

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
4, 2005

April

The Board of Supervisors met in regular session on April 4, 2005, at 9:00 a.m.

Present: Carol Springer, Chairman; Thomas Thurman, Vice Chairman; Chip Davis, 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.

CONSENT AGENDA With the exception of items C8, C14, C15 and C20, all items were approved by unanimous vote, upon a motion made and amended by Supervisor Davis, seconded by Supervisor Thurman. Please see Consent Agenda for detail on excepted items. No comments from the public.

C – ATTORNEY

C1. Approve a proclamation declaring the week of April 10-16 as "Yavapai County Crime Victim's Rights Week."

C – BOARD OF SUPERVISORS

C2. Approve minutes of meeting of March 21, 2005, and of special meeting of March 15, 2005.

C3. Approve request from Christopher and Amy Loomis for reissuance of outlawed check in the amount of \$95.70 for overpayment of taxes on parcel 103-42-807, as authorized by A.R.S. §11-644.

C4. Approve appointment of precinct committeemen as recommended by the Yavapai County Democratic Party and also acknowledge removal of precinct committeemen, all as evidenced in Board Memorandum No. 2005-4.

C5. Sitting as the Board of Deposit, award contract for Servicing Bank to Bank One/JP Morgan Bank, as recommended by the County Treasurer. Bids for Servicing Bank were opened on March 21 2005, with bids received from Bank One/JP Morgan Bank and from Bank of the West.

~~C6. Approve engagement letter with Russ Parker of Appraisal Consultants, Inc. for appraisal of parcels 109-01-004 and 005 (southwest corner of Marina and Union Streets), at a cost of \$3,500 to be paid from Contingency. REMOVED FROM AGENDA~~

C7. Approve vouchers.

C – CLERK OF SUPERIOR COURT

C8. Request for permission to expend \$5,700 from the Clerk's Document Storage and Retrieval Fund for shipping and taxes not originally included in the proposal for the Electronic Document Scanning System. Clerk of Superior Court Jeanne Hicks participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

In response to a question from Chairman Springer, Ms. Hicks said the Board had originally approved the expenditure of \$78,850 for the scanning system and that she was now requesting approval to spend an additional \$5,700 for shipping and taxes that she failed to include with her original request to the Board. She added that while at first the computers provided by the Administrative Office of the Courts did not appear to be adequate for the program, something had been worked out with the AOC and that the computers were now fine. Chairman Springer asked Ms. Hicks if she had gone through the MIS Department for approval of the computers. Ms. Hicks responded that her request for computers had gone to the AOC and that they AOC provided computers for all of the courts. Chairman Springer asked Ms. Hicks if the credit she had received for the computers was a 100% credit. Ms. Hicks said it was not, but only because she had to request reconfiguration of the computers in order to make them work with the scanning system. Chairman Springer said she was curious as to why the computers would be ordered through the AOC instead of through MIS, and that if the County's ultimate goal was to have computers that are all interconnected there was a question as to whether ordering equipment through the AOC would make that goal unlikely to be achieved. Ms. Hicks said she did not think that was the case, and that the AOC's involvement ensured that computer equipment in courts throughout the state would work together.

C – DEVELOPMENT SERVICES

C9. Zoning map change from RCU-2A to RS, Rosewood Ranch, 201-04-022B and 018J, Wickenburg area, Lynne Lagard

agent for Rosewood Ranch, #H5022. Consideration of a Zoning Map Change from RCU-2A (Residential; Rural; Two acre minimum lot size) to RS (Residential and Services) to allow the continued operation, upgrade and expansion of the Rosewood Ranch Center for Eating Disorders on parcels totaling approximately 11.3 acres. Located on the east side of Rincon Road approximately 4,500 feet north of the Rincon Road/Blue Tank Road intersection and approximately 2.4 miles north of the intersection of State Route 93/Rincon Road. S23 T8N R5W G&SRB&M. The Planning and Zoning Commission recommended approval of the Zoning Map Change with the following stipulations: 1). Zoning Map Change from RCU-2A (Residential; Rural; Two-acre minimum parcel) to RS (Residential Services) for the specified use only and in conformance with the Site Plan by Otwell and Associates dated 1-20-05 and letter of intent from Michelle Klinedinst, Executive Director, dated January 14, 2005; 2). Total signage not to exceed RS district signage regulations; 3). Pre-Code review meeting shall be required prior to issuance of Building Permits; 4). Conformance with all applicable local, state and federal code and regulations.

