amendment, Remuda Ranch Corporate Center, 201-11-006, southeast corner of US 93 and Vulture Mine Road, approximately three miles north of Wickenburg, Jena Savage agent for Remuda Ranch Center for Anorexia and Bulimia, Inc., #7277. Consideration of a Zoning Map Change from RCU-2A (Residential: Single Family Rural, 2 acre minimum parcel size) to a mixed use PAD-2 (Planned Area Development: 1 unit per acre) and General Plan Amendment, to allow for the development of a commercial center including a 50,000 square foot, two-story, office complex and bookstore, a 14,000 square foot child care facility, a 30,000 square foot distribution facility and a family treatment facility consisting of a total of 24,300 square feet for counseling and 63,355 square feet of family housing units, on approximately twenty-four (24) acres. Located on the southeast corner of the intersection of US 93 and Vulture Mine Rd, directly north of the Maricopa/Yavapai County line and approximately three (3) miles northwest of the Town of Wickenburg. The Planning and Zoning Commission recommended approval of the Zoning Map Change/General Plan Amendment subject to the following stipulations: APPLICATION NO. 1009: 1). Amendment to the County General Plan to allow the property to be rezoned from RCU-2A to PAD-2 for a commercial corporate center. APPLICATION NO. 7277 - 1).

Zoning Map Change from RCU-2A to PAD-2 for a commercial corporate center subject to a Final Site Plan for each phase of development in general conformance with the site plan dated 7/6/01; 2). In lieu of the required six (6) foot tall masonry wall surrounding the subject parcel, all subsequent submittals of the site plan shall show the required setbacks void of any structures, interior roads, and parking lots and identified for landscaping to be provided as a visual buffer; 3). Applicant to participate in the signalization of the intersection of US 93 and Vulture Mine Rd. commensurate with traffic generated by the project; 4). Applicant will demonstrate that water will be provided by the Town of Wickenburg prior to the Final Site Plan submittal for the first phase of development, and shall demonstrate that the required fire flows are met. Town water shall also be provided to the applicant's treatment facility in Maricopa County; 5). Applicant to dedicate the required 50' setback from the southern parcel boundary as a public ingress-egress easement prior to the submittal of the first Final Site Plan; 6). Applicant to legally abandon the 20' wide right-of-way, on the western portion of the parcel, which serves as ingress/egress to their adjacent treatment facility in Maricopa County, prior to submittal of the Final Site Plan for the first phase of development; 7). The 100' wide right-of-way, on the eastern portion of the parcel, shall remain as such and must be shown on all future submittals or alternative access demonstrated to be acceptable; 8). Development of the property shall be in conformance with all other applicable standards and regulations in the Planning and Zoning Ordinance, unless waived by the Board of Supervisors. Ms. Link spoke about one of the concerns of the project being an existing access road saying it was a driveway and unimproved but that it was a legal right-of-way for the public. County Civil Attorney Randy Schurr said the P&Z Commission recommendation was to try to get the traffic off of using the main highway for access. Ms. Link said that ADOT would also prefer a limited use of the highway from this project so the access is only from Vulture Mine Road. Resident Robert McCoy was against the project saying he had concerns because of the commercial use in a residential neighborhood and he was concerned about the water issues. He said he also had concerns about the access road as it crosses over into his property. Ms. Link explained that the water issue would be addressed by the Town of Wickenburg and that this project is enclosed and there would be some delivery trucks on Vulture Mine Road but not enough to impact traffic heavily. She said that the Town of Wickenburg had indicated this project would fit into the zoning plans of the town. Ward Keller, President of Remunda Ranch said they are not expecting a lot of trucks to be coming and going to their facility. He said their product is people talking to people and a light use. Mr. Keller said that they are more than willing to work with ADOT and the neighborhood with this project. Chairman Brownlow questioned what zoning the town would adopt if the property is eventually annexed. Mr. Schurr said whatever is the closest to what the County has adopted. Mr. Keller said they are willing to delete the four buildings on the access road and have the access be on the Vulture Mine Road. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission. Chairman Brownlow seconded the motion, which carried by unanimous vote.

Consent agenda for planning and zoning items, for which there were no protests at the Planning & Zoning Commission hearing. Upon a motion by Supervisor Davis, seconded by Chairman Brownlow, the Board voted unanimously to approve the recommendations of the Planning & Zoning Commission with regard to both of the items listed below. No comments from the public.

