

OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

February 19, 2002

The Board of Supervisors met in regular session on February 19, 2002.

Present: Lorna Street, Chairman; Chip Davis, Vice Chairman; Gheral Brownlow, Member; Bev Staddon, Clerk.

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

ITEM NO. 1. Board of Supervisors.

1. Consider adoption of a resolution to delete Prescott People Who Care Copier Community Development Block Grant (CDBG) activity and add the Ash Fork Fire Hydrant Upgrades activity. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis. (Resolution No. 1326)
2. Resolve into the Board of Directors of Sun-Up Ranch Road Improvement District and conduct hearing to consider and pass on objections received to Resolution No. 2001-1 declaring the Board's intention to improve certain streets and rights-of-way within the District. Reference: Special District minutes.
3. Resolve into Board of Supervisors. Consider approval of items appearing on the Consent Agenda for Board of Supervisors and on the Consent Agenda for Special Districts. All items were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow. See Consent Agenda for details.

ITEM NO. 2. Sheriff Buck Buchanan. Request for establishment of a second position for a Detention Services Investigator, in the amount of \$81,107.25 for the first year, to be paid from Jail Enhancement Funds. Sheriff Buchanan told the Board this position was needed to investigate jail-related crimes and internal affairs investigations and that the position was similar to one he had requested several years ago. He told the Board he had just one Investigator for this purpose, and that that position had been put in place at a time when the jail had only 300 inmates on average per day. He said the number of inmates had gone up a great deal since that time. He said that his Detention Services Investigator was carrying a heavier caseload than any other investigator in his department, adding that the CRIPA report had made it clear that the County must properly investigate incidents in the jail. Sheriff Buchanan said that for the first year he would pay for the position and incidentals required for the position from Jail Enhancement Funds, with those funds paying for 75% of the salary the second year and 50% of the salary the third year. Supervisor Davis asked why the position would be weaned off Jail Enhancement Funds. Sheriff Buchanan responded that the Auditor General had said that after a certain amount of time he could not use those funds for that purpose and that the position would become just a regular cost of operating the jail. He said that an additional position would allow him to have an investigator on each side of the mountain. Supervisor Davis said he would feel better reviewing this request as part of the budget process, adding that the Board was not sure at this point in time what the County's revenue picture would look like for the coming year. Sheriff Buchanan stressed that the position would be paid for from Jail Enhancement Funds that had nothing to do with general tax revenues. He said he believed it was important to move ahead on the position now, saying that the CRIPA investigation had made it clear that the position was needed. Sheriff Buchanan said that if a decision on this request was deferred until the budget process the Board might have to look at approving it to be paid for with regular County funds instead of Jail Enhancement Funds. He said he had received the CRIPA report on December 19, 2001, and that if the Board waited until July 1, 2002 to approve the position in all likelihood the Jail Enhancement Funds would be off the table. Supervisor Davis said that Jail Enhancement funding for the position would be gone by the fourth year and that the County would be left to pay for the position, along with inflation, a replacement vehicle and so on. Sheriff Buchanan said the position was going to have to be implemented one way or another, and that either the County could do it or it could wait for the Justice Department to tell it to do it. Mr. Holst said he believed the Jail Enhancement Funds were similar to the Recorder's and Assessor's surcharge funds in that they could only be used for new personnel and only for a certain amount of time before being transitioned to regular County funding. He said that in this case, when funding from Jail Enhancement could no longer be used the position would be paid for out of Jail District funds. Supervisor Brownlow asked if there was enough crime in the jail to keep two investigators busy. Sheriff Buchanan said there was, and that jail crime also had links to the outside community. He said he understood the Board's concerns about the future, but that the County's immediate concern was to satisfy the recommendations of the CRIPA report. He said he did not anticipate asking for additional positions for the 2002-2003 fiscal year other than those stemming from CRIPA recommendations. Upon

a motion by Supervisor Brownlow, seconded by Supervisor Davis, the Board voted unanimously to approve this request.