- C10. Zoning map change from PM to M1, Ballard Truss, 500-24-004L, Mayer area, Daniel Hauck agent for James and Kristen Ballard, #H5012. Consideration of a Zoning Map Change from PM (Performance Industrial) to M1 (Industrial; General Limited) to allow the operation of a Truss manufacturing business on an approximate 10-acre parcel. Located on the south side of State Route 69, approximately 1,600 feet east of the SR69/Antelope Creek Road intersection in the Community of Mayer. S36 T12N R1E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change with the following stipulations: 1). Zoning map change from PM to M1 for the specified use only to be in conformance with Letter of Intent dated 12-27-04 and site plan dated January 14, 2004. Any significant changes to the site plan or change of use will need to be reviewed and approved by the Planning and Zoning Commission and Board of Supervisors; 2). Waiver of paving requirements for the parking area to allow the applicant to surface the parking area with a gravel surface; 3). Waiver of Building Code sprinkler requirement; 4). Conformance with all applicable county, state and federal regulations; 5). Applicant to submit for a building permit within six (6) months of Board of Supervisors approval or zoning map change will be null and void; 6). Certificate of Compliance to be issued within six (6) months; 7). Waiver of landscaping requirement for parking area.
- C11. Zoning map change from RCU-2A to R1L-2A, American Ranch Phase 5, 100-18-081J, Williamson Valley area, Planning & Zoning Commission, #H5039. Consideration of a zoning map change from RCU-2A (Residential 2 acre minimum lot size manufactured homes allowed) zoning district to R1L-2A (Residential 2 acre minimum lot size site built homes only) for 19 two-plus acres single family residential lots on 51 acres known as the American Ranch Phase 5. Located on the east side of Williamson Valley Road, approximately ¼ mile south of the Outer Loop Road/Williamson Valley Road intersection, in the Williamson Valley area. S14 T15 R3W G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change.
- C12. Final Plat replat, replat of Lots 134 and 135 in Phase 3B and adjacent Tract B of Phase One of the American Ranch, 100-18-159, 160 and 072, Williamson Valley area, Jeffrey Davis, #H5041. The Board of Supervisors approved the final plat on June 7, 2004 (#H4065). Consideration of a re-plat of lots 134 & 135 in Phase 3B and adjacent Tract B (a drainage tract) in Phase One of the American Ranch a single family residential subdivision zoned PAD (Planned Area Development). Located on the west side of Williamson Valley Road, approximately one mile south of the Williamson Valley Road/Outer Loop Road intersection, in Williamson Valley. Located at S4 T15 R3W G&SRB&M.
- C13. Final plat, American Ranch Phase 5, 100-18-081J, Williamson Valley area, Jeff Davis agent for American Ranch LLC, #H5043. The Board of Supervisors approved the preliminary plat on March 7, 2005 (#H4222). Consideration of a Final Plat for 19 two plus acre single family residential lots on 51 acres in an RCU-2A (Residential 2 acre minimum lot size) zoning district for the project known as the American Ranch Phase 5. Located on the east side of Williamson Valley Road, approximately ¼ mile south of the Outer Loop Road/Williamson Valley Road intersection, in the Williamson Valley area. Located at S14 T15 R3W G&SRB&M.

C – FLEET MANAGEMENT

- C14. Permission to purchase one Chevrolet Tahoe 4x4 in the amount of \$29,514.81 with funding from the Insurance Reimbursement account to replace a total loss Chevrolet Blazer. Fleet Management Director David Gartner participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Supervisor Davis asked if there had eight vehicles totaled. Mr. Gartner said yes, and that this was the second replacement vehicle to be purchased out of insurance money. He said that, fortunately, four of the eight totaled vehicles were already scheduled for replacement, adding that the vehicle for which he was requesting approval on this day would be a loaner for the Fair Street building.

- C15. Request for approval of undercover plates for two vehicles that will be utilized as covert vehicles for the Sheriff's Office. Fleet Management Director David Gartner and Sheriff Steve Waugh participated in discussion of this item. Approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Thurman. No comments from the public.

Supervisor Davis said he would like to know how many vehicles the County had that were undercover. He

said he thought the idea was to make the presence of law enforcement known and that he was concerned that the County might have too many of these vehicles. Sheriff Waugh said there were three undercover vehicles to the best of his knowledge, including the two being requested on this day. Supervisor Davis said that perhaps when a vehicle was no longer being used for undercover work the Sheriff's Office could let the Board know. He said he saw only what was being requested for undercover and not what might have been eliminated. Mr. Gartner said there were some other vehicles with undercover plates in the criminal investigations division. Chairman Springer asked if any of the undercover vehicles were used for traffic control. Sheriff Waugh said they were not, and that he was not a firm believer in using unmarked vehicles for traffic control. Chairman Springer said she was glad to know that because she would have a hard time pulling over for a vehicle that was unmarked and that she felt it was important for the people of Yavapai County to know that the Sheriff's Office did not use such vehicles for traffic control.