1. Use permit extension of time, Bumble Bee Trading Post, 502-15-001, Bumble Bee area, Virgil George agent for Elissa Fulton, #1011. Consideration of an extension of time for an existing use permit for the Bumble Bee Trading Post Curio Shop/Restaurant and class 12 liquor license, including a request to allow signage that is permitted within the C1 (neighborhood sales and services) zoning district. Located on the east side of the Bumble Bee Road, approximately 4 miles north west of the Bumble Bee Road/I-17 intersection. The Planning and Zoning Commission recommended approval of the Use Permit Extension of Time subject to the following stipulations: 1). Use permit to be approved on a 10 yr. non-transferable basis with staff review concurrently with liquor license review; 2). Use to be in keeping with applicant's 2001 site plan and letter of intent submitted with use permit application HA# 1001; 3). Signage to be limited to a total of 48 sq. ft.

2. Zoning map change from RCU-2A to RCU-35, Crown King Cabin, 204-04-073A, Crown King area, Steven and Martha Wise, #7278. Consideration of a Zoning Map Change from an RCU-2A (Residential Rural; Two Acre Minimum Lot Size) zoning district to RCU-35 (Residential Rural; Two Acre Minimum Lot Size) on an approximate 1.2 acre parcel to allow the construction of a cabin not to exceed 1,000 square feet in size. Located approximately 3,600 feet southwest of the Crown King General Store on the 90 and 9 mining claim in the Community of Crown King. The Planning and Zoning Commission recommended approval of the Zoning Map Change.

CONSENT AGENDA FOR BOARD OF SUPERVISORS:

1. Requests from Board of Supervisors:

- a. Approve minutes of meeting of September 17, 2001, and of special meeting of September 11, 2001.
- b. Liquor licenses for which there are no protests and which were approved by the Sheriff: (1) Series 14 Original,

Talking Rock Golf Club, Prescott area, Douglas Ross Zuber; (2) Series 12 Original, Tara Thai Cuisine, Village of Oak Creek area, Somrudee Olch.