ITEM NO. 3. County Recorder Patsy C. Jenney-Colon. Request for transfer of \$35,000 from Contingency to Voter Registration Postage fund. Ms. Jenney-Colon told the Board that her office has a postage fee that it collects for each document that is recorded and that as of January 31, 2002, \$37,093.50 had been collected. She said that the Voter Registration division of her office had spent a great deal on postage, and that although the County was collecting from jurisdictions contracting for election services it was only collecting about 70% of the cost. Ms. Jenney-Colon said there were two elections to conduct before the beginning of the next fiscal year, and that in March the County would be conducting on behalf of cities and towns four mail ballot elections. She said that just early voting for a regular election usually cost between \$7,000 and \$10,000 for postage, and that in addition to elections-related postage costs her office also mailed out a great deal of material in order to comply with the National Voter Registration Act. She added that the post office charged for returned mail. Chairman Street asked why the County was not recovering 100% of the cost of elections conducted on behalf of other jurisdictions. Mr. Holst said the County could begin moving in that direction. He said that, historically, the County was trying to achieve better coordination of elections. He said that in the past there had been issues with jurisdictions having elections but providing fewer polling places than usual, and that regardless of whose election it was people blamed the County for confusion resulting from polling place changes. He said that for that reason, it was desirable for the County to conduct as many of those elections as possible, but that he also felt the County could now move toward having the jurisdictions pay the total cost of the elections. Chairman Street said that if the Recorder's Office was short on postage funds because the jurisdictions wanted to have mail ballot elections, then the jurisdictions should at least pay 100% of the postage costs. Mr. Holst said he agreed, but that what is collected back from the jurisdictions would not go back into the Recorder's postage line item. Ms. Jenney-Colon said that the jurisdictions do pay the full price for ballots and for voter registration lists. Supervisor Davis moved to approve the request. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

ITEM NO. 4. Development Services Director Ken Spedding and Principal Planner Elise Link. Planning and zoning. Planning & Zoning Commission member Helmut Woellmer was present to represent the Commission.

1. Consider approval of items appearing on the Consent Agenda for Planning & Zoning. Items appearing on this Consent Agenda are not hearings and may all be approved by one motion. Both items appearing on the Consent Agenda were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.
2. Hearing: Renewal and expansion of a use permit to allow up to 20 outdoor arts and crafts shows per year in a C1-2 zoning district, 405-27-818, Village of Oak Creek area, Barbara Witteman agent for Bell Rock Plaza Association, #1051. Consideration of Renewal and Expansion of a Use Permit to allow up to twenty (20) outdoor Art and Craft shows a year to be held in the Bell Rock Plaza parking lot in a C1-2 [Commercial; Neighborhood Sales and Services, minimum seven thousand five hundred (7,500) square feet minimum lot size] zoning district. Located on the west side of SR 179 in the Bell Rock Plaza and approximately two hundred seventy-five (275) feet south of its intersection with Bell Rock Boulevard in the Village of Oak Creek area. Located in SEC 13 TWN 16N R5E G&SRB&M. The Planning and Zoning Commission recommended approval of hearing application #H1051, Renewal and Expansion of a Use Permit, subject to the stipulations shown on the overhead as follows: 1). The use shall conform to the Applicant's Site Plan dated 12/12/01 and to its Letter of Intent dated November 19, 2001; 2). The Use Permit shall be granted for a two (2) years period and shall be nontransferable; 3). No off-site signage shall be allowed. Signage shall be limited to two (2) signs that do not exceed twenty-four (24) square feet total and do not exceed ten (10) feet in height at the locations depicted on the site plan and shall be located outside of the Arizona Department of Transportation's (ADOT) right-of-way. The signage shall be removed at the conclusion of each event; 4). The dates of the Art and Craft Shows shall correspond to the Applicant's 2002 Schedule, entitled Sixth Annual Arts and Craft 2002 Schedule. No more than fifteen (15) Art and Craft Shows may be held in a calendar year and no more than two (2) shows may be held per month; 5). The hours of operation shall not exceed 9:30 a.m. to 5:00 p.m. The Art and Craft Shows may be held on Saturdays and Sundays only; 6). No more than four (4) of the vendors' self contained recreational vehicles (RVs) shall park overnight in the Bell Rock Plaza parking lot. Vendor RV parking shall be