C – FLOOD CONTROL (Resolve into Board of Directors of the Yavapai County Flood Control District and following action reconvene as the Board of Supervisors.)

C16. Approve and sign Community Rating System Re-certification Form AW-214 for year 2004 credit for the unincorporated areas of Yavapai County.

C – HUMAN RESOURCES

C17. Consider approval of payment to Boyle, Pecharich, Cline & Whittington, PLLC, in the amount of \$2,907.34 for legal services related to the Public Safety Retirement System. To be paid from Contingency.

C18. Consider approving a Domestic Relations Amendment to Yavapai County's 457 Deferred Compensation Plan Document as recommended by Nationwide Retirement Solutions, the plan provider.

C – JAIL DISTRICT (Resolve into the Board of Directors of the Yavapai County Jail District and following action reconvene as the Board of Supervisors.)

C19. Approve call for bids for the Camp Verde Justice Facility Sewer Treatment Plant Upgrade.

C – PUBLIC WORKS

C20. Award or reject bids received for Cattle Guard Construction at Various Locations in Yavapai County, Arizona, Project #2514540. Bids opened March 22, 2005, with bids received from the following vendors: Grady's Quality Excavating, Inc., \$107,402; Silver Eagle Western, LLC, \$121,000; and Stronghold Contracting, \$181,910. Recommend awarding to Grady's Quality Excavating, Inc., in the amount of \$107,402. To be paid from HURF with \$15,736 reimbursement from approved 2003-2004 Forest Project Funds. Public Works Director Richard Straub participated in discussion of this item. Supervisor Davis moved to approve the request contingent upon the \$15,736 reimbursement being listed with the approved 2003-2004 Forest Project Funds. Supervisor Thurman seconded the motion, which carried by unanimous vote. No comments from the public.

Chairman Springer noted that this request called for a portion of funding to come from the Forest Projects Fund. She asked if that was approved as part of last year's projects, saying she had difficulty seeing the relevance of using those funds for this type of project. Mr. Straub said it was approved in last year's budget. Mr. Hunt said he recalled that this item was related to access to the forest from another area, and that it was approved on that basis. Chairman Springer said she did not see anything in the approved projects for 2003-2004 for this project with that specific amount of money listed. Mr. Hunt said there should be an item listed for that amount, and he suggested that the Board defer the item until he could obtain more information. Chairman Springer said she just wanted it to be clear to the Board that the list for last year's approved projects did not include the \$15,736 for this project, and that if the Board approved it then it appeared to her that it would be a new expenditure. Mr. Hunt said the Board could not do that because there were publication requirements for new expenditures. He suggested making the approval contingent upon approval having been given last year for this project.

C21. Award or reject bid received for Supply or Supply and Delivery of Sand Seal in Yavapai County, Arizona, Contract #2513829. Bids opened March 22, 2005, with one bid received from Mesa Materials, Inc. as follows: FOB – Plant, \$49.05/ton; delivered to Prescott Roads, \$59.05/ton; delivered to Verde Roads, \$57.30/ton. Recommend awarding to Mesa Materials, Inc. To be paid from HURF.

C22. Award or reject bids received for Supply or Supply and Delivery of High Performance Patch Material in Yavapai County, Arizona, Contract #2513828. Bids opened March 22, 2005, with bids received from Mesa Materials, Inc. and Pavement Sealants & Supply, Inc., for various unit prices. Recommend awarding to both bidders. To be paid from HURF.

C23. Consider approval of extensions for completion of services of various Authorizations of Services as follows, with no additional funds required: Cannon & Associates, to April 1, 2006, for Design Services for Rehabilitation of Hassayampa River Bridge (AOS #2413423); and Shephard-Wesnitzer, to April 1, 2006, for Design Services for Jacks Canyon

Reconstruction (AOS #2413419).

- C24. Accept application from Walden Meadows Community Co-op for renewal of an existing water franchise and set hearing for May 2, 2005, at 9:00 a.m.

ACTION ITEMS

A – BOARD OF SUPERVISORS

- A1. Discussion and possible action regarding the contract employment of former Water Advisory Committee Coordinator John Munderloh to provide services to the WAC on a temporary basis and regarding what actions might be taken to replace him as Coordinator. Chairman Springer. The following WAC members participated in discussion of this item: Bob Roecker, Prescott City Councilman; Jim Holt, City of Prescott (Technical Advisory Committee member for the WAC); Diane Joens, Cottonwood City Councilman; and Doug Von Gausig, Mayor for the Town of Clarkdale. Mr. Munderloh, Water Resources Manager for the Town of Prescott Valley, also participated in discussion. Supervisor Davis moved to approve contract employment with Mr. Munderloh, with reimbursement to the Town of Prescott Valley, for up to five hours per week. Supervisor Thurman seconded the motion, which carried by unanimous vote.

