

BOARD OF SUPERVISORS MINUTES WITH SUPPLEMENTAL TRANSCRIPT  
(Where a supplemental transcript is available, it is printed in bold type)

OFFICE OF BOARD OF SUPERVISORS  
YAVAPAI COUNTY, ARIZONA

Prescott, Arizona

November 1, 2004

The Board of Supervisors met in regular session on November 1, 2004, at 9:30 a.m.

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

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

Clerk's note: A copy of these minutes with a supplemental transcript is available in the Office of the Clerk of the Board of Supervisors and is also available on the County website.

PLEDGE OF ALLEGIANCE – Sheriff's Office Color Guard, led by Lt. Jason Miner, posted the colors and led those present in the Pledge.

ITEM NO. 1. Board of Supervisors.

1. Consider renewal of agreement with the Prescott Downtown Partnership for management coordination and oversight of activities and events conducted on the Courthouse Plaza during calendar year 2005. Prescott area residents Sue Willoughby, Joe Kobaski and Tammie Bennett spoke in opposition to renewal of the agreement. PDP president Kendall Jaspers participated in discussion. Upon a motion by Chairman Davis, seconded by Supervisor Brownlow, the Board voted unanimously to approve renewal of the agreement.

Mr. Hunt said that at its October 4, 2004, meeting, the Board of Supervisors had directed the PDP to move forward with processing applications for events in 2005. He noted that the PDP's management agreement would expire at the end of the current year and would need to be renewed if the PDP was to continue managing the Plaza. Mr. Hunt said the PDP was requesting an increase in the management fee to \$32,500 and that the agreement also included an adjustment to a one-year contract instead of a two-year contract. Chairman Davis called for comments from the public. Ms. Willoughby said she had attended every Board meeting the Board had held on this issue since March of 2000, and that even though her comments had been expunged from the official records, her message had been the same and that was that a terrible conflict of interest existed. She said that all three Supervisors were involved in a lawsuit, as was the PDP, and that it was her opinion that action on this item should be postponed because two-thirds of the Board would be leaving at the end of the year. Mr. Kobaski said he was a 21-year veteran of events on the Plaza, that he put on the show for the Williamson Valley Fire District and that he was also involved with the Mountain Artists' Guild. He said he was opposed to the agreement with the PDP because events on the Plaza were eroding, and that many other vendors were also opposed to it. Mr. Kobaski said he hoped that the Board would put the process of managing the Plaza back in-house, under the Facilities Department and the direction of Facilities Director Pat Kirshman, because it had worked before and it could work again. He said he felt it would be better if the County controlled the process and that he and many others felt the PDP had not handled the process well. He said the application process needed to be looked at and that there were other issues that also deserved a closer look. Ms. Bennett said she was asking the Board to not approve the contract because the PDP's only job was to keep themselves in business. She said the PDP was paying Pat Forrest a salary well over \$60,000 per year and that this was more than deputies and other people made. Ms. Bennett said the PDP had violated her rights and that for some on the Board of Supervisors this was a pet project. She said there was even an attempt to put this issue on the Board's agenda for a Cottonwood meeting, and she asked that the Board allow the new Board of Supervisors to make an objective decision about the PDP. Mr. Jaspers said that decisions made about what could happen on the Plaza were based on the County's Plaza Ordinance and that it would be the same no matter who was responsible for management. Chairman

Davis said the PDP had listed a number of improvements that had taken place with regard to the downtown merchants. Mr. Jaspers said the PDP had someone on-site during the events. Chairman Davis asked why the people using the Plaza did not see the advantage. Mr. Jaspers said the vendors do have to pay the middle school for parking, and that without that the area would lock up with vendors and there would be no parking available for anyone else. He acknowledged that sometimes the PDP was not very popular. Chairman Davis said he had heard there was dissatisfaction, that there were conflicts of interest, that the County was being sued and that vendors were not happy. He said he did not think the County should be in the commercial entertainment business and that he thought the Board should just eliminate all commercial events on the Plaza and be done with this issue. Supervisor Brownlow asked Mr. Hunt if he thought there was a conflict of interest. Mr. Hunt responded "no." Ms. Willoughby said she disagreed. She said there were three people on the Board involved in a lawsuit related to the Plaza and that she could not believe that Mr. Hunt did not see a conflict of interest. She said there were multiple layers of conflicts of interest. Chairman Davis said that was his point exactly; that the County should not even be in the business of providing for commercial events on the Plaza. He said he would like to get out of the commercial entertainment business, that all of those events took place in the center of downtown Prescott and that if the City of Prescott wanted to support those events perhaps the County could help but that it was not the County's thing. Supervisor Street said she disagreed. She said it was true that a new majority was coming onto the Board and that her inclination at this time was to not renew the PDP agreement and also to limit the major events to one event per agency in order to free up some dates and not overuse or abuse the Plaza. Supervisor Brownlow said he was the big target in this issue. He said that no one on the Board had tried to sneak anything onto the agenda for the Cottonwood meeting and that the item initially appearing on that agenda was simply a mistake. He said he believed that some of Ms. Bennett's allegations were cleared up in the court case, and that he had always thought that in order to keep downtown Prescott active there needed to be some things happening on the Plaza. Supervisor Brownlow said it would take a full-time person to monitor everything on the Plaza and that putting the management of the Plaza back under the Facilities Department would subject it to politics. He said there was no easy fix and that he believed that it was too late to cancel the agreement and that it needed to be allowed to run through 2005. He added that the PDP was a great help with regard to the Christmas events on the Plaza. Chairman Davis said the Board had a responsibility to notify vendors of the 2005 schedule, and that part of the reason for a one-year contract instead of a two-year contract was to allow the new Supervisors an opportunity to make a decision about this issue. He said he still felt the same way but that for this year, the Board had a responsibility to carry out.

2. 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.i., 3. and 4. on the Consent Agenda for Board of Supervisors, all items were approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public. See Consent Agenda for Board of Supervisors for details.

ITEM NO. 2. Merit Award Board Chairman Joe Huot. Consider approval of the following individuals as Employees of the Month:

1. Carole Feingold, Public Works Department, as Employee of the Month for August 2004. Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Street. No comments from the public.
2. Janet Leuer, Education Service Agency (County School Superintendent's Office), as Employee of the Month for September 2004. Approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.

ITEM NO. 3. Public Works Director Richard Straub.

1. Hearing: Consider approval of a resolution to abandon a portion of Table Top Lane, Sundown Acres Unit 2, Williamson Valley area. Resolution No. 1556 was approved by unanimous vote after Mr. Straub said the County did not need this right-of-way and that the adjacent property owner would pay

for the property based on the assessed value of 58 cents per square foot. Motion by Supervisor Brownlow, second by Supervisor Street. No comments from the public.

2. Consider approval of a right-of-way project on Iron Horse Ranch Road, Bagdad area. Approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.
3. Consider approval of items appearing on the Consent Agenda for Public Works. All items were approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.

CONSENT AGENDA FOR PUBLIC WORKS: All items were approved by unanimous vote. Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.

