

OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

October 7, 2002

The Board of Supervisors met in regular session on October 7, 2002.

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

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

Absent: Gheral Brownlow, Member (due to a death in the family).

Due to Supervisor Brownlow's absence, reference to approval or denial by unanimous vote is understood to mean approval or denial by "unanimous vote of those present."

ITEM NO. 1. Board of Supervisors.

1. Consider approval of Thomas Stoxen, Deputy County Attorney and Tracy Rehm, Juvenile Probation Officer, as Employees of the Year for 2002. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Street.
2. Hearing: Consider approval of amendment to Yavapai County Ordinance No. 1997-1, County Juvenile Curfew Ordinance. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Street.
3. Discussion regarding management and operation of the Courthouse Plaza, including the management agreement with Prescott Downtown Partnership; proposed amendments to the Courthouse Plaza Ordinance and Supplemental Rules, and possible intergovernmental agreement with the City of Prescott for City events on the Courthouse Plaza. Mr. Hunt said the purpose of this day's discussion was to make the Board aware of issues that would need action in the near future, including potential renewal of the management agreement with the Prescott Downtown Partnership (PDP), proposed amendments to the Courthouse Plaza Ordinance and Supplemental Rules, and a potential intergovernmental agreement with the City of Prescott regarding its uses on the Plaza. In response to a question from Chairman Street, Mr. Hunt said the City of Prescott had been working with the PDP regarding its events on the Plaza but that it did not have to do so. He said that the City's events were quite different from other events on the Plaza and that it might make sense to have a separate agreement with the City for those uses. Chairman Street called for comments from the public. Paul Baskin expressed concern regarding the permitting process, saying it appeared that anyone who paid the \$50 fee could have an event on the Plaza. Alissa Harvey, president of the Mountain Artists Guild, expressed concern about the possibility of restricting future events to one day, saying it could have an impact on future shows and that the shows on the Plaza did benefit the Prescott area. Jay Ruby, representing Tsunami on the Square, expressed concern about potential changes regarding free-standing structures, saying he believed that cultural events should be considered differently than arts and crafts shows. He said that prohibiting anything being closer than 25 feet to the O'Neill statue would eliminate the stage that his organization needed in order to put on its event. Tammie Bennett said she completely and totally opposed the renewal of a contract with the PDP, saying that the County needed to take back the responsibility of operating the Plaza. She said that the 4<sup>th</sup> of July had been a disaster and that the PDP was running many events off the Plaza. Supervisor Davis said that with regard to Section 104 regarding permits, he would like to look into the different types of events taking place on the Plaza and have a discussion regarding what types of events are appropriate and what types of events might not be appropriate. He said that with regard to references in the Supplemental Rules and Regulations, he would like to have information regarding how specifications for structures were determined. Mr. Hunt said Facilities Director Pat Kirshman would be looking into the setbacks and would likely have additional information. He said the information regarding structures was provided by the PDP based on its analysis of circumstances on the Plaza. Supervisor Davis said that if the Board decided to make amendments to the Ordinance it would be to protect County resources on the Plaza and not to keep people out. He asked if someone could look into the permit application process so the Board could have more information as to what was being approved to take place on public grounds. He told Mr. Hunt that he would like to see him move forward with the contract renewal with the PDP, that he would like him to look further into amendments to the Ordinance, and that he would like to have more information about a potential agreement with the City of Prescott. Mr. Hunt said his suggestion with regard to the City would be to proceed in developing an IGA. Supervisor Davis said that the Board would need to be able to justify any changes to setbacks or to the

Ordinance. Chairman Street said she viewed the Courthouse Plaza as a courthouse first, and that while she did not object to a few events on the Plaza she did not want to see additional activities. She said she believed a comment had been made by the Board last year that anytime the Courthouse Plaza became the issue of lawsuits and animosity, that might be the time to take everything off it. She said that comments had been made on the day for which she wanted answers, but that first and foremost the Courthouse Plaza was County property whose purpose was that of a courthouse. Mr. Hunt said it was his understanding that the City of Prescott had an informal policy to limit the number of events any one user could have in one calendar year, and that the Board might want to consider something similar. He said that if the Board felt there were too many events on the Plaza, it could consider making changes. Chairman Street pointed out that the current agreement with the PDP was approved prior to the time she was on the Board, adding that she had made her point of view clear to the PDP. Mr. Hunt said that the issue of the contract with the PDP was somewhat separate from whatever uses the Board decided could take place on the Courthouse Plaza, and that the PDP was charged with enforcing the rules put into place by the Board. Chairman Street said she believed that when the Board was ready to take action on these items it would need to do so in a separate session, with nothing else on the agenda. Supervisor Davis said he would like to have information about the total number of activities on the Plaza.

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 items 1.c., 6, and 8.b on the Consent Agenda for Board of Supervisors and item 3.d on the Consent Agenda for Special Districts, all items were approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Street. See Consent Agenda for Board of Supervisors for detail.

ITEM NO. 2. Public Works Director Richard Straub.

1. Consider approval of Authorization of Services No. 2209515 and on-call contract with Frank Strickler Appraisal Company in an amount not to exceed \$6,000 for Kachina Place Improvement Project Appraisal Services. To be paid from Kachina Place Improvement Project account. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Street.
2. Consider approval of Authorization of Services No. 228890 with Z & H Engineering, Inc. in an amount not to exceed \$56,515 for Construction Administration Services for the Construction of the Sedona Airport North Hangar Ramp Reconstruction project. No County funds involved. Approved by unanimous vote. Motion by Supervisor Davis, second by Chairman Street.
3. Consider approval of items appearing on the Consent Agenda for Public Works. Unless otherwise noted below, all items were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Chairman Street.