restricted to the area specified on the site plan dated 12/12/01; 7). The porta-potty shall not be located in a parking place at the entrance area of any business that is open for business on Saturdays and/or Sundays. Sanitary facilities and food service to be reviewed and approved by the County Health Department within thirty (30) days of Board approval. Only one (1) food booth be permitted per event; 8). If additional property owners and/or tenants locate in the Bell Rock Plaza and this addition reduces available parking by more than fifty (50) spaces, the Yavapai County Planning and Zoning Commission shall re-evaluate the Use Permit; 9). A fire lane at least twenty (20) feet wide shall be maintained around the proposed site and through the parking lot. Ms. Link located this parcel on the west side of Highway 179 in the Village of Oak Creek area, saying the request was to renew and expand an arts and crafts fair that had been in operation for about five years. She said the applicant was requesting permission to have 35 vendors for 20 weekends throughout a year, and that the Commission had recommended approval of the use permit but only for 15 shows annually on a two-year use permit. She told the Board that the applicant would still like to have 20 shows annually and a five-year permit. Ms. Link added that there were also issues related to signs and RV parking. She said that the Big Park Regional Coordinating Council had indicated that it would like to see only 12 shows per year and no RV parking spaces allowed. She said the Commission's recommendation allowed the four RV spaces to remain, that a stipulation had also been added to allow one food vendor per event, and that it also included permission for two signs a maximum of 24-square-feet in size to be placed out of the right-of-way during the shows. Ms. Link said the project had received support from the Bell Rock Plaza Association and members of the community and that the applicant had petitions in favor of the project signed by about 400 people, and that about 20% of the people who had signed petitions lived in the immediate area. Applicant's agent Barbara Witteman said she was the secretary for the Bell Rock Plaza Association, and that she had attended the Planning & Zoning Commission meeting during which this item was considered. She told the Board she believed that erroneous information had been given at that meeting. She said that Bell Rock Plaza had free parking and that one business located there, the Village Lodge, was allowed to have overnight parking for RVs. Ms. Witteman said the reason the applicant had requested four RV spaces was to have designated parking for the arts and crafts shows, and that this was done in an effort to accommodate the Village Lodge. She added that she believed only once had all four RV spaces been filled at the same time, and that other RVs in the area were associated with the Village Lodge business and could park at Bell Rock Plaza any night of the week. Ms. Witteman told the Board that Bell Rock Plaza was in a commercial zone and was not part of the Village of Oak Creek Association. She said it was her understanding that VOCA took care of CCRs and the like, but that Bell Rock Plaza was not bound by CCRs and that she wondered why VOCA was concerned about RVs. Ms. Witteman told the Board that the reason the applicant was requesting 20 shows annually and a five-year use permit was that the last time this item had come before the Board it was approved with the comment "let's see how it goes" and that the applicant had done a good job of complying with the stipulations. She said that those associated with the shows were volunteers and that it was time-consuming to have to return to the County every two years for another use permit. Ms. Witteman added that the area is an artists' community and dependent upon tourism, and that the shows were limited to set-up on Friday evening and open to the public on Saturday and Sunday. Supervisor Brownlow asked if the vendors at the shows paid sales tax. Ms. Witteman responded that they did. Supervisor Brownlow asked if there were other businesses open at Bell Rock Plaza on the weekends. Ms. Witteman said that the Village Lodge and two restaurants were routinely open on weekends, and that a Mailboxes, Etc. store was open on Saturday mornings. She said that the properties immediately surrounding Bell Rock Plaza were all commercial properties and that the shows were far from residential areas. She said again that she did not understand why VOCA was even concerned about the shows because it did not affect them at all, but that the ability to have the shows greatly affected the income of the artists. Applicant Donna Campbell told the Board she had been putting on the arts and crafts shows for five years, that the community had been very supportive of them, and that the shows provided business for the Village of Oak Creek because they brought in both artists and tourists who stayed in the Village and spent money there. Ms. Campbell said she provided an outlet for artists who could not show their work in the galleries in Sedona, and that there were six to eight local artists who participated in every show. She told the Board there had been no problems with the shows, that last year the four RV spaces had been filled only once, and that signs had been kept out of the right-of-way. Chairman Street asked if this was a tent-type show. Ms. Campbell said that the artists did have tents, and that the tent she personally owned