1. Consider accepting roads in Weaver Mountain Estates Phase 1A as fully-maintained County roads and release funds held in retention under the financial assurances.
2. Consider approval of Change Order #1 (Final) with Cactus Transport, Inc. for the Kirkland-Hillside Highway Rubberized Chip Seal, Yavapai County, Arizona, Project #2314001 in the decreased amount of \$23,800. Half-cent sales tax project.
3. Consider approval of Change Order #1 (Final) in the additional amount of \$2,448.85 to Authorization of Services No. 2111058 with Bock Appraisal Services for Right-of-Way Services for Hillcrest Lane Extension, Project #963089, Government Canyon area. Half-cent sales tax project.
4. Consider approval of Change Order #1 with AJP Electric in the additional amount of \$2,377.41 for Pioneer Park Soccer/Softball Field Phase 2, Yavapai County, Arizona, Project #2211652, to be paid from District 1 Parks Fund.
5. Award or reject bids received for the Supply of Operated Equipment in Yavapai County, Contract #2413822. Bids opened October 19, 2004, with bids received from the following vendors: Central Arizona Backhoe; Fann Contracting, Inc.; Gerry's Contracting, Ltd.; Grady's Quality Excavating, Inc.; Monarch Development, Inc.; and SPE Systems, Inc. Recommend awarding to all qualified bidders at various unit prices.

ITEM NO. 4. Development Services Director Ken Spedding and Development Services Assistant Director Enalo Lockard. Planning and zoning; Development Services business. Planning & Zoning Commission member Gene Kerkman was present to represent the Commission. Planning Manager Elise Link, Deputy County Attorney Randy Schurr, and Planners Chris Bridges, Amy Karn and Mike Kelly participated in discussion of these items.

1. Consider approval of items appearing on the Consent Agenda for Planning and Zoning. All three items were approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Street. No comments from the public. See Consent Agenda for Planning and Zoning for details.
2. Hearing: Amendment to Sections 206.F, 207.F.5., 504, 525.A.7, 604H.1, 605.G.1.c., 605.G.5 and 801 of the Yavapai County Zoning Ordinance in order to remove the fee schedule and associated references from the Zoning Ordinance, Planning & Zoning Commission, #H4135. Consideration of a Resolution of the Board of Supervisors to adopt an updated and all encompassing fee schedule, as well as an amendment to Sections 206.F; 207.F.5; 504; 525.A.7; 604.H.1; 605.G.1.c; 605.G.5 and 801 of the Yavapai County Zoning Ordinance in order to remove the fee schedule and associated references from the Zoning Ordinance. The Planning and Zoning Commission recommended approval of a Resolution of the Board of Supervisors and Zoning Ordinance Amendment to adopt a revised fee schedule with the proposed revisions recommended by Staff. The Board voted unanimously to approve the recommendation of the Planning & Zoning Commission, and also to approve Resolution No. 1557 approving the revised fee schedule (see Development Services Business, below). Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.

Mr. Bridges told the Board that the Planning & Zoning Commission had recommended approval of this amendment, but that in doing so it had also recommended eliminating the graduated fees for wireless applications and just having one fee. He asked that in considering this item, the Board also consider adopting a resolution approving the revised fee schedule, an item listed under Development Services Business (below). Chairman Davis asked what process was used to determine the fees. Mr. Bridges said that when the fee schedule was approved two years ago staff had looked at actual time spent and costs, and that the current schedule was updated from that information and also included new changes such as the fact that there were now two advertising schedules for applications instead of one. He said that administrative approval for

wireless applications had also been brought down to a lower level. Chairman Davis asked if it was true that only the people who used these services would pay for them. Mr. Bridges said that was correct. Supervisor Brownlow asked if obtaining a consultant for wireless applications was included in this item. Mr. Bridges said it was not, but that it could be added at a later date. Mr. Lockard said that fee was not one that would be charged by the County. He said there was a fee for processing wireless applications and that the Commission had made a recommendation to minimize that fee.

3. Hearing: Zoning Ordinance Amendment to reformat, modify and update Section 605, Wireless Communications Facilities, in its entirety, Planning & Zoning Commission, #H4099. Consideration of a Zoning Ordinance Amendment to reformat, modify and update the entire Section 605 Wireless Communications Facilities as part of the effort to address changes in the technology of the industry, expand/update various definitions, establish utilization of a consultant to the County to review applications, modify submittal requirements, effect some housekeeping measures (grammatical and punctuation changes) and potentially address associated application and review fees. The Planning and Zoning Commission recommended approval of a Zoning Ordinance Amendment to reformat, modify and update Section 605 Wireless Communications Facilities in its entirety. The following persons spoke in opposition to this application: Patrick Adair, Alltel, Phoenix; Charles Sherwood, Alamosa/PCS, Kansas; Mark Williams, Verizon, Colorado; Jim West, T-Mobile USA, Phoenix; and Bryan Poth, Crown Castle Company, Phoenix. County resident Lucinda Grant spoke in favor of the application, and consultant Mel Patterson of the Center for Municipal Solutions participated in discussion of this item. Supervisor Brownlow moved to hold this item in abeyance for two weeks in order to allow for further study by staff. He then withdrew his motion. Supervisor Street moved to deny the application. Supervisor Brownlow seconded the motion, which carried by unanimous vote.

Mr. Lockard told the Board that the original Wireless Ordinance was adopted in 1998 and amended in 2000, and that in January of 2003 it was determined that the Ordinance needed to be updated. He said the County had entered into an agreement with the consultant, Center for Municipal Solutions, in February 2004, and that staff had been working with the consultant since that time. Mr. Lockard said the Planning & Zoning Commission had held two hearings on this application and had recommended approval by a 6-to-1 vote and that the Commission member casting the dissenting vote had felt it was important to have staff work more with the industry. He said that as a result, some words in the Ordinance, such as "shall", had been changed to "may." He said that industry opposition to the application seemed to be mostly based on a feeling that the Ordinance would prohibit wireless installations and because they did not like the requirement for a consultant. Mr. Lockard said that staff felt if it had someone on its side to explain issues related to wireless applications it would result in a better presentation for the Commission and for the Board. He pointed out that the Board had received a letter from Michael J. Campbell of Campbell A&Z, LLC, asking that if the Board approved the application on this day that it not require a consultant review for the administrative approval portion of the Ordinance. He said that the consultant felt that not including consultant review for that portion of the Ordinance would be discriminatory. In response to a question from Supervisor Brownlow regarding how the process worked, Mr. Lockard said that when an applicant contacted staff, a pre-application meeting with staff was set up to explain the process. He said that following that meeting, if the applicant decided to move forward a meeting would be set up with the applicant, the consultant, and staff to walk through the entire process. He said the consultant would provide his understanding of the process to be included in staff's evaluation and presentation to the Commission. Supervisor Brownlow asked if the consultant had helped with revisions to the Ordinance and whether that assistance had cost the County any money. Mr. Lockard said the consultant had provided a model ordinance, but that the County had not expended any funds for it. Supervisor Brownlow asked what the Board's job was in this area, saying he thought it was just to determine land use and not to determine whether or not it was good business to install a wireless facility. Mr. Lockard said the reason for the consultant was to provide technical review so that staff can provide the best information to the Commission, such as whether the proposed site for a facility was the best site, and so on. Supervisor Brownlow gave a hypothetical situation of AT&T wanting a tower in a certain place, and he asked if AT&T would build the tower or if they would hire someone else to build it. Mr. Lockard said there were companies that do nothing but