CONSENT AGENDA FOR PUBLIC WORKS:

1. Award or reject bids received for Annual Contract for Supply and Delivery of Signs in Yavapai County, Contract No. 2209587. Bids opened September 24, 2002, with bids received from the following vendors: Hall Signs; Newman Signs; Safeway Signs; Signs & Blanks; and Vulcan Signs. Recommend awarding to Hall Signs, Newman Signs and Safeway Signs at various unit prices. To be paid from HURF. Supervisor Davis asked why Signs & Blanks and Vulcan Signs were not included in the bid award. This item was held until later in the day, when Mr. Straub returned to the Board and said that contracts should be awarded to all vendors. Supervisor Davis moved to approve all bidders as recommended by Mr. Straub. Chairman Street seconded the motion, which carried by unanimous vote.

ITEM NO. 3. Development Services Director Ken Spedding and Planning Manager Elise Link. Planning and zoning; Development Services Department business. Planning & Zoning Commission member Gene Kerkman was present to represent the Planning & Zoning Commission.

1. Consider approval of items appearing on the Consent Agenda for Planning & Zoning. Items 1. through 8. were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Chairman Street.
2. Hearing: Use permit for outside storage of construction/chip sealing equipment in an RCU-2A zoning district, K & J Services, 202-17-027V, Congress area, Kelly and Jennifer Hill, #2100. Consideration of a Use Permit for outside storage of construction/chip sealing equipment on a 1.9 acres portion of an approximate 9.56 acre parcel on property currently zoned RCU-2A (Residential; Rural – 2 acre minimum lot size). Located on the West side of Date Creek Road approximately 250 feet north of the intersection of Old Granthams Road and Date Creek Rd. The Planning and Zoning Commission

recommended unanimous approval of H2100, Use Permit with the following stipulations: 1). Use Permit to be approved on a 5 year non-transferable basis in conformance with the letter of intent and site plan dated July 23, 2002; 2). All commercial vehicles stored on site to be screened from view of neighboring properties. Screening requirement to be waived if a letter of support for such waiver is received from the adjacent property owners; 3). No hazardous materials resulting from repair work of vehicles to be stored on site; 4). A maximum of seven (7) commercial vehicles/equipment to be allowed as identified on the equipment list submitted by the applicant. Any expansion of the business including but not limited to additional commercial trucks and/or equipment will require amendment of the use permit by the Planning and Zoning Commission and Board of Supervisors; 5). Development to be in conformance with all other current applicable standards and/or regulations in the Planning and Zoning ordinance; 6). Applicant to obtain a Certificate of Compliance from the Development Services Department within 90 days of Board of Supervisors approval. Ms. Link told the Board that this was a 10-acre parcel currently under an agricultural exemption in a residential area. She said several letters had been received from residents who were in opposition to this proposal, but that the applicant had responded to these concerns. Ms. Hill explained where the property was located, saying that one of the residents who expressed concern thought they were opening an asphalt plant and that once she explained what they were doing, he was in favor of the project. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission. Chairman Street seconded the motion, which carried by unanimous vote.

3. Hearing: Use permit to allow construction of a factory constructed residence in an R1L-70 zoning district, Schmidt Modular Home, 502-05-001M, Black Canyon City area, Shawn and Gale Schmidt, #2094. Consideration of a Use Permit to allow the construction of a factory constructed (modular) residence on a 1.76 acre parcel currently zoned R1L-70 (Residential; Single Family Limited) in Black Canyon City, Arizona. Located approximately one mile north of the intersection of Maggie Mine Road with Exit 244 at I-17 in Black Canyon City, Arizona. Situs: 32220 South Maggie Mine Road. The Planning and Zoning Commission recommended unanimous approval of H2094, Use Permit with the following stipulations: 1). Use Permit to be approved on a permanent-transferable basis, to allow a factory-built residence as presented on the site plan to be constructed on the subject parcel; 2). The applicant shall provide a Floodway Analysis, meeting requirements of the District Ordinance and the Yavapai County Drainage Criteria Manual prior to the issuance of any building permits or zoning clearances on this parcel. Analysis must be certified by a professional engineer who is registered in the State of Arizona. Ms. Link said this area was limited to site built homes and that the property was located on the edge of where the zoning changed from R1 to R1-L. She said staff did not feel it was appropriate to hear this as a rezoning application because staff wanted to avoid spot-zoning, and so it was coming before the Board as a use permit. Ms. Link said there was some opposition from area residents who expressed concern about potential devaluation of their property, and that there was also a question about whether there were violations on the property. She said she had checked and that the applicants had a home occupation permit and were living on the property in a properly permitted fifth-wheel, with permitted septic and water. Supervisor Davis asked about the other structures on the property and whether they were going to be removed. Ms. Schmidt said the house would sit south of the existing structures and that the other structures were going to be removed. She said they had hired a flood plain analyst to review the property. Supervisor Davis then moved to approve the recommendation of the Planning & Zoning Commission. Chairman Street seconded the motion, which carried by unanimous vote.

