

OFFICE OF BOARD OF SUPERVISORS
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

March 27, 2002

The Board of Supervisors met in special session on March 27, 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; John Munderloh, Water Advisory Committee Coordinator.

ITEM NO. 1. Board of Supervisors.

1. Convene in executive session pursuant to A.R.S. §38-431.03(A)(3) and (A)(4) for legal advice regarding the County's role in funding scientific water-related research to be made available to individuals or groups with an interest in regional water issues and proposed intergovernmental agreement related to the same. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Davis.
2. Reconvene in open session and consider approval of intergovernmental agreement with the Towns of Camp Verde, Clarkdale and Jerome, and the Cities of Cottonwood and Sedona for funding of scientific consultants or technical experts for water-related research related to response to the court case regarding the adjudication of the Gila River System. Funding in the amount of \$22,000 was approved by the Board on March 18, 2002. Mr. Hunt said it was his understanding that the IGA put forth by the City of Sedona had been approved by a number of cities and towns in the Verde Valley. Mr. Holst pointed out that the IGA referred to contributions based on census figures and that while the Board had approved funding in the amount of \$22,000 the census figures actually indicated a population of 25,000 in the unincorporated areas in the Verde Valley. Mr. Schurr said the County could provide in-kind services for the difference between funding and population. He said the IGA did not address who would hold the funds, prepare contracts and the like. Mr. Hunt said the Board's approval could be contingent upon the group establishing an account with the Treasurer's Office. Mr. Schurr recommended that all of the money be collected up front instead of as bills received. Mr. Holst said that was fine as long as any funds left over were distributed back out. Mr. Hunt pointed out that the IGA indicated that the County's share of funding might be limited to use only for technical studies and that any motion to approve the IGA should include that. Supervisor Davis asked why the County should be reluctant to participate in obtaining legal counsel. Mr. Schurr said that any outside legal counsel would have to be approved by the County Attorney, and that the Board would want to know who the group planned on hiring and make sure the County Attorney has no problem with it. Mr. Hunt added that it would be difficult for the County Attorney to say "yes" or "no" about outside counsel absent information about specific circumstances. He said the group might want to involve the County Attorney in the initial selection of the attorney. Chairman Street asked if there was a cap on funding or whether the County would have to continue funding this item for an indefinite period of time. Mr. Hunt said that the funding limits were spelled out in the IGA and that a new agreement would be required in order to exceed the approved funding amount. Mr. Schurr added that the agreement also had a unanimous vote requirement, saying that if the Board did not like the direction the group was going it would have the ability to stop it. Supervisor Brownlow moved to approve the IGA presented by the City of Sedona contingent upon County funds not being used for legal purposes unless approved by the County Attorney, and with the understanding that an account to hold the funds would be established with the County Treasurer. Supervisor Davis seconded the motion, which carried by unanimous vote. Daily Courier reporter Joanna Dodder asked the Board if it would still try to make this a County-wide issue. Chairman Street said that water was a County-wide issue and that the Board still had the Water Advisory Committee. She said that once the report from the Arizona Department of Water Resources was available the Board could look at whether the studies needed to be applied County-wide. She said that no one knew at this time what would be identified as the subflow limits.
3. Consider approval of two fund transfers to the County General Fund, one from the Regional Road Fund in the amount of \$300,000 and one from the ALTCS Fund in the amount of \$300,000. Mr. Holst said the County had started the current fiscal year with close to \$600,000 less in its fund balance than what was included in the budget adoption. He said that the requested transfers would put things at least where they were when the current year's budget began. Mr. Holst said the budget already included an approved transfer from ALTCS of \$1 million and that the requested fund transfer would increase that amount to \$1.3 million. He said he was anticipating transferring between

\$1.5 million and \$1.8 million from ALTCS for the next year's budget. Mr. Holst told the Board that the current year's budget also included a transfer from the Regional Road Fund to the HURF fund and that he would like to redirect \$300,000 of that transfer to the General Fund, adding that HURF revenues were higher than anticipated and that as a result the entire amount of the originally approved transfer was not needed in HURF. He said he anticipated increasing the transfer from Regional Roads to HURF in next year's budget by \$900,000 in order to increase the special projects funds for each supervisorial district from \$500,000 to \$800,000. Supervisor Brownlow moved to approve the fund transfers. Mr. Holst said he would make a slight change in the Regional Road policy to account for the additional transfer and bring it back to the Board later. Mr. Schurr said that was not necessary because approval of the transfers would be a unanimous vote. Supervisor Davis seconded the motion, which carried unanimously.

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

ATTEST:

_____ Clerk _____ Chairman