build towers and then lease them out to wireless companies. Supervisor Brownlow asked why the County should care if a tower collapsed, and whether it was up to the wireless companies to determine the structural safety of a tower. Mr. Lockard said that some applications coming in were for towers that are 100 to 200 feet high and that staff did not have the expertise to determine the safety of such towers. Chairman Davis said that for years the Board had grappled with whether the County had the ability to determine if a site was the best site and that there were also questions about co-location. He said he believed the reason for having a consultant was that staff did not have enough information. Supervisor Brownlow said he could see that, and he asked Chairman Davis whether he thought that if a company was going to put thousands of dollars into a facility it would make sure that facility was okay. Chairman Davis said he thought that, like with most applications, people would tell the Board what they wanted the Board to hear. In response to questions from Supervisor Brownlow, Mr. Lockard said that in the past four years the County had received 100 applications for wireless and that only one such application had ended up in litigation. Supervisor Brownlow said he had a problem with making businesses pay an extra fee for a consultant. He said he believed that business people knew what they needed and what they were investing in. He said no one needed cell towers all over the County, but that there was a need for cell phone coverage. Supervisor Street said she tended to agree somewhat with Supervisor Brownlow. She said she thought that sometimes the Board tended to forget how huge the County is and that it needed to go with technology. She said she did not want to see towers every quarter mile but that wireless technology was here and that it was just going to grow. Supervisor Street said that if the County wanted to be part of the future, then it would need to learn how to grow with it. She said there were dead spots everywhere, and that for 38 miles of the drive from her home to Prescott she could not get out on her cell phone. She said there were places on Highway 69 where calls were just lost and that there was a need for the Board to address this issue and the technology. She said she believed that the companies involved probably did not want their towers to fall down, either, and that they were spending a great deal of money on the matter. Supervisor Street said she believed in co-location and that she believed people would have to learn how to cooperate in order to have co-location. Chairman Davis noted that it was the Board's decision to hire a consultant and revise the Ordinance. Supervisor Brownlow said that was true, but that he did not think there would be a charge for the applicants. Chairman Davis asked Supervisor Brownlow why he had not considered that before, and whether he would rather have the County taxpayers in general pick up the cost of the consultant. In response to a question from Supervisor Brownlow, Mr. Lockard said there had been many towers installed within 1,000 feet of residences. Mr. Schurr said that if the portion of the original Ordinance related to that issue was left out it would be possible to approve more applications administratively, and that if it was included in the revised Ordinance more applications would have to go through the use permit process. Chairman Davis called for comments from the public. Mr. Adair said his company had been working with several jurisdictions in the Southwest that had signed contracts with the Center for Municipal Solutions. He said that although the spirit of the Ordinance was to be fair, he felt this was not the case. He said it was reasonable that there should be work done with regard to verifying that a tower is needed, and that it was his company's intent to always have co-location regardless of who owns the pole. Mr. Adair said that as things were now, there was more benefit to the carrier. He said there were already processes in place to determine setbacks and that wireless companies already hired and used consultants to look at soils as they relate to placement of towers. He said he did not believe that the County's consultant would really add value because the wireless companies were already doing the things the consultant would do. Mr. Adair said that the revised Ordinance would not save anyone any time and that it would delay service to the customers. He said that Alltel would work with whatever Ordinance the County put in place, but that there was no need for a separate consultant because the processes the consultant would provide were already in place. Mr. Sherwood said he agreed with Mr. Adair's comments, and that his company also preferred to co-locate whenever possible. Supervisor Brownlow asked Mr. Sherwood if he looked at the structure of a tower before co-locating to make sure it was safe. Mr. Sherwood said yes, and that sometimes his company would walk away from a tower because it is not designed for a higher load. Mr. Williams said he agreed

with the comments made by Mr. Adair and Mr. Sherwood. He said he believed the County's existing Ordinance was quite comprehensive, that it was working just fine, and that he did not feel there was any need to change it. He added that his company also preferred co-location because it was very expensive to build towers. Mr. Williams said that page 16 of the revised Ordinance listed an additional 20 items that would have to be complied with and that it would slow everything down and cost more. He noted that the Board had reduced the fee for a wireless application from \$2,000 to \$950, but said the amended Ordinance would cost wireless companies \$9,500 just to get in the door for a pre-application meeting. Mr. West said he believed the comments made by Mr. Adair, Mr. Sherwood and Mr. Williams had pretty much covered his company's concerns. He told the Board that all of the carriers were committed to filling the gaps in coverage that now exist. He said the cost of the consultant was onerous to start with, but that there was also no way to determine cost control, and that as a business person one never enters into a relationship with a vendor unless one knows exactly what the cost will be. Mr. West said that if the Board wanted to tweak the Ordinance he believed there was a way to do it with participation from the industry and the public, but that he also believed the existing Ordinance was working well. Ms. Grant said she had a problem with the deletion of item 3.G. in the revised Ordinance, and that it seemed to her that the farther away from homes a tower is the less opposition there would be. She said that if the Board took that provision out of the Ordinance it would eliminate the public hearing process that can result in towers being kept 1,000 feet away from homes. Mr. Poth said he worked for a company that builds towers and that mostly what he was hearing on this day was opposition to the involvement of the Center for Municipal Solutions. He said the County had staff planners, a planning director, the Planning & Zoning Commission and the Board of Supervisors to make decisions on land uses, and that it also had people who could make decisions about electrical issues and the like. He said the County had had only one wireless application end up in litigation and that in his opinion that was a very good record. Mr. Poth said it seemed to him that the County did not need to add another person to the process, and that if an application was not a good application it would fail based on neighborhood meetings and so on. He said his business was co-location and that his company worked very well with wireless companies. He said he thought that what the carriers were looking for was an opportunity to co-locate and that if the County gave them the chance they would do so. At this point, Chairman Davis closed the hearing. Supervisor Brownlow said he thought he might need another two weeks to study this issue. Chairman Davis said that with the exception of Ms. Grant, everyone else who had spoken was from outside Yavapai County. He told those who had spoken that he wished they had come here before when the Board had talked about having a consultant. He said that everyone said they wanted to co-locate, but that there had been people battling in Board meetings to acquire a site. Chairman Davis said he believed the County's intent was to take the politics out of the process and put science into it, but that he did not believe the proposal before the Board on this day hit that target. He said he believed it would be expensive and that it could have negative repercussions for the County. Supervisor Street said it was her understanding that the consultant was going to help the staff understand about towers and help revise the Ordinance. She said she did not think that anyone intended that the consultant write himself into the Ordinance, and that she also thought it was a problem when it took 22 pages to talk about a tower. Supervisor Street said she did not know that the Board needed to over-regulate the wireless companies, and that she thought the County had been pretty successful so far with regard to wireless towers. She said that instead of limiting people on tower sites, she did not know why the County did not let companies have towers that are big enough to co-locate and that she felt the existing Ordinance was good enough. There was brief discussion between Supervisor Brownlow and Mr. Williams as to the 20 additional items for compliance and whether they were really additional items or just a listing of existing requirements. Mr. Kerkman said that when the Planning & Zoning Commission discussed the Ordinance and the consultant it did not talk about fees or about how large fees might be. He said he thought the Commission had been a little blind-sided in that regard. Mr. Kerkman said everyone would remember clearly the approval of a wireless tower at the Paulden fire department and how only 30 days later AT&T had come in and said it needed another tower just up the road. He said he believed that something was missing in the industry's work with regard to co-location. Mr. Patterson said his company