4. Hearing: Expiration of a PAD, Cross Mountain RV Park, 301-09-002M, Ash Fork/Seligman area, Development Services Department, #2122. Consideration of the expiration of an existing PAD (Planned Area Development) zoning previously approved for a Travel Park pursuant to Arizona Revised Statutes 11-832 and the Yavapai County Zoning Ordinance Section 109.N.11 on property currently zoned PAD (Planned Area Development) and reverting the zoning to the previous RCU-2A (Residential; Rural). Located on the North side of Interstate 40 approximately 1,500 feet East of the intersection of Fort Rock Road and Interstate 40. Ms. Link described the property as a 23-acre parcel surrounded by state land and that the request was to revert the property back to RCU-2A. She said the project was originally approved in 1994, and included a restaurant, motel, RV park and other improvements. She said that the property was currently in violation with structures without permits and an illegal septic system since 1998. She said they had sent out notices to the owners and posted notices but had not heard back on any of the notifications, and that staff was requesting that the PAD be expired and the property revert back to the original zoning. Supervisor Davis moved to approve the recommendation of the Planning &

Zoning Commission, seconded by Chairman Street. Approved by unanimous vote.

CONSENT AGENDA FOR PLANNING & ZONING: Items 1. through 8. were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Chairman Street.

1. Preliminary plat, Talking Rock Ranch Preliminary Plat Phase 5, 306-35-257B, Williamson Valley area northwest of Prescott, Doug Zuber agent for TRR Land LLC, #2101. Consideration of a Preliminary Plat, consisting of 46 ranch cottages lots, 4 custom lots and 3 open space tracts totaling 10.21 acres on an approximate 27.93 acre portion of a 3,500 acre property currently zoned PAD (Planned Area Development). Located on the East side of Williamson Valley Road approximately 3,000 feet north of the intersection of Nancy Drive and Williamson Valley Road. The Planning and Zoning Commission recommended unanimous approval of H2102, Preliminary Plat with the following stipulation: 1). Final plat for Talking Rock Ranch Phase 5 shall be in general conformance with the approved preliminary plat and shall be in conformance with: all applicable conditions of the TRR PAD zoning and development agreement, along with all other applicable codes, standards and regulations, unless waived by the Board of Supervisors.
2. Preliminary plat, Talking Rock Ranch Preliminary Plat Phase 6, 306-35-257B, Williamson Valley area northwest of Prescott, Doug Zuber agent for TRR Land LLC, #2116. Consideration of a Preliminary Plat, consisting of 23 ranch cottages lots and 2 open space tracts totaling 6.65 acres on an approximate 13.36 acre portion of a 3,500 acre property currently zoned PAD (Planned Area Development). Located on the East side of Williamson Valley Road approximately 3,000 feet north of the intersection of Nancy Drive and Williamson Valley Road. The Planning and Zoning Commission recommended unanimous approval of H2116, Preliminary Plat with the following stipulation: 1). Final plat for Talking Rock Ranch Phase 6 shall be in general conformance with the approved preliminary plat and shall be in conformance with: all applicable conditions of the TRR PAD zoning and development agreement, along with all other applicable codes, standards and regulations, unless waived by the Board of Supervisors.
3. Zoning map change from RCU-2A to R1L-15A, Crossroads Ranch Phase 1, 306-47-007J, 008A & B, 100A & B, 101, 102, 103A & B, 105, 105, 106A & B, 107 through 110, 112 A & B, 114 through 116, 117A, 119A & B, 120A & B, 121, 122C, 124 through 128, 129A & B, 130, 135, 140, 150, 216 and 218, Planning & Zoning Commission, #2115. Consideration of a Zoning Map Change to R1L-15A (Residential; Single Family Limited - 15 acre minimum lot size) for Crossroads Ranch Phase 1 consisting of 42 lots totaling approximately 1,312 acres on property currently zoned RCU-2A (Rural; Residential - 2 acre minimum lot size). Located on the East side of Williamson Valley Road approximately 1 ¼ miles north of the intersection of Fair Oaks Rd. and Williamson Valley Road. The Planning and Zoning Commission recommended unanimous approval of H2115, Zoning Map Change including the density district consistent with the 10-acre density district.
4. Use permit for a wastewater treatment facility on property zoned M2 and R1-35, Aquatec Wastewater Treatment Facility, 402-01-007, Dewey/Humboldt area, Mic Fuhrman agent for Aquatec LLC, #2096. Consideration of a Use Permit for a Wastewater Treatment Facility on an approximate 5-acre portion of an approximate 300 acre parcel on property currently zoned M2 (Industrial; Heavy) and R1-35 (Residential; Single Family - 35,000 sq. ft minimum lot size). Located on the West side of Hwy 69 approximately 3,400 feet West of the intersection of Iron King Rd. and Hwy 69. The Planning and Zoning Commission recommended unanimous approval of H2096, Use Permit with the following stipulations: 1). Use Permit to be granted for all 3 phases of the project on a permanent and non-transferable basis with staff review for conformance with stipulations within 1 year of initiation of use; 2). Development to be in general conformance with the applicant's letters of intent and site plan submitted as part of the use permit application and as approved by ADEQ; 3). Applicant to conform to all ADEQ requirements, obtain all necessary permits from ADEQ and provide copies of said permits to staff prior to initiation of use; 4). Chemicals will have to be placarded and identified on MSDS sheets on the premises for all chemical storage and copies submitted to the fire district; 5). Applicant to comply with ADOT requirements for access; 6). Development to be in conformance with all other current applicable standards and regulations in the Planning and Zoning ordinance, unless waived by the Board of Supervisors; 7). Applicant to obtain a Certificate of Compliance from the Development Services Department prior to initiation of use; 8). The primary equipment shall be fenced with temporary/permanent fencing for security purposes prior to initiation of each use; 8). Applicant to water the driveway and facility as needed for dust control purposes.
5. Use permit to allow exterior parking of two tow trucks in an R1-L zoning district, J & J Towing, 500-03-714, Spring Valley subdivision near Mayer, Juanita Yellowman, #2086. Consideration of a Use Permit to allow exterior parking of two tow trucks (over 5000#) on a property currently zoned R1-L (Residential; Single Family Limited) in the Spring Valley subdivision, Mayer, Arizona. Located on Spring Lane, .3 miles south of the intersection of Spring Lane and S.R. 69 in the