Mr. Roecker, who said he was a Co-Chairman for the WAC, encouraged the Board to continue the WAC and to continue to retain Mr. Munderloh on a five-hour-per-week basis, with reimbursement to the Town of Prescott Valley, until such time as the WAC decides what to do. Chairman Springer said she would like to discuss the WAC's plans with regard to a replacement for Mr. Munderloh. She asked if the WAC was looking for a replacement or whether having Mr. Munderloh on a limited basis was a situation the WAC wanted to continue indefinitely. Mr. Roecker said the WAC would like to start looking for a replacement for Mr. Munderloh. Chairman Springer said she just wanted to give a word of caution because if the Ruskin land trade bill went through Congress with the Title II provision it would require creation of a committee and would result in the potential for two committees. She said she hoped the WAC would continue to work hard to encourage anyone concerned, including Senators McCain and Kyl, Congressman Renzi and the U.S. Department of Agriculture, to allow Yavapai County to take the lead on that committee so that the work already done by the WAC could be used. Chairman Springer said she felt the WAC was a good organization and that it would be a bad thing to discontinue it, but that under the circumstances it might be a little difficult to hire someone on a permanent basis not knowing what the situation would be in the future. Mr. Roecker said that was true, and that the WAC was hopeful that the federal government would use the WAC as the vehicle for the Title II provisions of the land trade bill. Supervisor Davis asked if the WAC had thoroughly discussed Mr. Munderloh's replacement and a job description for the position. Mr. Roecker said he and fellow WAC member Jane Moore had been working on that, but that the WAC had not yet had a detailed discussion regarding it. Supervisor Davis said Title II provided for a partnership and that it seemed to him that that focused mostly on what the WAC had already been doing. He asked how, if Title II responsibility was handed off, the WAC could be taken to a higher level on a County-wide basis. Mr. Holt said he thought that was a very good suggestion. Supervisor Davis said the Big Chino issue had been controversial, to say the least, but that if that issue could be taken off the table and let the Title II group focus on that, it might be possible for the WAC to start looking at water policy for Yavapai County and possibly even let the work of the WAC improve the State of Arizona's water policy. Mr. Holt said he believed there were a number of opportunities to review and discuss water management policy throughout the County. Supervisor Davis asked if the WAC had discussed that possibility. Mr. Roecker said there had not been discussions about the entire County. Supervisor Davis said there had been discussions in the past about the Board of Supervisors' role and whether the Board should step back and let the WAC become a stand-alone organization. Mr. Roecker said he believed the WAC was looking for the Board's support and that he felt the WAC needed to stay focused on what was already established. Supervisor Davis asked about where Mr. Munderloh's replacement would be housed. Chairman Springer said the County could make space available if necessary. Ms. Joens said she was present on this day on behalf of the Cottonwood City Council, which she said had always supported the WAC both financially and through its participation. She said the WAC was important to the coordination of regional water goals, that it had educated not only WAC members but also the general public, and that the WAC had been able to obtain grants for studies. Ms. Joens said the WAC provided leadership and collaborative efforts and that it had served to connect the communities throughout the watershed. She added that the Verde River Basin Partnership called for in Title II of the land exchange bill would not be representative of other aquifers in the County, and that she believed the WAC had a place in the County no matter what happened with the Verde River Basin Partnership. Ms. Joens said she supported hiring Mr. Munderloh for the interim on an hourly basis until the WAC or the Board could decide what would happen in the future. Mr. Von Gausig said that the WAC Coordinator position required not only technical expertise but also the ability to work with politicians from a variety of jurisdictions. He said he believed it would take the WAC a while to replace Mr. Munderloh, and

that it was great that the Town of Prescott Valley had offered to allow Mr. Munderloh to continue working with the WAC. Mr. Von Gausig said he believed it would be difficult to find someone within the next couple of months. He said he believed what the Board had brought up about the Title II provisions of the land exchange bill was important and that he felt that having a good person in the Coordinator's position would help to make the case that the WAC could be the Title II group. Mr. Munderloh said he was happy to continue working with the WAC in order to help it meet its goals. He said the Town of Prescott Valley had said that it would allow him to spend some of the Town's time on WAC business provided there was reimbursement, and that it would also take some of his personal time. He said he really did not want to continue in that capacity for more than two months, and that perhaps a contract employee could be hired to do the work on a limited basis until everyone had a better idea of where things would land with regard to Title II. Mr. Munderloh said there were some consulting firms that had expressed interest in doing the work. Chairman Springer said that one of her concerns about Title II was that along with the power to create the Verde River Basin Partnership, there were two departments in the federal government that would also be obligated to fund it. She said the bill was loosely worded and that she could see those federal agencies being a little reluctant to fund the partnership, and that she did not much care for the idea of unfunded mandates and that she would appreciate it if the Board could be kept apprised of information related to Title II and also with regard to Mr. Munderloh's replacement. Supervisor Davis said he would like to ask that the WAC hold study sessions or have a nominating committee discuss the future of the WAC, the job description for the Coordinator and the hiring process. He added that, as a number of people had said, it would take a unique individual to fill Mr. Munderloh's shoes.