represented more than 600 municipalities in 20 states. He said the County's original Ordinance had a provision for hiring a consultant at the applicant's cost, and that the problem was finding a consultant who was independent. He said his company had no connection to the wireless industry, and he added that of the 20 applications he was currently reviewing for other jurisdictions, five of them had structural problems. Mr. Patterson said the \$8,500 fee was an escrow fee and that the actual fee in many cases would be less, but that it would depend upon the complexity of the application. He said he did not believe there would be any delays in the process as a result of using him as a consultant. Chairman Davis asked how difficult it would be to pull out the structural review parts of the revised Ordinance so that the only thing being dealt with was wireless technology. He said he was hearing that there was redundancy in inspections. Mr. Lockard said that work would not be duplicated. Mr. Patterson agreed, saying he would not duplicate any work already being done by the County. Chairman Davis asked what piece of information would be required with the wireless applications and what the estimated cost of providing that information would be. Mr. Lockard said the proposal before the Board laid out the information that staff needs, and that he was not following Chairman Davis' train of thought. Mr. Patterson said the result of the pre-application meeting would be a set of meeting notes that define what each applicant should do. He said that with regard to propagation studies and where towers should be, he would look at industry standards of what it takes for a cell phone to operate, and not what individual carriers determine they need to operate. Supervisor Street said that almost everyone present had said the County had a good Ordinance to begin with. She said the federal government determines what wireless companies can and cannot do and that the question for the Board was land use and where in the County towers should go. She said that if staff felt they needed a consultant, then staff should obtain a consultant at County expense. In response to a question from Supervisor Brownlow, Mr. Lockard said the fee for a wireless application had been amended to \$950. Chairman Davis asked if the Board wanted to approve the amendment to the Ordinance except for references to the consultant and to leave in 3.G. as requested by Ms. Grant. Supervisor Street asked if wireless companies could co-locate without getting permission from the County. Mr. Lockard responded that they would have to obtain a permit to co-locate.

4. Hearing: Zoning map change, expansion of the Urbanizing Overlay District to include outlying areas in the Verde Valley, the unincorporated areas around the Prescott tri-city area, portions of the Highway 89 corridor including Skull Valley, Yarnell, Congress and Wickenburg, and areas along I-17 including Black Canyon City; Planning & Zoning Commission, #H4122. Consideration of the Expansion of the Urbanizing Overlay Zone pursuant to Section 470.C of the Yavapai County Zoning Ordinance for the purpose of administering the Building Code in outlying areas of the County that have been experiencing rapid growth and include outlying areas in the Verde Valley, the unincorporated areas around the Tri-City area, portions of the Highway 89 Corridor including the Skull Valley, Yarnell, Congress and Wickenburg areas and areas along I -17 including Black Canyon City. The Planning and Zoning Commission recommended to approve the zoning map change; expansion of the Urbanizing Overlay District. The following persons spoke in opposition to this application: Phoenix residents Gloria Rich and Sharon Stewart; Walker resident Robert Curry; Skull Valley residents Denise Dryer and Amber Hillman; and Prescott area resident Jim Jensen. Yavapai County Contractors Association executive director Ethan Edwards spoke in favor of the application. Chief Building Officer Jack Judd participated in discussion. Supervisor Brownlow moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Street seconded the motion. Supervisor Brownlow then amended his motion to allow 90 days for implementation of the expansion of the Urbanizing Overlay District. Supervisor Street seconded the amended motion, which carried by unanimous vote.

Chairman Davis noted that following the Commission hearing there were some other maps proposed that would provide different options for expanding the Urbanizing Overlay District. Mr. Spedding showed the Board and those present the different options, saying that although the Board could choose to reduce the area of the overlay district it could not expand it beyond that which was recommended for approval by the Commission. He added that one of the things that had brought the need for expansion to light was a project developing in the Wickenburg area, but said that if the Board chose not to include certain areas in the overlay district the County could still require building

inspections as part of any new subdivision approvals. Mr. Spedding said that would not address private lot splits. He said the areas that staff had talked about leaving out of the overlay district were areas such as Wilhoit, Kirkland and Skull Valley. Chairman Davis called for public comment. Ms. Stewart said she owned property in Cherry and that including that area in the overlay district was premature and represented an intrusion on private property rights. Ms. Rich said she also owned property in Cherry and that she believed the area should be left out of the expansion and that people did not need more government expenses. Mr. Edwards said the Yavapai County Contractors Association supported the expansion of the overlay district, that he had worked closely with Mr. Spedding regarding this issue and that he was convinced that the process would not bog down as a result of the expansion. Mr. Edwards said that one of the big concerns for his organization was unlicensed contractors and that this was really a consumer protection issue. He said his organization wanted to be sure that houses are built safely and to a common code, but he asked that if the Board approved the application it allow for a 90-day implementation period and that it also impose a requirement that inspections must be done within 24 hours of the request and that if an inspection cannot be done within that time frame that alternate methods of inspection be allowed. Mr. Edwards said he also wanted to ask that the Board review the overlay district in a public hearing with regard to continuing the district. Mr. Jensen said he lived on the Senator Highway and he asked the Board to keep the existing overlay district boundaries in place. He said he did not believe that people in outlying areas wanted to be included in the overlay district and that he was an unlicensed builder and took issue with Mr. Edwards' comments about unlicensed contractors. He said the issue here was more government. Ms. Hillman presented a petition containing the signatures of 20 individuals whom she said were opposed to expansion of the overlay district. She said she felt the Board should go with the option presented by Mr. Spedding that would leave out Skull Valley, Wilhoit and other areas, adding that it was difficult enough to find \$200 for a new water heater without having to pay for a permit to replace such an appliance. Ms. Dryer said she did not think the County would be able to do inspections in the outlying areas and that it should only do them in areas where people want inspections. She said she agreed with revising the map to cut out areas like Skull Valley. Mr. Curry said he was a builder in Coconino County 20 years ago when that county implemented building codes for the entire county. He said the result was that builders near Flagstaff could only get inspections two days a week and only during certain hours, and that it added two to three weeks to a job. He said he was not aware that anyone had asked the County to expand the overlay district. Mr. Curry said he had heard comments that lenders would not make mortgage loans in some areas because of the lack of inspections, but that he had spoken with six different lenders who had told him that was not true. Mr. Kerkman said he wanted to say a few things in defense of the Planning & Zoning Commission. He said that on this day the Board was hearing from people who object to the overlay district and that he thought there were probably many people in those areas who do not object to it. He said he believed it would set a dangerous precedent if the Board listened only to those who do not like something. Mr. Kerkman said it was in the public interest to have building inspections, and that he believed people who lived in the outlying areas would benefit the most because they are farther away from public services such as fire departments. He said he still believed the Commission was correct in its decision and he urged the Board to consider the unintended consequences of not approving the expansion. Supervisor Brownlow said he thought the Board might see people on this day from the real estate community since those people are the ones who sell property. He said people had made comments that they did not want more government intrusion, but that in his experience that was not the case when it came to certain government services, such as law enforcement. Supervisor Brownlow said he was a little concerned about eliminating expansion of the overlay district to the southern part of the County because the Wickenburg Ranch had been sold and it was his understanding that it would be developed. He noted that in Drake there were plans underway for a limestone plant, saying that this would bring jobs into the area and that it would probably increase building in the already growing Paulden area. Supervisor Brownlow said that with regard to Skull Valley, he did not see how the expansion would affect anyone already living there, adding that one day there would be a subdivision in that area. He said there was a fire in the Skull Valley area seven or eight years ago that was caused by faulty wiring in