Spring Valley subdivision, Mayer, Arizona. Situs: 13625 Spring Lane, Mayer, Arizona. The Planning and Zoning Commission recommended unanimous approval of H2086, Use Permit with the following stipulations: 1). Approve a non-transferable use permit for a period of one year to allow for the parking one commercial tow truck (over 5000 pounds) as outlined in the applicant's June 19, 2002 Letter of Intent; 2). Screening shall be provided per Section 108 of the County Zoning Ordinance; 3). No truck service or repair on site.

6. Use permit to allow construction and operation of a building to house switching equipment required for telephone service in an RCU-2A zoning district, Mill Site Henderson Ranch Switching Equipment Building, 402-15-018L, Dewey area, Midvale Telephone Exchange agent for Jason Robson, #2098. Consideration of a Use Permit to allow the construction and operation of a 20' x 30' building on a two acre parcel currently zoned RCU-2A (Rural Residential; two acre minimum) for the purpose of housing switching equipment required for providing telephone service to the Henderson Valley Ranch / Mill Site service area in Yavapai County, Arizona. Located 200 feet west of the intersection of Roper Way and Hidden Valley way, .25 mile north of the intersection of Hidden Valley Way and Purple Sage, 350 feet east of the intersection of Purple Sage Trail and Ambassador Drive, 1.2 miles north of the intersection of Ambassador Drive and Old Cherry Road, .36 miles north of the intersection of Old Cherry Road and S.R. 169 approximately 4.9 miles east of the intersection of S.R. 69 and 169 in Dewey, Arizona. Situs: 17710 East Roper Way, Dewey, Arizona. The Planning and Zoning Commission recommended unanimous approval of H2098, Use Permit with the following stipulations: 1). Use Permit to be approved on a permanent-transferable basis in accordance with the site plan, to allow the construction of an phone system equipment storage building as presented on the site plan and in accordance with the Letter of Intent submitted July 22, 2002; 2). All outdoor storage to be defined to an area as depicted on the site plan; 3). Screening of outside storage to be provided in accordance with Section 108-B/ H.
7. Use permit to allow installation and operation of a 40-foot monopole with a four-foot diameter microwave dish in an RCU-2A zoning district, Mill Site Henderson Ranch Monopole, 402-15-020, Dewey area, Midvale Telephone Exchange agent for Jason Robson, #2097. Consideration of a Use Permit to allow the installation and operation of a forty-foot monopole with a four-foot diameter microwave dish on a parcel currently zoned RCU-2A (Rural Residential; two acre minimum) in order to provide telephone service to the Henderson Valley Ranch and White Horse Ranch service area in Yavapai County, Arizona. Located .54 mile southwest of the intersection of Rabbit Ridge Road and Leprechaun Road, .5 mile northwest of the intersection of Leprechaun Road and Yarber Court, 375 feet west of the intersection of Yarber Court and Yarber Wash Road, .8 miles northwest of the intersection of Yarber Wash Road and Old Cherry Road, .25 miles north of the intersection of Old Cherry Road and S.R. 169 approximately 4.9 miles east of the intersection of S.R. 69 and 169 in Dewey, Arizona. Dewey, Arizona. The Planning and Zoning Commission recommended unanimous approval of H2097, Use Permit with the following stipulations: 1). Use Permit shall be granted on a 10 year, transferable basis, with Staff review after 5 years and with staff notification prior to transfer; 2). The maximum height of the tower, including base, platform and antennae, not to exceed 40 feet above grade level; 3). That the one-to-one setback requirement be waived by the Board of Supervisors upon receipt of a certified Engineer's letter stating that in case of collapse the tower would be contained on site per Section 122 - I - 1 to 4; 4). Development shall be in conformance with the site plan and specifications dated July 22, 2002, with the tower and dish painted a non-reflective grey-brown color in order to match the existing natural environment; 5). Waiver of Planning and Zoning Ordinance Section 122G.1.g. requirement that no wireless communication facilities within 1000 feet of residences; 6). Pursuant to Section 108-J, 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; 7). 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; 8). Applicant to provide certification that the 40 foot monopole is not co-locatable and will execute a written co-location agreement on a form approved by the County Attorney that provides for the information as set out in the Wireless Plan, prior to issuance of Building Permits/Zoning Clearances; 9). Certificate of Compliance to be issued within on year.
8. Use permit to erect and operate a 40-foot monopole with a four-foot diameter microwave dish in an RCU-2A zoning district, Mill Site Mountain Pine Wireless Monopole, 205-14-143 (Mountain Pine Acres, Mountain Glen, Potato Patch, Misty Mountain Loop, Mill Site Village and Hoot Owl areas), Midvale Telephone Exchange agent for Steve Gilbert,