had cost \$1,200. She said she had heard comments that people associated with VOCA did not like the "crummy looking tents", but that the tents used by the artists cost between \$500 and \$1,200 and were designed to protect valuable art. In response to a question from Supervisor Brownlow, Ms. Campbell said that most of the money the artists pay to participate in the shows goes to the Bell Rock Plaza Association and is used to help pay taxes and to make landscaping improvements. Joan McClelland, who said she was secretary of the Big Park Regional Coordinating Council, told the Board that the BPRCC represented more than 75% of the people in the area and that it had requested the applicant be allowed 15 shows annually and a two-year use permit. She said the food vendor was not in the contract, and that she did not know if the County would check on the food vendor. She said the applicant was also supposed to give the County the dates for the shows. She asked the Board to support the Commission's recommendation. Carol Agers, who said she was a member of the BPRCC, told the Board the reason a special permit was required was because the County's Ordinance required retailing activities to take place under a roof. She said that when this issue was discussed in 1999 one of the complainants at that time was a person who had an artists' gallery in a building across the street from Bell Rock Plaza, and that the person had felt the tent shows were unfair to her business. Ms. Agers said the gallery had been forced to close, and that while she was not saying the reason for the closure was the tent shows, the gallery had been closed nevertheless and the building was still empty. She said she would like to see the shows being held at Bell Rock Plaza moved to one of the large empty buildings in the area, and that she would like the Board to take into consideration traffic problems in the area. Area resident Doug West submitted to the Board a letter from Plaza del Angel general manager Anne Engelhardt expressing support for the shows. He said that Ms. Helmond, the art gallery business person to whom Ms. Agers had referred, also had art gallery space in west Sedona and that she new full well when she opened a gallery in the Village of Oak Creek that there were outdoor art shows at Bell Rock Plaza. Mr. West said that sometimes weather created a problem for the shows and that because of that it would be nice for the applicant to have a few extra days a year in which to conduct shows. Sedona resident John Evans said he was one of the artists who participated in the shows and that Ms. Helmond of the Artisans Galleria was the one who first started the tent shows. He said she had such shows for years in Sedona, but that when she set up business in the Village of Oak Creek she had apparently decided the tent shows were detrimental. Ms. Witteman told the Board that she had spoken with Jake Weber, the owner of the building in which the Artisans Galleria had been located, and that he had told her the reason Ms. Helmond lost her lease had to do with issues regarding payment and that he was the one who had chosen to not renew the lease. Mr. Woellmer told the Board that the Commission meeting at which this use permit application had been discussed had been something of a disaster due to one of the applicant's representatives who had constantly interrupted the proceedings. Mr. Schurr pointed out that with regard to stipulation #4, the applicant was required to submit a schedule of shows each year, adding that if the show was rained out or otherwise canceled the applicant would have to submit a revised schedule. Ms. Link told the Board that portapotties were another issue, that concerns about the food vendor had been addressed in the stipulations, and that the food vendor would have to obtain a permit from the Health Department. Supervisor Davis said he believed the Commission had reviewed this application at length and tried to come up with a compromise. He then moved to approve the recommendation of the Planning & Zoning Commission, with the amendment to stipulation #4 requiring the applicant to submit an annual schedule of events to the County. Supervisor Brownlow seconded the motion. Chairman Street asked what the Commission was thinking when it recommended approval of the use permit for only two years. Mr. Woellmer said he did not know what the Commission was thinking, and that it was a good question. Mr. Schurr said there had been a great deal of confusion at the Commission meeting about whether or not there had been violations of the use permit, and that as a result the Commission had decided to recommend approval for only two years. He said that after review, it appeared there was not documentation of any violations on the part of the applicant. Chairman Street asked Supervisor Davis if two years was all he was willing to give the applicant. Supervisor Davis responded that he had no problem with the Commission's recommendation, adding that perhaps if there hadn't been so many interruptions at the Commission meeting the applicant might have ended up with a five-year permit. Chairman Street then called for the vote, which carried unanimously.

CONSENT AGENDA FOR PLANNING & ZONING: Both items appearing on this Consent Agenda were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.

1. Community plan amendment, 408-20-019, Sedona area, Mike Withey agent for Sedona Development Partners, L.L.C., #1058. Consideration of an amendment to the Red Rock/Dry Creek Community Plan to acknowledge the previously approved Use Permit for a three thousand nine hundred (3,900) square feet site-built structure to be used as a Temporary Sales Office for the Sedona at Seven Canyons development in an RCU-2A [Residential; Rural, minimum two (2) acres lot size] zoning district on a sixty thousand nine hundred seventy (60,970) square feet pre-existing, non-conforming parcel. Located on Tract "A" in the Canon Del Oro Plat 2 Subdivision approximately two (2) miles north of the intersection with Boynton Pass/Dry Creek Road and directly north of the Sedona at Seven Canyons development. Located in SEC 27 TWN 18N R5E G&SRB&M. The Planning and Zoning Commission recommended approval of hearing application #H1058, an amendment to the Red Rock/Dry Creek Community Plan to acknowledge that the Sedona at Seven Canyons temporary sales office will be allowed to operate from A.P.N. 408-20-019 until November 19, 2006.
2. Use permit to allow occupancy of a travel trailer during construction of a primary residents in an R1L-10 zoning district, 405-25-628, Rimrock area, Tom Purvis and Helen Cretti, #1047. Consideration of a Use Permit to allow the occupancy of a travel trailer during the construction of a primary residence in an R1L-10 [Residential; Single Family Limited, minimum ten thousand (10,000) square feet lot size] zoning district on approximately .25 acres. Located on the west side of Barbara Lane approximately one hundred eighty-eight (188) feet from its intersection with Goss Drive in the Rimrock area. Located in SEC 36 TWN 15N R5E G&SRB&M. The Planning and Zoning Commission recommended approval of hearing application #H1047, Use Permit, subject to the following stipulations: 1). Use permit approved on a non-transferable basis for a period of 1 year from Board of Supervisors approval; 2). Temporary travel trailer dwelling shall no longer be used as a residence once the applicants move into their site built home and all utilities to the temporary dwelling shall be removed.