a house. Supervisor Brownlow said he was in favor of the expansion of the overlay district, as recommended by the Commission. Supervisor Street said this was difficult because part of her did not like government intervention either, but that Arizona was growing, more people were moving to the County and that many of them were trying to do their own building. She said she anticipated that it would probably be necessary to hire some outside inspectors in order to keep up with the work. Chairman Davis asked if it was true that a resident would have to obtain a permit in order to replace an existing water heater. Mr. Judd said it was true and that an inspection was necessary to ensure there would be no carbon monoxide leaks. Chairman Davis said he would like to include for discussion at the next joint session of the Board and Commission the appropriateness of building inspections on existing properties. He said that Yavapai County had been identified as one of the fastest growing non-metropolitan counties in the country and that the County's growth rate was huge. Chairman Davis said that what encouraged him to adopt the expansion was that his family had property and that it broke his heart to see people moving into areas with converted school buses and pressboard tin shanties.

5. Hearing: Final site plan amendment, Granillo Used Cars, 306-40-008Y, Paulden area, Clint Lawson agent for Jose Granillo, #H4104. Consideration of a Final Site Plan Amendment to allow an existing manufactured home sales lot to expand and also include used vehicle sales on a parcel totaling approximately 13 ½ acres in size in a PAD (Planned Area Development) zoning district. Located on the northwest corner of Sweet Valley Rd, AKA Midway Drive and State Route 89, in the community of Paulden. SEC 4 TWN 17 N R 2 W G&SRB&M The Planning and Zoning Commission recommended approval of the final site plan amendment, with the following stipulations: 1). Development in conformance with the plan dated May 20, 2004; 2). Maximum of twenty (20) vehicles for sale at any one time, per the applicant's site plan, dated May 20, 2004; 3). No automobile repairs to take place on the property; 4). No sales or storage of disabled vehicles on the property; 5). Maximum of seven (7) new manufactured home model units, and four (4) used manufactured home units on site. Any expansion of the use on the 2.65 acres or development of the applicant's remaining property will require a final site plan; 6). Access to parking area off of Midway Drive to be located directly across from the westernmost ingress/egress point into the Depot 89 Texaco; 7). All manufactured homes must be skirted and no unscreened outside storage of parts or parking of vehicles or accessories not in operating or saleable condition; 8). All homes on site must be manufactured homes that meet HUD standards, including the sales office; 9). Signage regulations shall conform to C1 zoning district standards. Aggregate sign area shall not exceed ninety-six (96) square feet, with one (1) freestanding sign with a maximum area of thirty- two (32) square feet (per original approval for manufactured homes sales). Upon a motion by Supervisor Brownlow, seconded by Supervisor Street, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission.

Ms. Karn provided brief background information, saying that the Paulden Area Community Organization (PACO) had concerns with this property meeting the original stipulations for manufactured home units. She noted that the request on this day was to expand the existing use to include having cars for sale. Supervisor Brownlow said he had no problem with this application. Supervisor Street noted that this was a commercial business off Highway 89 and she asked why there was no requirement for turn lanes. Ms. Karn responded that the entrance to the property was not off of Highway 89, but instead was off of Sweet Valley Road. Supervisor Brownlow asked if the applicant had checked with ADOT to see if turn lanes would be required. Mr. Lawson said he believed that ADOT was going to be doing some turn lane work in the spring. He said that Sweet Valley Road was private but that he did not know who maintained it.

6. Hearing: Use permit to allow storage/parking of up to 15 personal commercial vehicles and equipment in an R1-35 zoning district, 501-06-008, Black Canyon City area, Jay Owen owner, Catherine Smith applicant, #H4136. Consideration of a Use Permit to allow storage/parking of up to fifteen (15) personal commercial vehicles and equipment in a R1-35 (Residential; Single-Family; Site Built, Multi-Sectional and Manufactured; 35,000 square foot minimum) zoning district. Located on Velda Rose Road, approximately eight hundred seventy-five feet (875') southeast of the Interstate 17/Mud Springs Road intersection, in the community of Black Canyon City. S03, T08N, R02E G&SRB&M. The Planning and Zoning Commission recommended denial of the Use Permit. The following Black

Canyon City residents spoke in opposition to this application: Helen Slesseman, Ralphene Robinson, Bill Robinson, Terry Girard, and Veronica Schlosser. Upon a motion by Supervisor Street, seconded by Supervisor Brownlow, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission to deny this application.

Ms. Karn said that since the Commission hearing, the applicant had submitted a letter reducing the number of vehicles from 15 to five. She added that there had been two previous approvals of commercial activity in the neighborhood. Mr. Owen said he had put a great deal of money into his property in order to improve it. He said the problem was he had put up a garage and apparently had not thought things through very well because one of his trucks would not fit in the garage and as a result he had to park it on the side of his garage. He said he had come home one day to find a citation advising him that he could not have the truck parked there, and that it turned out that he had become caught in the middle of a feud between a couple of other people. Mr. Owen said his truck was a 1999 model with very low miles because he used it primarily for moving things between his five different homes. Ms. Slesseman said she was present on this day to represent a number of property owners who lived on the same street as Mr. Owen, and whose properties looked as good as or better than Mr. Owen's property. She said she and her neighbors believed that approval of this use permit would be detrimental to their residential area, and that in addition, because of the proximity of the school and a BMX track, there were always people riding bikes or walking on the street. She said there was no provision for how often vehicles would move in or out of the property. Mr. and Mrs. Robinson both said they were opposed to the use permit. Mr. Girard said he used to drive a commercial rig and was told he could not park it at his home during times he was not on the road. He said if he was not allowed to do it he did not feel Mr. Owen should be allowed to, either. Ms. Schlosser said she owned property next door to Mr. Owens and that there were quite a few vehicles parked on his property. She said she felt that his property was an example of what was wrong with Black Canyon City because there was too much stuff everywhere. Chairman Davis asked if the one vehicle Mr. Owen had on his property was intrusive to the neighborhood. Ms. Schlosser said she could see it but that it was not just one vehicle. She said there was a backhoe, a tractor, a bobcat and other vehicles on the property. She said she was not necessarily saying the property was an eyesore, but that if Mr. Owen was allowed to have the vehicles there then others would want to do the same thing. She said Mr. Girard was her brother and that she agreed that if he could not park his rig at his house, Mr. Owen should not be allowed to, either.