#2099. Consideration of a Use Permit to erect and operate a 40' monopole tower mounted with a four foot diameter microwave dish on Lot 19 of the Mountain Pine Acres subdivision for the purpose of providing land line telephone service to the areas of Mountain Pine Acres, Mountain Glenn, Potato Patch, Misty Mountain Loop, Mill Site Village and Hoot Owl zoned RCU-2A (Rural Residential; two acre minimum) in Yavapai County, Arizona. Located .2 mile south of the intersection of Hassayampa Circle and Wiggler Road, .5 mile east of the intersection of Wiggler Road and Old Senator Highway, approximately 4.3 miles south of Prescott, Arizona on Old Senator Highway. (Lot 19, Mountain Pines Acres.) The Planning and Zoning Commission recommended unanimous approval of H2097, Use Permit with the following stipulations: 1). Use Permit shall be granted on a 10 year, transferable basis, with Staff review after 5 years and with staff notification prior to transfer; 2). The maximum height of the tower, including base, platform and antennae, not to exceed 40 feet above grade level; 3). That the one-to-one setback requirement be waived by the Board of Supervisors upon receipt of a certified Engineer's letter stating that in case of collapse the tower would be contained on site per Section 122 - I - 1 to 4; 4). Waiver of Planning and Zoning Ordinance Section 108-M-3 requirement of 50 foot right-of-way on either side of the Section Line that runs through the property; 5). Development shall be in conformance with the site plan and specifications dated July 22, 2002, with the tower and dish painted a non-reflective gray-brown color in order to match the existing natural environment; 6). Waiver of Planning and Zoning Ordinance Section 122G.1.g. requirement that no wireless communication facilities within 1000 feet of residences; 7). Pursuant to Section 108-J, 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; 8). 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; 9). Applicant to provide certification that the 40 foot monopole is not co-locatable and will execute a written co-location agreement on a form approved by the County Attorney that provides for the information as set out in the Wireless Plan, prior to issuance of Building Permits/Zoning Clearances; 10). Certificate of Compliance to be issued within one year.

#### DEVELOPMENT SERVICES DEPARTMENT BUSINESS:

1. Hearing: Consider approval of a resolution to rename Malti Lane to Matli Lane, Paulden area. Mr. Gallegos told the Board that this should be the final change and that upon approval of the street name change he should be able to proceed with the final street name map. He pointed out that the need for the name change resulted from a County error and that he was also requesting waiver of the fee. Supervisor Davis moved to approve Resolution No. 1371 changing the name as noted, and the wavier of the fee. Chairman Street seconded the motion, which carried unanimously.
2. Special recognition for Bob Hertzog for successfully receiving the Residential Plumbing Inspector Certification through the International Conference of Building Officials. Mr. Mauk said Mr. Hertzog was not able to attend and accepted his certificate for him.
3. Consideration of an appeal by Rosewood Ranch of the decision of the Development Services Department to rescind a special use permit (HA #6882 and 6707) to operate an inpatient clinic/health care facility on parcels 201-04-007X and Z, Wickenburg area. Mr. Mauk presented a brief overview of the special use permit saying that it was for an inpatient health clinic for women and that there had been a temporary use of a modular while the main building was being built. He said the applicants were to obtain permits within 12 months and had not done so far as of this date. Mr. Mauk said there were several options that could be taken and that after speaking with the applicant's attorney, Lynn Lagarde, he believed they could perform but not in the time limits set. Ms. Legarde said it had taken a long time to implement the project and that they had run into several problems that had not been anticipated. She said the applicant had hired a consultant team and that plans had been modified for screening, vegetation, lights and parking for the complex. She said they were also looking into paving the street leading into the complex but that part of the road was on Bureau of Land Management land and that in the long term the applicant was going to see about obtaining the rights to that part of the road. Ms. Legarde said the applicant had met with several of the neighbors and felt that most of the concerns regarding the project had been answered. She asked the Board to not rescind the permit and instead to hold this matter in abeyance until February of 2003. Chairman Street asked for comments from the public. J. J. Fletcher, chairman

of the Wickenburg Hospital said he was in favor of the project and that it was a good clean business for the area. Chairman Street said the main complainant was not opposed to the project but would like to see it come into compliance. Supervisor Davis said the Board would not be discussing this issue on this day if Rosewood had complied with the requirements of the use permit and that Development Services had tried and tried to get them to come into compliance. He said he was inclined to uphold rescinding the permit and have the applicant reapply. Ms. Legarde said she believed it was more of a misunderstanding between the parties involved on the time limit and that putting it through another process would probably cause a delay and would be an expensive process for both them and the County. Mr. Mauk said the outline for the proposal looked good and that they could revisit it along the way. Chairman Street if this was a last ditch effort, and when would the project be finished. Ms. Legarde said that by the end of January 2003 the applicant would be in compliance. Mr. Schurr said the Board could hold this matter in abeyance until the first meeting in February and that if the applicant was not in compliance staff could rescind the use permit, and that if the applicant was in compliance the hearing could be cancelled. Supervisor Davis then moved to hold this item in abeyance until the first meeting in February, 2003. Chairman Street seconded the motion, which was approved unanimously.

ITEM NO. 4. Convene in executive session pursuant to A.R.S. §38-431.03(A)(1) to discuss salaries for department heads and chief deputies. Motion by Supervisor Davis, second by Chairman Street. Approved by unanimous vote.

ITEM NO. 5. Reconvene in open session and consider approval of salaries for department heads and chief deputies. Approved by unanimous vote. Motion by Supervisor Davis to approve as listed on exhibit, seconded by Chairman Street.