ITEM NO. 5. Development Services Department, Addressing/911 Coordinator Vincent Gallegos.

1. Hearing: Consider renaming Juanita Drive to Airport Drive, Lake Montezuma/Rimrock area, and consider waiving filing fee. Resolution No. 1330 was approved by unanimous vote, after Mr. Gallegos said this would connect two portions of Airport Drive and would improve public safety by having one continuous road with the same name. Motion by Supervisor Davis, second by Supervisor Brownlow.
2. Hearing: Consider renaming the easternmost portion of Stage Way to Destry Lane, Cottonwood area, and consider waiving filing fee. Resolution No. 1331 was approved by unanimous vote after Mr. Gallegos explained that this request had been made by the Verde Valley Fire District, that it would allow for Destry Lane to be one continuous road, and that it would improve public safety. Motion by Supervisor Davis, second by Supervisor Brownlow.

ITEM NO. 6. Public Works Director Richard Straub.

1. Consider approval of Amendment One to Intergovernmental Agreement JPA 00-191 with the Arizona Department of Transportation for the construction of a signal at the intersection of State Route 69 and Kachina Place in the Dewey area. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.
2. Consider accepting petition to establish roads in the Black Canyon City, Chino Valley, Dewey/Humboldt, Diamond Valley, Palden, Prescott, Williamson Valley, Wilhoit and Yarnell areas as County highways and set hearing for March 4, 2002, at 12:00 p.m. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.
3. Discussion and directive regarding obstructions on right-of-way on non-maintained County roads. Mr. Straub said that during the past six months his department had received calls twice from people who had concerns about individuals building fences in or otherwise obstructing the public right-of-way on roads that are not maintained by the County. He said his department had not become involved in such issues, but that he wanted direction from the Board regarding how to handle these situations. Mr. Schurr told the Board that there were many old subdivision in the County for which the roads are held in trust by the County. He said that obstructing a public right-of-way was a criminal offense and that the question was whether the Board wanted to have incidents such as those Mr. Straub had described investigated and the offending individuals notified that the road is a public right-of-way. Supervisor Brownlow said he believed the County should get

after people who block roadways. Mr. Schurr said the County Attorney's office did not have the legal resources to investigate the status of roads and that he felt this was an appropriate public service for the Public Works Department to perform. In response to a question from Mr. Hunt, Mr. Schurr said that with regard to many of the non-maintained subdivision roads there had been affirmative action on the part of the County to accept the roads with the understanding that the County would not maintain them. He said that "public right-of-way" was seen as "County right-of-way." Supervisor Davis said it appeared to him that the County had a responsibility to ensure that roads dedicated to the public remain open. There was general agreement that the Public Works Department should investigate the status of roads when notified of obstructions.

4. Consider approval of 2002 LTAF II funds (Local Transportation Assistance Funds) in the amount of \$850 for the Verde Valley Veterans Vans, L.L.C., for the purchase of graphics and safety steps for their one-ton van. Supervisor Davis reminded the other Board members that when the Verde Valley Veterans had previously received funding for a van, he had asked them to return to request funding for the graphics on the van. Supervisor Brownlow asked if the new LTAF II funds had been received. Transportation Planning Engineer Mike Willett said the County had received payments for the first two quarters, and that the funds being requested on this day would be paid out of LTAF funds allocated for District 3. He noted that the state had cut this program by one-third, saying that the payments the County would receive for the next two quarters would be less than originally anticipated. He told the Board it was possible the state would not fund the program at all for 2003. Mr. Willett said that the bidders for the graphics and safety steps, Cottonwood Sign and Truck 'n' Stuff, were donating 25% of the cost, thereby providing the 25% match required. Upon a motion by Supervisor Davis, seconded by Supervisor Brownlow, the Board voted unanimously to approve this request. The Board requested that Mr. Willett provide the members with a report on the funds and how they can be used.
5. Consider approval of items appearing on the Consent Agenda for Public Works. Approved by unanimous vote. See Consent Agenda below for details.