A – DEVELOPMENT SERVICES

- A2. Permission to request funding assistance and administration of the Arizona Emergency Housing Repair Program, at no direct cost to the County. Ken Spedding, Development Services Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Mr. Spedding explained that this request involved a program to provide assistance of up to \$10,000 to qualifying homeowners for repairs related to storm damage. He said it was a state program, and that there was already a list of individuals who had requested assistance. Mr. Spedding said his department would contact those people, send them application forms, and then forward the completed applications to the state. He noted that he would sign the letter to the state requesting this funding assistance.

A - FLOOD CONTROL (Resolve into Board of Directors of the Yavapai County Flood Control District and following action reconvene as the Board of Supervisors.) Reference: Flood Control District minutes.

- A3. Consider approval of a professional services contract with JE Fuller Hydrology and Geomorphology, Inc. in the amount of \$8,912 to compute rating curves for five Yavapai County ALERT Stream Gauges in various areas around the County. To be paid from Outside Services. Ken Spedding, Development Services Director.
- A4. Consider approval of an intergovernmental agreement with the City of Prescott in the amount of \$325,000 for drainage studies, installing culverts, improving drainage ways and other flood mitigation work related to the Iron Springs Project and Phase II of the City's Drainage Master Plan. To be paid from Outside Services. Ken Spedding, Development Services Director.
- A5. Consider approval of a Flood Damage Mitigation Project in the Paulden area at an estimated project cost of \$45,000 to be paid from Construction in Progress. Ken Spedding, Development Services Director.
- A6. Consider approval of Change Order #1 in the additional amount of \$16,120 to a professional services contract with Stantec Consulting, Inc. for the Lynx Creek Channel Improvements Project, Phase 2, and authorize the Director to sign the Change Order. East Prescott Valley area. To be paid from Construction in Progress. Ken Spedding, Development Services Director.
- A7. Consider approval of a professional services contract with JE Fuller Hydrology and Geomorphology, Inc. in the amount of \$9,782 for Wet Beaver Creek Corps of Engineers 404 permitting services, Lake Montezuma area. To be paid from Construction in Progress. Ken Spedding, Development Services Director.

A – FLEET MANAGEMENT

- A8. Consider approval of 2nd Quarter Accidents & Incidents Report for 2004-2005. David Gartner, Fleet Management Director and Richard Straub, Public Works Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Chairman Springer asked Mr. Gartner if he kept an ongoing tally of who was involved in accidents in order to see if the same individuals are having multiple accidents. Mr. Gartner said the report included that information back to 1998. Supervisor Davis asked Mr. Gartner if he would work with Human Resources Director Julie Ayers in order to put something in the County's employee newsletter about not crossing flooded washes. Mr. Straub said that one of the things his department must do when there are flood

conditions is check on low water crossings. He said that in the case of the employee who crossed a flooded wash, when the employee entered the wash there was very little water in it but about three feet of mud the employee could not see, and that the vehicle became stuck in the mud. He said that before his department could send help to the employee it began to rain again and by the time help arrived there was five to six feet of water in the wash. Supervisor Davis said he thought a reminder in the newsletter would be a good thing. Chairman Springer said she agreed.

A – HUMAN RESOURCES

- A9. Consider increasing the Health Care Reimbursement Plan maximum contribution limit from \$2,000 to \$3,000 per plan year. Julie Ayers, Human Resources Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.
- A10. Consider approval of the following reclassification requests: (1) Public Fiduciary – Records Clerk, Range 57 to Legal Secretary, Range 59; (2) Superior Court – Administrative Aide, Range 60 to Mediation Coordinator, Range 61; (3) Sheriff – Cook II, Range 58 to Food Services Manager, Range 62 (funded through Sheriff's Office Food Co-Pay Account); (4) Sheriff – Detention Officer, Range 60 to Inmate Services Manager, Range 62 (funded through Sheriff's Office Commissary Account); and (5) Sheriff – Records Clerk, Range 57 to Community Relations Specialist, Range 61. To be paid from the Salary accounts of the departments making requests, unless different account is noted. Julie Ayers, Human Resources Director. Sheriff Steve Waugh participated in discussion of this item. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to hold this item in abeyance.