ITEM NO. 6. County Administrator Jim Holst. Discussion regarding County capital improvement needs. This item was not heard because of time limitations.

ITEM NO. 7. Hearing: Conduct hearing on impact statement for proposed Ash Fork Sanitary District; consider approval of district impact statement; consider authorizing circulation of petitions for establishment of the district. Ms. Staddon told the Board that there needed to be a correction made in paragraph 2 of the impact statement to the estimated assessed valuation. She said an assessed valuation of \$1,469,165 and a full cash value of \$10,356,954 should be reflected per the ownership report dated August 23, 2002. Lewis Hume, Lucia Kranser and Bob Huber spoke in favor of the project citing safety, environmental reasons and improvement of the town. Speaking against the project with concerns for the cost of the project were Tommy Coughlin, Herbert Ham, Lynn Felton, Jack Campbell and Brad Sample. Following brief discussion regarding both the establishment process and the improvement process, Supervisor Davis moved to approve the impact statement with the recommended changes and to authorize circulation of petitions. Chairman Street seconded the motion, which carried by unanimous vote.

ITEM NO. 8. Sheriff Buck Buchanan and Captain Scott Mascher.

1. Request for approval of allocation of funds for equipment and fees to seek accreditation of the Yavapai County Detention Services facilities, at a cost of \$14,801.79 to be paid from Jail Enhancement Funds. Sheriff Buchanan said he was bringing this item back to the Board for clarification, that he had not put this into his regular budget, and that he was asking for it to be approved and paid for out of Jail Enhancement funds. He said it was better for the County and the public to pay for this out of Jail Enhancement funds because it was an enhancement. Chairman Street asked what accreditation in a jail was. Sheriff Buchanan answered that he had been requested by the County's insurance pool to seek accreditation because accreditation would help create a legal defense wall and also jail personnel would become trained on how legal issues need to be addressed. Upon a motion by Supervisor Davis, seconded by Chairman Street the Board voted unanimously to approve this item.
2. Consider approving the allocation of \$25,149.38 for a full-size police vehicle and permission to increase the vehicle fleet for said additional vehicle. To be paid for from Jail Enhancement Funds. Sheriff Buchanan said the need for this vehicle had come about because he now had a certified manager filling the position that was once handled by a uniformed citizen. He said the lieutenant who is now fulfilling these job duties was being paid but was not being used to his full potential and that he needed to be

able to have a working vehicle available to him. He said that as part of the lieutenant's new job duties, he must travel a great deal and to the Verde. Upon a motion by Chairman Street, seconded by Chairman Davis, the Board voted unanimously to approve the allocation.

ITEM NO. 9. Gordon J. Glau, Director of Juvenile Court Services. Request for continuation of Medical Director position for Juvenile Detention, at a cost of \$20,000 to \$25,000 to be paid from Medical Services account. Mr. Glau spoke of the sharing of the medical director with the Sheriff's Office and of the time spent for the juvenile portion. He said it was not appropriate for these services to be paid from the jail district budget. Mr. Glau said they had been keeping track and needed to take a percentage and repay the jail district budget back. Sheriff Buchanan said they had estimated that it was a 84% - 16% split. Mr. Glau said his line item for medical services would be overspent but that it was less expensive to keep Dr. Stoncipher than to send the juveniles to the emergency ward at the hospital. Chairman Street said they should go ahead and pay it out and then fix this in next year's budget. Approved by unanimous vote upon a motion by Supervisor Davis, seconded by Chairman Street.

ITEM NO. 10. DLR Group. Architect update on new Fair Street administration building. Howard Cohen of DLR Group presented a brief overview of the new Fair Street administration building project saying the anticipated start date for construction was February, 2003. He said there would be two parking lots, one for the public and one for staff needs. He said there had been discussion about opening up Rodeo Drive all the way to Miller Valley and that the City of Prescott had discussed closing off the end portion of Schemmer Drive. Mr. Cohen said he anticipated making Rodeo Drive the main entrance/exit and using Fair Street as a secondary access. He said the site as a whole was well designed and the potential for a phase 3 project graded out. Mr. Cohen explained that the building was now at 57,000 square feet but that it could be expanded to 70,000 square feet as needs progress. Supervisor Davis asked about video conferencing for the building and whether it going to be available. Mr. Holst said all of the conference rooms would be set up with wiring and lights for video conferencing with certain rooms set up permanently for video conferencing.