#### CONSENT AGENDA FOR PUBLIC WORKS:

1. Award or reject bids received for Supply of Operated Hauling Equipment in Yavapai County, Contract #2211075, Bids opened February 5, 2002, with bids received from the following vendors: Asphalt Paving & Supply; Bedrock Landscape Materials & Supplies; Dewitt Brothers; Fann Contracting, Inc.; Hossco Construction; McDonald Bros. Construction; Oothoudt Brothers; Otto Trucking, Inc.; T&H Construction, Inc.; Vail Contracting, Inc.; W & W Contracting of Arizona, Inc. Recommend awarding to all bidders at various unit prices. To be paid from HURF. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.
2. Designate a portion of Goddard (Quail Springs Ranch) Road to primitive road status, District 3. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow. Supervisor Davis asked Mr. Straub to provide him with information regarding primitive road status that he could pass along to property owners in the area. Mr. Straub said he would do so, and that he would include a schedule of grading as well.

ITEM NO. 7. Ground-breaking ceremony for the Camp Verde Jail Facility, 3505 W. Highway 260, Camp Verde. Supervisors Davis and Brownlow both spoke at the ground-breaking ceremony.

CONSENT AGENDA FOR BOARD OF SUPERVISORS: Unless otherwise noted, all items were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.

1. Requests from Board of Supervisors:
  - a. Approve minutes of meeting of February 4, 2002.
  - b. Liquor licenses for which there are no protests and which are approved by the Sheriff: (1) Series 6 Person Transfer, Talking Rock Golf Club, Prescott area, Douglas Ross Zuber; (2) Series 12 Original, Top of Sedona Restaurant, Sedona area, Cynthia K. McCannon.
  - c. Consider approval of a resolution amending Resolution No. 1230, Establishing Procedures for Release of Public Records and Establishing Fees for the Cost of Reproducing Public Records to provide that a statement of fees for each department be filed with the Clerk of the Board of Supervisors. (Resolution No. 1327)
  - d. Consider approval of a funding agreement between Yavapai County and the Skull Valley Historical Society, as part of the CDBG (Community Development Block Grant) process.
  - e. Consider approval of a resolution authorizing the Arizona Counties Insurance Pool to apply for and accept Governor's Office of Highway Safety grant funds for roadway safety programs for member counties. (Resolution

No. 1328)

f. Consider approval of a resolution Authorizing Submission of Application for LSRP (Local, Regional and State Parks) Funds for Oak Creek Elementary School Sports Lighting Project. In response to a question from Chairman Street, Supervisor Davis said the school district had done numerous improvements to its sports fields in order to have games, and that part of the improvements involved a lighting program. He said the district wanted to apply for Heritage Funds but because school districts were not allowed to apply for those funds the district had asked the County to apply for the grant, with the understanding that the school district would be responsible for everything else related to the grant. Supervisor Davis said the school district had the grant match available so the County would not be left hanging. Chairman Street said that Heritage Fund grants carried a great deal of red tape. Supervisor Davis said what he had worked out with the school district was that Richard Faust of Cottonwood Parks & Recreation would work for the County and be paid out of the grant proceeds to do all of the paperwork. He said that the County would only be a pass-through for the grant. Mr. Schurr told the Board that, basically, it was on the hook for 25 years. He said the school district had sent the initial draft of a Memorandum of Understanding between the County and the district to him for his review and approval because he also represented the school district. Mr. Schurr said he had a conflict of interest because of that, and that if the Board was willing to waive the conflict of interest he could review and approve the MOU for the school district. He said he believed that Mr. Hunt had rewritten the MOU, saying that he had not seen the most recent draft. Mr. Hunt said he had rewritten the MOU to address a number of concerns, and that the MOU now included language requiring the school district to hold the County harmless. He said he had addressed the County's concerns, but that Mr. Schurr may have some concerns for the school district. He added that the MOU did not have to be finalized on this day. Chairman Street said her question had to do with the fact that school property belongs to the school district and the fact that the school board has ultimate authority over what happens with it. Mr. Schurr said the school district qualified for sponsorship by the County but that the district could not apply directly for the funds. Chairman Street asked if it was understood that no matter what happens with future school boards that the property in question would be set aside for the use of the public. Mr. Hunt confirmed that was the understanding, and that it was expressly stated in the MOU. He said not only was the County telling the school district that was what it expected, but that if the school district violated any of the conditions of the grant the County would be held harmless. Mr. Faust spoke briefly about the lighting, assuring the Board that it would meet the County's dark sky ordinance. Supervisor Davis moved to approve Resolution No. 1329 authorizing submission of the application, and to waive the conflict of interest and allow Mr. Schurr to represent the school district with the understanding that if the school district does not accept the language as drafted in the MOU it would retain outside counsel. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