Ms. Ayers told the Board that the departments involved had submitted reclassification requests that were then reviewed by her staff. She said the requests were made to either improve the functioning of the requesting department or to more closely reflect what the employee in the position was already doing. Chairman Springer said the County was in the fourth quarter of the current fiscal year and that in her opinion this was not the time to bring forth reclassification requests. She said she felt it should be part of the departments' budget requests, and that if the reclassifications were approved now they would distort the budget process. She said she felt any reclassifications at this time should be held. Supervisor Thurman said he did not have a problem with that. Supervisor Davis said that the previous Board had asked Human Resources to bring reclassifications forward on an ongoing basis in order to keep the Board from being inundated with them at budget time. He asked Ms. Ayers whether the positions in the Sheriff's Office for which reclassifications were being requested were held in abeyance previously in order to allow the new Board and the new Sheriff the opportunity to look at them. Ms. Ayers said that was correct. Supervisor Davis said he had a concern about the reclassification in the courts being an exempt position but management positions within the Sheriff's Office not being exempt. Ms. Ayers said that currently the only position in the Sheriff's Office that was exempt was that of Commander and that the opposite was true in the courts, where everyone was exempt. Supervisor Thurman asked if it would cause a problem if the Board did not approve the reclassifications. Sheriff Waugh said he felt the adjustments to the positions were appropriate, and that as for timing the reclassifications had been in the wings for several months already and that he did not think that waiting another couple of months would be a problem. He said he had no opposition to including these reclassifications in his budget. Chairman Springer said it appeared that both of the management positions were new positions and she asked if there was any way that existing personnel could be promoted into them. Sheriff Waugh said they were not new positions. Ms. Ayers clarified that the position titles were new, but that the people currently in the positions would continue to hold the positions after they were reclassified. Supervisor Davis asked Ms. Ayers to work with Sheriff Waugh regarding exempt positions, saying he felt the Sheriff's Office should be run in the same manner as other departments. He asked Sheriff Waugh how many Community Relations Specialists he had. Sheriff Waugh said he had one, and that the requested reclassification was for an employee who was coordinating volunteer services for his office. Supervisor Davis said that in the past it had bothered him that the Sheriff's Office had its own public relations staff. Sheriff Waugh said that law enforcement agencies usually have a major unit for community relations type of work and that the work includes such things as school programs, community meetings where people ask for information about how to prevent fraud, and so on. He said he really had just one person doing that work now, and that the person would be reclassified was coordinating the efforts of the VIPs and several search and rescue units. He said what the employee was doing was beyond the function of a Records Clerk.

A – JAIL DISTRICT (The Board will convene as the Board of Directors of the Yavapai County Jail District and following action reconvene as the Board of Supervisors.) Reference: Jail District minutes.

- A11. Discussion and possible action to immediately initiate an intensive recruitment program for Detention Officers, and status/update on possible contracting of jail bed space. Sheriff Steve Waugh.

A – PUBLIC WORKS

- A12. Consider approval of Change Order #5 with Vastco, Inc. in the increased amount of \$12,574.85 for the Mingus Avenue Extension Project, Yavapai County, Arizona, Project #998144. Half-cent sales tax project. Richard Straub, Public Works Director. Approved by unanimous vote, after Mr. Straub noted that ADOT would reimburse the County for this change order. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.
- A13. Consider rescinding Resolution No. 1136, approved August 3, 1998, granting abandonment of a portion of an alley adjacent to Lots 20 through 33, Parker Hill Subdivision, in the Dewey-Humboldt area. Richard Straub, Public Works Director. Resolution No. 1576 rescinding Resolution No. 1136 was approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.
- A14. Consider approval of a right-of-way project on Bryce Canyon Drive, Prescott area. Richard Straub, Public Works Director. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.

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A – SHERIFF

- A15. Consider approval of intergovernmental agreements with Central Yavapai Fire District and Sedona Fire District allowing interagency participation in a common Public Safety Communication System, and approval to expend funds in the amount of \$26,950 approved for specific radio communication equipment in the current budget for critical equipment needed for the Public Safety Communication System. Captain Ron Klein and Lieutenant Andy Bacon. Central Yavapai Fire District Captain Doug Berg participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis.