#### CONSENT AGENDA FOR BOARD OF SUPERVISORS:

1. Requests from Board of Supervisors:
  - a. Approve minutes of meeting of September 16, 2002, and of special meetings of September 17, 23 and 25, 2002; and October 1, 2002.
  - b. Liquor license for which there was no protests, Series 12 Restaurant, Brand'n Iron Steakhouse, Dewey area, Jason Leroy Helton.
  - c. Consider authorizing sale of County property at auction to be held on November 12, 2002. Property is located adjacent to Prescott High School. Supervisor Davis questioned the appraisal and access to this property saying he had thought that the appraisal was a bit old and that there was no legal access to the property. Mr. Holst explained there was legal access to the property but that the physical access was poor. Mr. Hunt said the appraisal was older but the proposed bidder for this property was given an opportunity to use this appraisal or have the County obtain one at his expense and that he had chosen to use the existing appraisal. Supervisor Davis then moved to approve this item, setting the minimum bid at \$160,000. Chairman Street seconded the motion, which carried by unanimous vote.
  - d. Consider appointment of Marie Murillo to the Local Workforce Investment Board Youth Council with a term to expire September 2004, and appointment of Joan Laurence to the Local Workforce Investment Board and One Stop Committee representing Yavapai College and replacing Rick Marcum, with term to expire September 2005, as requested by the LWIB.
  - e. Accept bid from Newby Construction in the amount of \$10,561 for the Verde Valley Sanctuary Renovation CDBG project as recommended by the Verde Valley Sanctuary and NACOG.
2. Request from Development Services for reappointment of William Otwell and Leo Scott to the Building Safety Advisory and Appeals Board, each with terms to expire October 7, 2006.
3. Request from Elections Department to approve designation of polling places for the November 5, 2002 General Election; approval of poll workers, early board workers, central board workers and troubleshooters for the November 5, 2002 General Election; and approval of any workers who are obtained after October 7, 2002.
4. Request from Health Department to have October 2002 declared as Breast Cancer Awareness Month in Yavapai County.
5. Requests from Sheriff:
  - a. Permission for Lieutenant James Jarrell and Deputy Steve Page to take a County vehicle out of state in conjunction with attendance at a conference in San Diego, California, November 4-7, 2002.
  - b. Permission for Sheriff Buck Buchanan to take a County vehicle out of state in conjunction with Criminal Justice



Information Services meetings in Las Vegas, Nevada, October 22-24, 2002.

- c. Consider approval of letter authorizing the Motor Vehicle Division to issue undercover license plates for a Sheriff's Office replacement vehicle.
6. Request from Human Resources for permission to initiate a United Way campaign for Yavapai County employees during November 2002 for giving during the 2003 calendar year. Mr. Hunt said he had recently attended a seminar at which there was discussion about a case related to equality of access where federal fund raising efforts were given preferential treatment over other types of organizations. He said that while this issue might not have the same level of concern in rural areas as in other areas and that he did not believe there was a problem, it might still be a good idea for the Board to look at the issue in more detail over the next few months. Mr. Holst said the County had been involved with the United Way campaign for many years. Deputy County Attorney Randy Schurr said the United Way campaign had been very low key and not advertised by the County. Human Resources Director Julie Ayers said there were only 21 County employees participating in United Way, which she said represented less than one percent of the employee population. She added that employees could designate which organization they wanted their donations to go to. Supervisor Davis moved to approve the request with the understanding that it could be cancelled if necessary. Chairman Street seconded the motion, which carried by unanimous vote.
7. Request from Recorder for approval of payment to Eagle Computer Systems in the amount of \$32,871 for upgrades and new hardware, to be paid from Recorder's Storage & Retrieval Fund (holdover from the 2001-2002 budget).
8. Requests from Finance:
  - a. Consider approval of appropriation transfers to cover departmental and fund deficit balances and approval of certain transfers and budget changes for the 2001-2002 fiscal year.
  - b. Consider approval of appropriation transfers to cover other departmental and fund deficit balances for the 2001-2002 fiscal year. Supervisor Davis questioned over-expenditures in several departments, saying it seemed like a breakdown in fiscal responsibility. He asked why the Board even bothered to go through the budget process if departments were not going to pay any attention to it. There was brief discussion about deficits in the Jail District with regard to salaries, during which Mr. Holst explained that pay-offs on termination, holiday pay and restrictions related to the accumulation of compensatory time all factored into the problem. Supervisor Davis moved to approve the transfers. Chairman Street seconded the motion, which carried by unanimous vote.
9. Request from County Attorney for permission to add a forfeited vehicle to the vehicle fleet for use by a County Attorney's Investigator and for authorization to obtain undercover plates for the vehicle.
10. Request from County School Superintendent, Special Programs Division, for permission to purchase a Minolta Di351 copy machine at a cost of \$6,072 to be paid from Special Programs budget.
11. Request from MIS for permission to add a Western States Contracting Alliance vendor, AT&T, which will enable the County and possibly cities and towns to purchase equipment and services at a significant discount.
12. Request from Assessor to purchase a new Dell pentium 4 laptop computer at an approximate cost of \$3,000 to be paid for from the Assessor's Surcharge Fund. Approval of the request recommended by the MIS Department.
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 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 meeting of August 19, 2002.
  - b. Consider approval of Change Order No. 4 with Sletten Construction in the amount of an additional \$1,185.05 for the Camp Verde Jail Expansion.
3. Resolve into the Board of Directors of the Yavapai County Flood Control District:
  - a. Approve minutes of meeting of September 16, 2002.
  - b. Consider approval of intergovernmental agreement with the Town of Chino Valley for 2002-2003 in the amount of \$70,000, to be paid from Outside Services.
  - c. Consider approval of intergovernmental agreement with the Town of Prescott Valley for 2002-2003 in the amount of \$289,072, to be paid from Outside Services.
  - d. Consider approval of intergovernmental agreement with the Town of Clarkdale for 2002-2003 in the amount of \$25,000, to be paid from Outside Services.
  - e. Consider approval of an on-call type professional services contract with JE Fuller Hydrology and Geomorphology,

Inc. for 2002-2003 and approve a \$13,330 Work Order for Evaluation of Flood of September 7, 2002 on Lee Wash in the Lake Montezuma area. To be paid from Outside Services – Hydrological Services.