2. Request from the Assessor for permission to send Assessor personnel Doug Braly and Tisha Lapp and MIS personnel Kevin Blake and Cheryl LaFond to the "Integrating GIS & CAMA Conference" to be held April 6-10, 2002, in Reno/Lake Tahoe, Nevada, at a cost of \$5,050 to be paid from the Assessor Surcharge Fund.
3. Requests from County School Superintendent:
  - a. Permission for Paul Street and Fred Czarnowski to attend the "No Child Left Behind Act of 2001" conference, February 21, 2002, in Las Vegas, Nevada, at an approximate cost of \$588 to be paid 50% from Special Programs Fund and 50% from Schools Conference Account, and permission to take a County vehicle out of state.
  - b. Permission for Social Worker Al Garbagnati to attend "Mastering Counseling Skills with the Masters" conference, Las Vegas, Nevada, May 18, 2002, at a cost of \$350 to be paid from Special Programs Fund.
  - c. Permission for Dr. Alexandra Furlong to attend the National Association of School Psychologists' Annual Convention in Chicago, Illinois, February 26-March 2, 2002, at a cost of \$1,500 to be paid from Special Programs Fund.
4. Request from Finance for approval of a revised Memorandum of Understanding with the Highlands Center for Natural History regarding the Lynx Creek Park Project.
5. Requests from Sheriff:
  - a. Authorize Chairman to sign letter to Motor Vehicle Division requesting issuance of an undercover license plate for a replacement vehicle.
  - b. Permission to expend \$3,322.45 for a previously approved band-pass filter, to be paid from Computer/Communications Equipment (unexpended funds are available from a previously-approved capital purchase).
  - c. Consider approval of an Access License between Phelps Dodge Bagdad, Inc. and the Sheriff's Office to provide a location for installation of the new Bagdad repeater (no cost to the County).

- d. Consider approval of a contract amendment between the Sheriff's Office and Diamond Pharmacy Services Medical Supply for Pharmaceutical supplies for inmates to extend the contract to June 30, 2002, to be paid from Prescription Medications.
- 6. Requests from MIS Department:
  - a. Permission for Terri Nelson to attend "Introduction to Programming Arc Objects with VBA" conference, April 15-19, 2002, Henderson, Nevada, at a cost of \$3,000, to be paid from Training account.
  - b. Permission for Kevin Blake and Kris Estes to attend "Arc Administration for SQL Server" conference, March 18-22, 2002, Boulder, Colorado, at a cost of \$6,000 to be paid from Training account, and permission to take a County vehicle out of state.
- 7. Request from Health Department for permission for Elly Yost, PNP, Children's Health Section Manager, to attend "The Spectrum of Development Disabilities", April 8-10, 2002, Baltimore, Maryland, at an approximate cost of \$1,500 to be paid from grant funds (Developmental Clinic).
- 8. Requests from Fleet Management:
  - a. Permission to purchase one full-size cargo van in lieu of one mid-size cargo van for jail prisoner transport at a total cost of \$19,304.96, to be paid from Motor Vehicles account.
  - b. Permission to purchase a rubber tire roller used in chip sealing and road maintenance and construction, at a cost of \$23,139.90 to be paid from Motor Vehicles account.
- 9. Request from Development Services for permission to expend \$3,100 to abate an abandoned dangerous building located in the unincorporated area of Chino Valley, parcel 304-05-075, to be paid from Contingency. Development Services Director Ken Spedding and Chief Building Official Dick Busby participated in discussion of this item. In response to a question from Supervisor Davis, Mr. Spedding said his department would put a lien on this property to recover the County's costs. There was brief discussion regarding the lien process and whether the County should be purchasing these types of properties instead of putting liens on them. Mr. Schurr said the with a lien it was possible for the County to lose the property, and its lien, through a tax sale and that it was not good enough to just put liens on such properties. Mr. Spedding said his department would be watching the properties very closely once liens have been filed. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Brownlow.
- 10. 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 and Jail Districts and other County improvement districts as follows, for the purpose of approving vouchers: Coyote Springs Road Improvement District II; Bryce Canyon Drive Sewer Improvement District; Prescott East Sanitary 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 meeting of January 7, 2002.
  - b. Consider approval of Resolution No. 2002-2 Designating an Officer to Declare Official Intent with Respect to Reimbursement from Proceeds of Tax-Exempt Pledged Revenue Obligations.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,396,092.23	Jail District	243,347.67
District 1 Park Fund	3,814.69	District 2 Park Fund	350.44
District 3 Park Fund	941.69	Family Planning	3,618.83
MCH Programs	2,340.89	Home Health Ser	13,813.73
Health Promotion	7,844.53	Nutrition	1,335.35
T.B. Control	654.50	WIC Program	12,032.32
Juvenile Delinq. Reduct	8,353.15	Juvenile IPS	15,177.87
Juvenile Food Prog	1,396.52	Probation Serv	3,860.00
Adult IPS	26,818.55	Adult Probation Fees	18,094.70
Prob Enhance	32,453.45	Recorder's Surcharge	117.54
Indigent Def/Dg	1,171.56	Crim Just/Atty	10,455.01
Bad Check Prog	1,705.73	CDBG Grant	10,642.10
Juv Prob Svs	4,504.92	Commodity Fd	308.73