- c. Appoint the following precinct committeemen, as recommended by the Yavapai County Democrats: Patricia Bernhardt, Congress Precinct; Verna Clifford, Prescott Valley I Precinct; Margo Foster, Willow Precinct; Lorraine M. Giambrone, Thumb Butte Precinct; Eugene Giermann, Camp Wood Precinct; Frances R. Grace, Prescott Country Club Precinct; William L. Greene, Mile High Precinct; Mary C. Hamill, Walnut Grove Precinct; Jeri Hamilton, Lake Valley Precinct; Ronald Hartung, Antelope Precinct; Terry Keeth, Sandretto Precinct; Judy Koutnik, Round Up Precinct; Jean D. Kruger, Antelope Precinct; Jean M. Lamb, Big Chino Precinct; Shannon Aidan Leigh, Country Park Precinct; Vard Miller, Sandretto Precinct; Diane Marie Osborne, Yavapai Hills Precinct; Eleanor Price-Frost, Congress Precinct; Jesus Romero, Sandretto Precinct; Judy Ross, Round-Up Precinct; Rebecca Ruffner, Country Park Precinct; Dacoma Stevenson, Red Rock East Precinct; Elisabeth Sweelssen, Willow Precinct; Kimberly Abbott, Deep Well Precinct; Virginia Fincher, Chino Valley 1 Precinct; Patricia Heron, Castle Precinct; Angie (Faye) Whalen, Chino Valley 1 Precinct. Also note resignation of the following precinct committeemen: Emily Ellis, Senator Precinct; Chris Kaoni-Turner, Mountain Club Precinct; Mary Wadley, Prescott Northwest Precinct; Marion Bryce, Groom Creek Precinct.
 - d. Pursuant to ARS 16-558, approve a mail ballot election for the Highland Pines Domestic Water Improvement District to be held on March 12, 2002, as requested by the district board.
 - e. Pursuant to ARS 48-1012(E), cancel the election scheduled for November 6, 2001, in the Big Park Domestic Wastewater Improvement District and appoint Dorothy VandeLinde, Paul Burton and Ruth Kane to the district's board, as requested by the district board. Supervisor Davis stated there had been no other nominees for these positions making it possible to waive the election and then moved to approve this item with Chairman Brownlow seconding the motion. Approved by unanimous vote with no comments from the public.
 - f. Consider approving payment to NACOG in the amount of \$9,412 for assessments related to the Economic Development Administration and the Rural Transportation Liaison. To be paid from Contingency.
 - g. Consider approval of a request from the City of Prescott for permission to place cast bronze historic markers in front of the County building located at 255 East Gurley Street and east of the main driveway inside Citizens Cemetery.
 - h. Consider approval of a call for bids for the elevator for the Jerome Civic Center building.
 - i. Consider approval of construction contract with BLH Construction, as recommended by the Skull Valley Historical Society, in the amount of \$8,028, for the Skull Valley Historical Society Roof. CDBG program.
2. Request from the Assessor for permission for CAMA Coordinators Doug Braly and Tisha Lapp to attend Fundamentals of Modeling Workshop in Denver, Colorado, November 12-15, 2001, at an approximate cost of \$3,000 to be paid from existing budgeted funds.
 3. Request from Medical Assistance for approval of Amendment #1 with Arizona Health Care Cost Containment System Administration for capitation rate establishment for Yavapai County Long Term Care Services, effective October 1, 2001 through September 30, 2002.
 4. Requests from Finance Department:
 - a. Approve appropriation transfers to cover departmental deficit balances and individual fund deficit balances for the year ended June 30, 2001. Supervisor Davis stated that he was not comfortable with the fund transfers and that a lot of these items had been discussed in the budget process. Mr. Holst said he would like a policy formed by the Board for over-budgeted expenditures to help Finance Director Mike Danowski know how to proceed with this problem in the future. Chairman Brownlow asked if there were other funds in the various departments budgets the department heads could pull from. Mr. Holst responded that Mr. Danowski had gone through and broken the funds down as much as possible. Supervisor Davis moved to hold this item in abeyance until a further meeting. Chairman Brownlow seconded the motion. Approved by unanimous vote. No comments from the public.
 - b. Approve surplus property list for County auction to be held Saturday, October 13, 2001.

5. Requests from County School Superintendent:

- a. Permission for Jon Jensen to attend the 93rd Annual National Rural Education Association Conference in Albuquerque, New Mexico, October 24-27, 2001, at an approximate cost of \$750 to be paid from the travel account in the Yavapai County Accommodation School District budget.
- b. Permission for Fred Czarnowski to attend the 93rd Annual National Rural Education Association Conference in Albuquerque, New Mexico, October 24-27, 2001, at an approximate cost of \$750 to be paid from existing budgeted funds in the Special Programs budget, and permission to take a County vehicle out of state.

6. Request from Clerk of Superior Court for permission for the Jury Commissioner to attend Jury

Education & Management Forum in South Lake Tahoe, California, October 24, 25, and 26, 2001, at an approximate cost of \$850 to be paid from the Travel/Training/Registration account.

7. Request from County Attorney's Office for permission to add a forfeited vehicle to the County Attorney's vehicle fleet for use by a County Attorney's Investigator, and approve undercover plates for the vehicle, with plates to be paid for from the Supplies account.

8. Approve vouchers.

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

1. Resolve into the Boards of Directors of the Yavapai County Flood Control, Free Library and 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 II; Prescott East Sanitary District; Yarnell Street Lighting Improvement District; Seligman Street Lighting Improvement District; Seligman Sanitary District; Pine Valley Street Improvement District.
2. Resolve into the Board of Directors of the Yavapai County Jail District:
 - a. Approve minutes of meetings of February 20, May 3, July 2 and July 25, 2001.
 - b. Request from the Sheriff for permission for Detention Sgt. Ron David and Deputy Clay Starin to attend Electronic Defense Technology Recertification in San Diego, California, October 21-27, 2001, at an approximate cost of \$1,300 to be paid from Jail District training budget.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,671,345.20	Jail District	214,761.13
District 1 Park Fund	647.67	District 2 Park Fund	3,709.26
District 3 Park Fund	10.40	Family Planning	3,463.85
MCH Programs	1,275.51	Home Health Ser	10,265.61
Health Promotion	1,886.67	Nutrition	1,802.34
T.B. Control	658.18	WIC Program	10,975.83
Jail Enhance	4,275.08	Juvenile Delinq. Reduct	9,148.20
Juvenile IPS	13,914.33	Family Counseling	597.00
Juvenile Food Prog	1,287.77	Commun Advis. Bd	175.02
Probation Serv	2,965.67	Adult IPS	24,900.85
Adult Probation Fees	20,260.98	Prob Enhance	29,944.74
Recorder's Surcharge	15,671.69	Indigent Def/Dg	1,121.39
Misc Small Grants	1,282.37	Crim Just/Atty	8,599.97
Bad Check Prog	2,812.30	Juv Prob Svs	4,705.63
Commodity Fd	707.00	Azeip Case Mgmt	2,117.81