Captain Klein said he was requesting approval of this IGA in order to share in a public safety communications system. He said that on September 11, 2001, when the World Trade Center in New York went down, some of the tragic events that occurred happened because of poor communications. He told the Board that approval had been given in the budget to purchase certain radio equipment for specific sites, and that he was requesting instead to use those funds to purchase equipment for this shared microwave system that would provide for better communications than would the radio equipment originally approved. Supervisor Davis asked if this system could evolve into a central dispatch system. Captain Klein said there was centralized dispatch in Prescott and that law enforcement agencies in the Verde Valley were looking at doing something as well, but that the Sheriff's Office was not involved. He said he did not think it was a good idea to have all of one's eggs in one basket because if everything was in one place and it went down there would be a problem. He said that currently the County was 911 backup for the Prescott dispatch and vice-versa. Supervisor Davis said he was glad to see agencies working together. Captain Berg said there were plans to build a tower above Black Canyon City and that currently towers were being placed on Mt. Francis, Spruce Mountain, and Squaw Mountain and that areas such as Mayer and Yarnell would be serviced from those towers. Captain Klein said the Sheriff's Office would like for a Deputy to be able to go outside of his vehicle and talk on a portable radio, and that this was something Deputies could not do now.

HEARINGS

H – DEVELOPMENT SERVICES Planning & Zoning Commission member Jon Barnert was present to represent the Commission.

- H1. Zoning Ordinance Amendment to Section 501.A (Accessory Uses) of the Yavapai County Zoning Ordinance, Planning & Zoning Commission, #H5034. Consideration of an amendment to Section 501.A (Accessory Uses) of the Yavapai County Zoning Ordinance. A. "ACCESSORY USES (including facilities and equipment) are permitted in conjunction with any principal use, provided same is compatible ~~therewith~~ and common to the district in which it is located and does not alter the character of the premises; any reference to a permitted Use shall be deemed to include such accessory use." The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment, Section 501.A (Accessory Uses) as follows: AMEND – "A.ACCESSORY USES (including facilities and equipment) are permitted in conjunction with any principal use, provided same is compatible ~~therewith~~ and common to the district in which it is located and does not alter the character of the premises; any reference to a permitted Use shall be deemed to include such accessory use." Planning Manager Elise Link. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission. There were no comments from the public.
- H2. Use permit to allow private guitar lessons in an R1L-12 zoning district, Furlong Guitar Lessons, 103-17-125A, Diamond Valley area, Terry Furlong, #H5017. Consideration of a use permit to allow private guitar lessons out of the applicant's home in a R1L-12 (Residential; Single-Family Limited to Site Built Structures only; 12,000 square feet minimum) zoning district on a 29,240 sq. ft. parcel. Located in Diamond Valley, approximately 2,300 feet northwest of the S.R.-69/Ramada Drive intersection to the east of the City of Prescott. S29 T14N R1W G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit, with the following stipulations: 1). Use permit to be approved on a ten (10) year, non-transferable basis in conformance with letter of intent and site plan dated January 11, 2005; 2). Property to be in

conformance with all other applicable codes and ordinances. Planning Manager Elise Link. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission. There were no comments from the public.

Ms. Link told the Board that the subject property was a larger than average parcel for the Diamond Valley area, that the applicant was a professional music teacher and that he had been giving guitar lessons for about 10 years. She said the application was unanimously approved by the Commission and that the use was consistent with a home occupation. She said one letter of opposition had been received, from an adjacent property owner who lived in the Phoenix area. Supervisor Davis asked how the Board had ended up with this application and why it was not approved administratively as a home occupation. Ms. Link said staff had discussed that and that it was a fine line, but that the feeling was because the property was located on a cul-de-sac it would be better to do it through a public hearing process. Supervisor Davis asked if the applicant had come forward to request the use permit or whether someone complained about the guitar lessons. Ms. Link said that someone had called about it.

- H3. Use permit to allow a miniature pony to reside on a legal non-conforming parcel in an RCU-2A zoning district, Velasco Horse, 305-03-157C, Paulden area, Filimon and Jessica Velasco, #H5019. Consideration of a use permit to allow a miniature pony to reside on a legal non-conforming parcel (19,812 square feet) in a RCU-2A (Residential; Single-Family; Rural; 2-acre minimum) zoning district. Located on Lakeside Dr., in the Antelope Lakes Unit 2 Subdivision, approximately 2,500 feet west of the S.R.-89/Bramble Drive intersection in the vicinity of Paulden. S27, T18N, R2W G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit with the following stipulations: 1). Use permit to be approved on a permanent, non-transferable basis for the one (1) existing miniature horse on the property, per the letter of intent and site plan dated January 14, 2005; 2). Property to be in compliance with all other applicable codes and ordinances; 3). Manure shall be disposed of in a sanitary manner on a daily basis. Planning Manager Elise Link. Allan Peters, neighbor to Mr. and Mrs. Velasco, and Prescott resident Mike Haywood spoke in favor of the application. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission.