Azeip Case Mgmt	2,552.05	Sexual Trans Disease	105.73
Hi Risk Chld HI	2,536.92	Clerk's Storage	431.19
WIC/TOB Intervention	1,268.76	HIV Counsel & Test	1,102.96
Atty Anti-Racket	986.60	PANT	3,729.94
Law Library	237.82	CASA	4,990.80
Case Process	4,386.13	Azeip Coordinator	1,971.67
Vict Witns Prog	6,165.79	Court Enhancement	1,928.44
Council Court	3,319.05	Juvenile Dent. Enh.	208.05
Drug Enf Fndg	3,640.87	Primary Care Svs	14,837.21
Victims Rights Impl	3,588.56	JAIBG Juv Acct 3	1,520.59
Yav Indian Agreement	1,955.51	Hassayampa/LTC	2,161.90
Dietetic Intern	690.54	Immuniz Service	1,624.50
Personal Care Svs	1,901.41	Idea-Preschool	959.54
Subs Abuse/DARE	295.57	Chem Abuse	252.70
Family Drug Court	926.83	Juvenile Drug Court	4,360.08
Juv Det/PACE	4,672.33	Collab. Comp Rev Gr	8,800.00
Special Program	8,208.77	Sm Schools Ecia	703.07
Sm Schools Beha	19,040.47	Cops in School	4,256.50
Fill the Gap - Courts	7,479.51	Hurf Road Funds	335,344.27
Assessor Surcharge	6,447.39	Health Fund	66,076.98
Jail Commissary	4,049.89	Landfill Administ.	8,076.01
Water Advisory Comm	-53,769.90	Clinical NICP	624.25
Tire Recycle	2,207.74	Safe School Pro	5,925.30
Adhs-Svs Coord	591.92	Local Incentive Awards	827.26
Fill the Gap - Attorney	2,095.05	Family Law Commiss.	3,805.17
Comm Punish Pro	4,962.58	Idea Education	69.03
Juv. Detent Ed Pro	642.32	Regnl Road Project	18,600.66
Sterilization Svs	900.00	Health Start	4,233.20
Interstate Compact Pro	2,268.24	Ryan White II	1,618.51
Primary Care Fees	621.85	Perinatal Block	2,620.79
Well Woman Health	742.48	Tobacco Educ	15,361.43
Hopwa Housing Op	2,631.25	Cops Fast	3,385.17
Ad Prob Education	413.85	Detention Education	103.54
School Res. Mayer	1,810.87	Direct Treatment Fund	14,801.74
Mental HealthRWJF	544.90	Mental Health Part.	1,768.63
Comm. Access Pro	1,262.54	Attendant Care	20,931.66
HIV/CT	450.12	HIV Targeted	2,118.94
Child Justice	1,379.47	Child Sup & Vis	635.03
Domestic Relations	83.04	Self Service	551.28
VOCA	4,558.15	LTAF Vlt Local Trans	33,000.00
Yav. Drug Court	3,782.81	JTSF Treatment	4,788.98
Diversion Conseq.	1,210.04	Transferred Youth	1,514.32
Capital Projects	3,861.86	ALTCS	1,659,263.50

In addition, payroll was issued on February 8 for the pay period ending February 2; warrant numbers 2415447 through 2415948, in the amount of \$381,251.94. Jury certificates were also issued, warrant numbers 6854332 through 6854445. Warrants issued for February 19 Board day, 4164732 through 4165189; 4165190 through 4165561.

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

ATTEST:

Clerk

Chairman