7. Hearing: Zoning map change from RCU-2A to PAD, Date Creek Hills Subdivision, 201-20-031A, Congress area, John Murphy agent for Desert Heritage Development, LLC, #H4114. Consideration of a zoning map change from RCU-2A (Residential 2 acre minimum lot size) to PAD (Planned Area Development) for an approximately 80 acre parcel, proposed to be developed with 182 residential units (70 townhomes and 28 four-plexes), along with a clubhouse and recreation facility for the subdivision. Located approximately 1 mile north west of the Tenderfoot Hill Park in Congress. SEC 21 & 28 T10N R 6W G&SRB&M. The Planning and Zoning Commission recommended to deny the zoning map change based on the facts that the density was too high, it was not consistent with the General Plan and there was no Master Plan for the entire acreage. Applicant's agent Jay Murphy and Congress resident/developer Rome Glover spoke in favor of this application. Congress residents Roy and Tricia Hillman and Jose Obanda spoke in opposition to the application. Supervisor Street moved to approve the zoning map change with the following stipulations: (1) Development to occur in keeping with the applicant's site plan dated September 10, 2004 and letter of intent dated June 7, 2004, that were submitted in support of the rezoning request; (2) property to be developed in accordance with all applicable codes and ordinances, unless waived by the Board of Supervisors; (3) applicant to secure necessary roadway right-of-way across State Trust Land, prior to final plat submittal; (4) applicant to submit a traffic study prior to the preliminary plat submittal, for ADOT and Public Works Department review with phasing schedule to be submitted with preliminary plat submittal; (5) property to be developed in accordance with Congress Fire District letter dated September 13, 2004; and (6) if development is changed from a senior development to a development for families, prior to final plat approval, potential impacts of that change shall be reviewed and considered by the Commission and Board. Supervisor Brownlow seconded the motion, which carried by a 2-to-1 vote, with Supervisor Street and Supervisor Brownlow voting "yes" and Chairman Davis voting "no."

Mr. Kelly provided background information on this application, saying that when the proposal was presented to the community of Congress a number of people expressed concern about the density for the project. He said that in response, the applicant had reduced the scope of the proposal and was now requesting a zoning map change for just 80 acres in order to build 70 town homes, a number of fourplexes and a clubhouse. Mr. Kelly said that the Commission also had concerns about density because it would represent a 355% increase in density over the existing zoning. He added that since the Commission meeting the applicant had obtained more signatures in favor of the project. Jay Murphy said he and his father owned a great deal of land in Congress as well as land adjacent to Congress. He said the PAD was created with the understanding that a PAD would be more desirable than lot splits, adding that he believed clustered housing was a way to ensure open space. Mr. Murphy said the average age of residents in Congress was 60 years old. He said that Congress was doubling in size every 4.2 years and that it was not a place to develop high-end residences. He told the Board the only option was to create affordable housing and that there was a critical need for it in Congress. He said the proposed density was consistent with density on the north side of Congress, adding that there are many properties in Congress with more than one trailer on them and that there were also many trailers on public lands in the area. Mr. Murphy said he would put in all the infrastructure, including water, a central sewer system, paved streets, and so on. He said some people had asked about the water situation, but that his development should not have any adverse impact on the aquifer. Mr. Murphy said the centralized sewer system would recharge the aquifer, that the homes would have water-saving fixtures and that the landscaping would be natural. He said he believed the development would be positive from a tax standpoint and that it would benefit the school district, and that he did not believe there would be any traffic impact as a result of the development. John Murphy turned in a petition with additional signatures in favor of the zoning map change. He said he believed the question was whether what he and his son wanted to do would preserve the rural nature of the community. He said he owned a large ranch that surrounded Congress on three sides and that if anyone cared about what happened in Congress it was him and his son. He said there was a great deal of pressure for low-income housing in Congress, adding that 50 of the 80 acres in the project would be preserved for open space. Supervisor Brownlow said the information he had stated that if this application was approved the entire piece of land owned by the applicant would be developed in the same manner, but that he did not believe that statement was true. He said the applicant would have to come back through the process to develop anything beyond the 80 acres. He noted that major plan amendments had to be filed in July in order to be considered for approval in December. Mr. Schurr said that regulation applied to anything over 100 acres and that the applicant had dropped the size of the zoning change request to 80 acres. Supervisor Brownlow asked John Murphy if he was going to recharge the aquifer with ponds or with direct recharge. Mr. Murphy said he would use both methods. Mr. Glover said he was the developer of Weaver Mountain Estates in Congress and that he was in support of this zoning map change. He said it was unusual to see this type of commitment in a town the size of Congress, and that the development would help the school district and the fire district. Mr. Glover said he did not believe the density was too high, and that there was adequate water for his subdivision and the Murphy's subdivision as well as a couple more subdivisions. He said approval of this application would help create change in the Congress area. Mr. Hillman said he had come here on this day to pay his taxes and had found, by accident, that this application was being considered by the Board. He said he was not aware of any notification to the community regarding this application and he asked what the process was for notification. Ms. Link said the County was required by law to notify property owners within 300 feet of the property requesting the rezoning, and also to post and publish the notice. Mr. Kelly said that notice was posted in a number of places, including the post office. Mr. Hillman said he lived in Gold Dollar Estates. He said that children walked along the access road for the proposed project. He said the applicant had said the project would be for senior citizens, and he asked who would regulate that. Mrs. Hillman said she and her husband had not seen anything at the post office. She said she could understand the applicant wanting to develop his property, but that she and her husband had chosen to live in a low density area. Mr. Obanda said he was opposed to the

application because it would change the rural nature of the area. He said he believed that even starting with a small project would just lead to a larger project and that it was a matter of dollars and cents. Mr. Obanda said the project would change the flavor of the town forever. He said he had not seen any notice about this meeting, and that because of an agreement at a community meeting the Murphys were supposed to send notice to everyone with the water bills, but that it had not happened. Supervisor Street said she believed this would be a good development. She said that Congress was full of many small lots with all kinds of trailers and stuff all over the place, and that she thought the applicant's project would be a good thing. She said she realized the density was higher than people wanted, but that Congress could use some improving. Supervisor Brownlow said he was not in favor of high density in some areas, but that he felt differently about this area and that there was a need for affordable housing. Supervisor Street said she thought a nice looking development would be better than mobile homes on acreage. Chairman Davis said that the people who ultimately live in the development would all go to Wickenburg for services and spend their money in Maricopa County. He said he also believed that staff circumvented the General Plan amendment process in this case.

**CONSENT AGENDA FOR PLANNING & ZONING:** Approved by unanimous vote. Motion by Supervisor Brownlow, second by Supervisor Street. No comments from the public.