- f. Consider approval of a professional services contract in the amount of \$84,195 with JE Fuller Hydrology and Geomorphology, Inc. for the Wet Beaver Creek Restoration & Water Quality Enhancement Project, Lake Montezuma area. To be paid from Construction in Progress – Beaver Creek Channel.
- g. Consider approval of an on-call type professional services contract with C.L. Williams Consulting, Inc. for the 2002-2003 fiscal year, for all areas of the County. To be paid for from Outside Services – Hydrological Services, Outside Services – Maintenance of District Facilities, or Construction in Progress, Finnie Flat Channel.
- h. Consider approval of a professional services contract with Stantec Consulting, Inc. in the amount of \$38,370 for the Village of Oak Creek Cortez Drive Modifications Project, Village of Oak Creek area.

CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	2,998,440.66	Jail District	526,332.51
District 1 Park Fund	18,289.97	District 2 Park Fund	9,413.64
District 3 Park Fund	31,502.57	Windmill Park Fund	1,016.23
Sycamore Comm. Park	2,353.41	Child Health Grant	6,624.33
AMPPHI	2,542.79	Family Planning	6,506.46
MCH Programs	3,764.11	Home Health Ser	26,212.65
Health Promotion	6,580.44	Nutrition	2,618.91
T.B. Control	2,193.76	WIC Program	24,627.63
Stop Violence Women	7,751.97	Jail Enhancement	10,985.17
Juvenile Delinq. Reduct	17,673.76	Juvenile IPS	31,521.77
Family Counseling	932.30	Juvenile Food Prog	2,701.43
Probation Serv	7,739.00	Adult IPS	54,695.64
Adult Probation Fees	36,603.57	Prob Enhance	61,255.53
Recorder's Surcharge	17,791.02	Indigent Def/Dg	2,795.86
Crim Just/Atty	15,928.19	Bad Check Prog	6,318.07
CDBG Grant	10,832.51	Juv Prob Svs	10,106.75
Commodity Fd	602.10	Azeip Case Mgmt	4,379.07
Sexual Trans Disease	285.47	Hi Risk Chld HI	5,383.11
Clerk's Storage	881.56	WIC/TOB Intervention	5,280.26
HIV Counsel & Test	2,621.21	Atty Anti-Racket	9,990.36
PANT	8,266.69	CASA	8,240.36
Case Process	8,019.54	Prim. Care – V.V.	7,807.86
Azeip Coordinator	2,335.55	Vict Witns Prog	11,806.22
Court Enhancement	4,127.22	Council Court	3,388.80
Juvenile Dent. Enhan.	3,779.77	Drug Enforce Fund.	1,515.13
Primary Care Svs	21,488.80	Yavapai Roundup II	2,916.16
Victims Rights Impl	7,171.41	JAIBG Juv Acct 3	3,031.78
Yav Indian Agreement	1,068.30	Hassayampa/LTC	1,780.51
Dietetic Intern	1,359.01	Immuniz Service	2,670.57
Personal Care Svs	474.73	Idea-Preschool	2,272.91
Subs Abuse/DARE	529.98	Chem Abuse	408.69
Family Drug Court	2,110.11	Juvenile Drug Court	8,364.30
Juv Det/PACE	11,254.18	Special Program	32,858.02
Sm Schools Ecia	1,004.39	Sm Schools Beha	27,884.68
Cops in School	9,007.53	Fill the Gap - Courts	13,036.02
Hurf Road Funds	912,888.61	Assessor Surcharge	14,403.05
Health Fund	131,288.74	Jail Commissary	15,075.27
Landfill Administ.	90,517.60	Water Advisory Comm	5,814.79
Building Better Bones	23.49	Clinical NICP	901.46
Tire Recycle	20,220.08	Hazard Materials Plng	6,123.21
Safe School Pro	16,446.79	Adhs-Svs Coord	2,576.24
Local Incentive Awards	2,282.30	Fill the Gap – Attorney	1,926.53
Family Law Commiss.	10,884.45	Comm Punish Pro	2,838.23

Juv. Detent Ed Pro	1,122.94	Regnl Road Project	133,333.65
Library Auto. Consor	6,657.62	Health Start	6,200.65
Interstate Compact Pro	3,692.14	Ryan White II	3,940.93
Prepared. Bioterror	12,868.88	Primary Care Fees	2,245.27
Perinatal Block	3,703.22	Well Woman Health	4,919.62
Tobacco Educ	16,783.68	Hopwa Housing Op	5,567.10
Detention Education	124.77	School Reso. – Mayer	2,706.24
St. Grant in Aid	134.50	Direct Treatment Fund	8,893.38
Mental HealthRWJF	5,421.25	Mental Health Part.	5,583.46
Field Trainer	3,995.28	Comm. Access Pro	14,290.42
Attendant Care	52,050.10	HIV/CT	59.92
HIV Targeted	3,471.13	Childrens Justice	1,893.54
Child Sup & Vis	1,432.43	Domestic Relations	111.72
VOCA	7,011.78	Yav. Drug Court	19,463.40
JTSF Treatment	14,997.83	Diversion Conseq.	3,793.43
Transferred Youth	752.08	Capital Projects	185,129.62
Jail Construction	20,443.12	Sedona Airport	5,505.17
ALTCS	937,114.17		

In addition, payroll was issued on September 20 for the pay period ending September 14; warrant numbers 2423410 through 2423897, in the amount of \$363,944.78. Jury certificates were also issued, warrant numbers 6857225 through 6857341; 6857342 through 6857417. Warrants issued for October 7 Board day, 4178466 through 4179511; 4179512 through 4179976; 4179977 through 4180447.

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

ATTEST:

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