Sexual Trans Disease	190.00	Hi Risk Chld HI	2,157.38
Clerk's Storage	477.94	WIC/TOB Intervention	1,483.70
HIV Counsel & Test	2,936.95	Atty Anti-Racket	11,592.40
PANT	3,646.43	Law Library	4,886.25
CASA	4,058.99	Case Process	4,176.18
Azeip Coordinator	1,928.92	Vict Witns Prog	5,879.61
Court Enhancement	1,390.27	Council Court	2,190.00
SALT	16.39	Drug Enf Fndg	2,216.52
Primary Care Svs	12,420.16	Victims Rights Impl	3,503.19
JAIBG Juv Acct	1,660.68	Yav Indian Agreement	1,858.80
Hassayampa/LTC	895.04	Dietetic Intern	785.90
Immuniz Service	1,542.63	Personal Care Svs	1,062.04
Idea-Preschool	1,191.33	Subs Abuse/DARE	236.29
Chem Abuse	338.87	Family Drug Court	838.52
Juvenile Drug Court	2,903.67	Juv Det/PACE	4,820.53
Rural County	12,247.18	Prevent Child Abuse	1,155.97
Special Program	13,428.53	Sm Schools Ecia	566.63
Sm Schools Beha	10,564.18	Juvenile Jail Imp.	134,808.00
Cops in School	4,153.51	Fill the Gap - Courts	5,361.28
Hurf Road Funds	305,690.51	Health Fund	61,986.04
Jail Commissary	5,689.43	Yav. Cemetary Assoc.	17.37
Landfill Administ.	85,366.14	Water Advisory Comm	2,980.47
Clinical NICP	586.39	Tire Recycle	28,219.02
Safe School Pro	5,741.18	Adhs-Svs Coord	831.08
Local Incentive Awards	529.79	Fill the Gap - Attorney	2,004.26
Family Law Commiss.	3,744.42	Comm Punish Pro	1,544.97
Regnl Road Project	748,812.87	Health Start	3,715.35
Emerg. Response Gr	465.00	Interstate Compact Pro	2,216.30
Ryan White II	1,573.62	Primary Care Fees	272.35
Perinatal Block	2,257.63	Well Woman Health	747.59
Tobacco Educ	9,361.25	Hopwa Housing Op	2,313.27
Cops Fast	2,857.33	Detention Education	92.04
School Res. Mayer	1,851.34	Tech Literacy Chall.	10,995.00
Direct Treat Ed Fund	1,292.00	Field Trainer	1,635.63
Comm. Access Pro	526.90	Attendant Care	20,391.16
HIV/CT	439.22	HIV Targeted	1,876.23
Child Justice	420.00	Child Sup & Vis	624.84
Domestic Relations	42.05	NIBRS Reporting Sys	2,917.50
Court Training	23.51	Self Service	851.30
VOCA	3,410.82	Yav. Drug Court	1,821.49
JTSF Treatment	6,196.29	Diversion Conseq.	1,461.40
Transferred Youth	358.29	Capital Projects	30,304.86
Jail Construction	2,262.69	ALTCS	499,089.45

In addition, payroll was issued on September 21 for the pay period ending September 15; warrant numbers 2409906 through 2410412, in the amount of \$367,925.28. Jury certificates were also issued, warrant numbers 6852334 through 6852431; 6852433 through 6852557. Warrants issued for October 1 Board day, 4156728 through 4157153; 4157154 through 4157556.

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

ATTEST:

Clerk _____ Chairman