1. Conditional zoning map change to C-2 and use permit to allow for continued operation of an existing restaurant with on-site sale and consumption of alcohol, equestrian facilities, observatory and helipad in conjunction with a previously approved lodging facility in an RCU-2A zoning district, Creekside Preserve Lodge, 500-25-019C, Mayer area, #H4132. Consideration of a Conditional Zoning Map Change to C-2 (Commercial; General Sales and Services) and Use Permit to allow for the continued operation of an existing restaurant open to the general public with on site sale and consumption of alcohol (AZ Series 11 License), equestrian facilities, observatory and helipad in conjunction with a previously approved lodging facility to allow a maximum of 49 lodging units located in an RCU-2A (Residential; rural; two (2) acre minimum lot size) zoning district. Located off State Route 69, approximately one mile northwest of the SR69/Old Sycamore Road intersection between Mayer and Spring Valley. Located in SEC 31 TWN 12 N R 2 E G&SRB&M. The Planning and Zoning Commission recommended approval of the conditional zoning map change and use permit, with the following stipulations: 1). Conditional Zoning Map Change to be approved to C2 (Commercial; General Sales and Services) to allow for the continued operation of an existing restaurant open to the general public with on site sale and consumption of alcohol and observatory in conjunction with a previously approved lodging facility to allow a maximum of 49 lodging units in general conformance with the letter of intent dated July 30, 2004 and site plan approved September 5, 2000. Zoning Ordinance Section 421 A. B. E. F. uses shall be allowed as incidental uses; 2). Use Permit H2035 pertaining to the helipad and HA7089 pertaining to the equestrian facilities as previously approved shall remain in effect as approved and stipulated for those specific uses; 3). Any further modification or expansion of the use(s) as approved will require review and approval by the Commission and Board; 4). Development shall be in conformance with all other applicable codes and/or ordinances that may apply.

Supervisor Brownlow asked if ADOT had approved this application and what kind of turn lanes or acceleration or deceleration lanes would be required. Mr. Bridges said that if someone heading toward Phoenix wanted to stop at this facility they would need to go beyond the facility, make a u-turn and then go back. He said that ADOT said that was safe and that it had not made any additional comments with regard to the application.

2. Final plat, The Preserve at the Ranch Phase One (Talking Rock Ranch Phase 26), 306-35-010B, Williamson Valley area, Shephard-Wesnitzer, Inc., #H4160. Consideration of a final plat for an approximately 65 acre parcel, depicting 12 single family residential lots, ranging in size from four to six plus acres. Located directly north and west of the Whispering Canyons Subdivision, approximately 1.2 miles south west of the Nancy Drive/Williamson Valley Road intersection, in the Williamson Valley area. SEC 33 T16 3W G&SRB&M.

Supervisor Brownlow said that in the case of this application and the application for American Ranch (below) he wanted to thank the developers for putting in trails for public use. He said he had attended a meeting of Williamson Valley residents last week who seemed to believe that the needs of equestrians had been overlooked. He said that in these two subdivisions the County had asked the developers to put in trails for use by

the public, and not just for use by residents in the subdivisions, and that the developers had done so. He said that as a result there were miles of trails for equestrians in the Williamson Valley area to use.

3. Final plat, American Ranch 4B Final Plat and Tract I (Trail Easement) Replat, 100-20-001Z ptn (final plat) and 100-18-079C and 100-20-005G (Tract I replat), Williamson Valley area, Jeffrey Davis, #H4167 (final plat) and #H4166 (Tract I replat). Consideration of Final Plat for 14 single family residential lots and 40 acres of open space on 104 acres in a PAD (Planned Area Development) zoning district together with a Replat for Tract I (Trail Easement) in order to allow for the relocation of the Trail Head from the American Ranch Development into the Prescott National Forest. Located on the west side of Williamson Valley Road, approximately 1 mile south of the Williamson Valley Road/Outer Loop Road intersection, in Williamson Valley. Located at SEC 23 T15 3W G&SRB&M.

#### DEVELOPMENT SERVICES BUSINESS:

1. Hearing: Consider adoption of the all-encompassing Development Services Revised Fee Schedule, to be effective December 1, 2004. Resolution No. 1557 adopting the revised fee schedule was approved by unanimous vote (see also Planning & Zoning item 4.2, above). Motion by Supervisor Street, second by Supervisor Brownlow. No comments from the public.

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

1. Requests from Board of Supervisors:
  - a. Approve minutes of meeting of October 18, 2004.
  - b. Liquor license for which there are no protests: Series 10 Original Beer and Wine Store, Paulden Park Place, Paulden area, Jan P. Karbowniczek.
  - c. Consider approval of regular Board meeting schedule and special meeting schedule for 2005.
  - d. Consider approval of request from Central Yavapai Hospital District for permission to conduct an election on March 8, 2005, by mail ballot, pursuant to A.R.S. §16-225 and §16-558.
  - e. Reappoint Joe Huot to the Merit Award Board as a representative of District 1, with term to expire September 21, 2006.
  - f. Consider waiving a portion of Resolution No. 1551 and approving a fireworks permit for the Black Canyon City Chamber of Commerce for use on November 13, 2004.
  - g. Consider approval of addendum/change to the Administrative and Operational Controls of the Yavapai County JOB Training Plan, as requested by the Local Workforce Investment Board.
  - h. Consider appointment of Dustin McKissen to the General Local Workforce Investment Board and Youth Council, as a Public Sector member, to replace Derk Janssen, with term to expire July 2008, as requested by the Local Workforce Investment Board.
  - i. Consider approval of License Agreement with Yavapai Regional Medical Center for storage of construction equipment and materials during current YRMC construction project. Approved by unanimous vote after Mr. Hunt explained there was no monetary exchange involved. Motion by Chairman Davis, second by Supervisor Street.
2. Requests from Sheriff:
  - a. Consider approval of Agreement No. 050046DC with the Arizona Department of Corrections for Correctional Officer Certification Training through the Correctional Officer Training Academy, to be paid for from Jail Training account as candidates are referred to the Academy.
  - b. Consider approval of the Cooperative Law Enforcement Agreement with the U.S. Forest Service in the amount of \$63,500 for patrol and dispatch/communication services.
  - c. Permission for Captain John Russell to take his assigned County vehicle out of state to be used during attendance at the FBI National Academy in Quantico, Virginia, between January 5, 2005 and March 25, 2005.
  - d. Permission for Sergeant Ron David and Deputy Clay Starin to take a County vehicle out of state to attend training in San Diego, California, November 7 through November 13, 2004.
  - e. Permission for Lieutenant James Jarrell to take his assigned County vehicle out of state to be used during attendance at Internal Investigations, Professional Standards and Ethic in Plano, Texas, November 3 through November 16, 2004.
  - f. Permission to trade surplus firearms to Prescott Valley Guns, Inc., a Class III Firearms Dealer, for the following weapons, as authorized by A.R.S. §11-251(9): Glock model 21 45 acp. with night sights (minimum of five); Glock model 22 40 S&W with night sights (minimum of 15); Glock model 23 40 S&W with night sights (minimum of five); and Colt model AR 15 A2 223 caliber (no

- minimum/maximum limit). Two responses for the trade were received, from Prescott Valley Guns, Inc. in the amount of \$20,150 and J & G Sales, Ltd., in the amount of \$17,380.
- 3. Request from Treasurer for approval of payment to Sourcecorp Phoenix in the amount of \$20,915.97 for printing and processing of real estate and personal property tax bills. To be paid from Contingency. Approved by unanimous vote after Mr. Holst explained that all of the County Treasurers had used the same vendor and that by next year Yavapai County could be on its own with regard to generating tax bills. Motion by Chairman Davis, second by Supervisor Brownlow.
  - 4. Request from Human Resources for approval of an Amendment to the Amended and Restated Agreement and Declaration of Trust for the Yavapai Combined Trust in order to clarify the process for admission of new members, to be effective July 1, 2004. Human Resources Director Julie Ayers gave background information on this item, after which the Board voted unanimously to approve the Amendment. Motion by Supervisor Brownlow, second by Supervisor Street.
  - 5. Request from Facilities for permission to change two Switchboard Operator positions (Range 56) from .5 time to .6 time, and to change a CAD Trade Specialist position (Range 60) from .5 time to .6 time, at an estimated total cost of \$5,000 to be paid for from Permanent Salaries account.
  - 6. Approve vouchers.

CONSENT AGENDA FOR SPECIAL DISTRICTS Reference: Flood Control District minutes.

- 1. Resolve into the Board of Directors of the Yavapai County Flood Control District to award or reject bids received for the Lee Wash Channel Improvements Project, Yavapai County, Arizona, Project #FCD15-2004. Bids opened October 5, 2004, with bids received from the following vendors: Asphalt Services of AZ, Inc., \$290,720; Rask Construction, \$325,945.05; Baseggio & Company, \$436,425.29; JNJ Engineering Construction, Inc., \$448,833.40. Recommend awarding to Asphalt Services of AZ, Inc., in the amount of \$290,720 to be funded as follows: Budgeted funds Lake Montezuma, Lee Wash, \$233,621.49; reallocation of \$58,000 from Wet Beaver Creek Channel Improvements.

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CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,955,605.39	Jail District	461,927.37
District 1 Park Fund	86,627.92	District 2 Park Fund	19,030.91
District 3 Park Fund	1,543.33	WMD Planner	228.81
DOJ HS Exercise	183.38	Improve. Of Education	650.00
AZ Coop Purchas. Net	5,855.26	Adult Prob Fees – 40	267.18
Public Health Reserve	1,808.93	Environmental Health	7,214.75
Susan Komen Breast H.	576.85	Medical Reserve Corps	529.00
Resep Radiation Exp.	368.90	Comm. Health Center	15,079.31
AMPPHI	906.59	Family Planning	1,418.03
MCH Programs	1,817.83	Health Promotion	2,422.35
Cost Allocation	809.49	Nutrition	1,088.65
T.B. Control	570.30	WIC Program	13,031.65
Title X Family Plann.	2,662.07	Jail Enhancement	1,422.61
Juvenile Delinq. Reduct	8,724.62	Juvenile IPS	15,558.54
Family Counseling	600.00	Juvenile Food Prog	2,059.74
Probation Serv	3,680.75	Adult IPS	27,772.14
Adult Probation Fees	11,014.15	Prob Enhance	3,680.75
Recorder's Surcharge	23,120.55	Indigent Def/Dg	3,637.61
Crim Just/Atty	796.83	Bad Check Prog	4,184.07
Juv Prob Svs	878.70	Commodity Fd	652.76
Hi Risk Chld HI	6,554.23	Clerk's Storage	1,107.96
HIV Counsel & Test	2,298.63	Atty Anti-Racket	5,552.40
PANT	6,677.49	Law Library	3,206.72
CASA	3,450.92	Case Processing	5,291.76
Prim. Care – V.V.	2,620.68	DARE	468.35
Victim Witness Prog	8,323.42	Court Enhancement	1,838.41

Council Court	4,958.38	Preserve Att. Photos	26.82
Drug Enforce. Fund	6,927.47	Probate Fund	1,541.05
Primary Care Services	10,668.99	PC Fees VV	1,965.69
Local ADR	505.58	Victims Rights Impl	2,935.72
JAIBG Juv Acct P-II	1,474.01	Yav. Indian Agree.	1,219.57
Dietetic Intern	1,271.27	Immuniz Service	2,661.72
Personal Care Svs	3,678.75	Idea-Preschool	1,435.46
Subs Abuse/DARE	339.63	Chem Abuse	538.52
Family Drug Court	655.29	Juv Det/PACE	8,536.93
Collab. Comp Rev Gr	1,503.34	Prevent Child Abuse	24,273.23
Special Program	23,853.54	Sm Schools Ecia	566.37
Sm Schools Beha	17,183.07	Professional Develop.	231.00
Fill the Gap – Courts	5,573.23	Hurf Road Funds	384,583.68
Assessor Surcharge	2,459.92	Assessor App Dev	7,400.20
Health Fund	56,996.80	Jail Commissary	6,220.77
Landfill Administ.	43,204.07	Judge Pro Tem Div B	9,003.89
Water Advisory Comm	74,987.19	Tire Recycle	20,139.08
Safe School Pro	7,122.34	Adhs-Svs Coord	2,290.13
Local Incentive Awards	1,445.03	Fill the Gap – Attorney	7,189.21
Family Law Commiss.	6,800.04	Comm Punish Pro	6,757.10
Juven. Detent Ed Pro	1,827.44	Regnl Road Project	864,812.34
Library Auto Consor	867.54	Health Start	2,529.10
Victim Compens. ACJC	368.41	DUI Comm. Gov Off	2,712.50
Interstate Compact Pro	1,848.23	Ryan White II	2,521.43
Prepared. Bioterror	12,242.59	Primary Care Fees	9,041.25
Perinatal Block	2,840.71	Well Woman Health	3,876.67
Tobacco Educ	10,109.34	St Imple. Grant	1,965.95
School Reso. – Mayer	597.37	St Grant in Aid	1,345.24
Az Region Support	1,416.45	Direct Treatment Fund	2,987.37
Mental HealthRWJF	2,728.13	Mental Health Part.	2,877.12
Field Trainer	1,971.06	Comm. Access Pro	58.66
Attendant Care	27,432.64	HIV/CT	267.60
Ash Fork Bldg Rehab	3,514.97	HIV Prevent & Ctrl	28.51
Childrens Justice	14.26	Child Sup & Vis	823.28
Domestic Relations Ed	303.36	VOCA	8,645.44
JTSF Treatment	4,525.18	Diversion Conseq.	3,417.72
Bagdad Airport	1,911.30	Sedona Airport	287.10
ALTCS	698,182.93		

In addition, payroll was issued on October 29 for the pay period ending October 23; warrant numbers 2447620 through 2447996, in the amount of \$332,423.30. Jury certificates issued during this time; 6867620 through 6867827. Warrants issued for November 1 Board day, 4229119 through 4229459; 4229460 through 4229867.

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

ATTEST:

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