Ms. Link said the zoning in the area was RCU-2A and that the subject parcel was approximately 19,000 square feet in size and considered a legal non-conforming parcel. She said the surrounding properties were residential and that the reason for the use permit was because horses were not allowed on parcels less than 35,000 square feet in size in a residential area. She said that three letters of opposition had been received (two from the same person), one of which was from a person within 300 feet of the subject property and the other from someone about two and one-half miles north of the property. She said staff had also received two letters of support, one of which represented three adjacent property owners. Ms. Link said that the adjacent property owner who was opposed to the application lived in Phoenix and that the person's Paulden property was vacant. She said that Commissioner Barnert was the dissenting vote on the Commission because he felt the use permit should be for any horse on the property and not just for the existing horse. She added that the Paulden Area Community Organization had not forwarded a recommendation regarding this use permit, indicating instead that it considered this to be a neighborhood matter. Mr. Peters said he shared a property line with Mr. and Mrs. Velasco and that he had no problem with their request. He said they take good care of the horse and that it was good for their children to learn how to care for the horse. He said the horse was less than 50 feet from his property, that it was not a problem, and that the Velascos were good people. Mr. Haywood said the point was academic, but if it took 35,000 square feet for one regular size horse then it would take only 17,000 square feet for a miniature horse and that the applicant had more than 17,000 square feet.

- H4. Zoning map change from RCU-2A to PAD and preliminary plat, The Casitas at Bensch Ranch, 500-25-021K, Mayer area, Michael Haywood agent for Bensch Ranch Estates, LLC, #H5020 and #H5021. Consideration of a zoning map change from RCU-2A (Residential 2 acre minimum lot size) to PAD (Planned Area Development) and preliminary plat for an approximately 21 acre parcel, proposed to be developed with 85 single family residential lots ranging in size from approximately 4,500 sq. ft. to approximately 7,000 sq. ft. Located on the south side of SR 69 between Mayer and Spring Valley. S31 T12N R2E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change and preliminary plat with the following stipulations: 1). Final plat to be in general conformance with the approved preliminary plat; 2). Property to be developed in accordance with all applicable local, state and federal codes, ordinances and regulations. Planning Manager Elise Link. Mayer Fire Chief Glenn Brown participated in discussion of this item. Upon a motion by Supervisor Thurman, seconded by Supervisor Davis, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission.

Ms. Link said the subject parcel was 21 acres in size and that the applicant was requesting 85 lots of about 5,500 square feet in size, adding that there would be centralized water and sewer service and that interior

roads would be built to County standard but remain private. She said access would be via Bensch Ranch Boulevard. Ms. Link told the Board that adjacent property owners were supportive of the application and that the applicant had been working with the Flood Control District to ensure that no lots are located within the floodway. She said that one Commission member voted against the application because of density, but that in 1994 the property was approved for 130 timeshare units and that although it subsequently reverted back to RCU-2A in 1998, the current application was for lower density than what was previously approved for the property. Ms. Link said there was no opposition to the application and that there were no technical concerns about it. Mr. Haywood noted that Prescott architect Bill Otwell was preparing the architecture for the project and that it would be a good project. Chief Brown said that Bensch Ranch had been very good to work with and that it had donated two acres of land for a new fire station.

H – PUBLIC WORKS

- H5. Consider adopting Road Ordinance No. 2005-1, which will supersede Road Ordinance 1995-1. Public Works Director Richard Straub. Approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Thurman. There were no comments from the public.
- H6. Consider approval of agreement for renewal of existing water franchise with Granite Oaks Water Users Association. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.

H – SUPERIOR COURT

- H7. Consider approval of probate fee increase. Deborah M. Schaefer, Superior Court Administrator. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. There were no comments from the public.

Ms. Schaefer said that in November of 2003 the Board of Supervisors approved the implementation of a probate fee schedule, that the schedule went into effect in January of 2004, and that the revenue from the fees paid for a part-time probate accountant. She said she had underestimated the workload that would be involved, thinking that about 19% of the estates would not be required to pay the probate fee when, in fact, 40% of the estates were not required to pay the fee. She noted that the fee did not apply to estates of \$10,000 or less. Supervisor Davis asked if there should be a fee for the 40% of estates. Ms. Schaefer said those estates basically had no assets from which to take a fee. There was brief discussion regarding the different types of estates, during which Ms. Schaefer said that major estates were generally easier to handle because they usually had attorneys involved while the small estates were often difficult because people did not understand what they needed to do. She added that staff was trying to do a better job of collecting the fee and had been working with the judges toward that end.

EXECUTIVE SESSIONS: ACTION ITEMS RELATED TO EXECUTIVE SESSION

E – BOARD OF SUPERVISORS

- E1. Convene in executive session pursuant to A.R.S. §38-431.03(A)(3) and (A)(4) for legal advice regarding the Verde Valley Senior Center project. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman.

EA – BOARD OF SUPERVISORS

- EA1. Reconvene in open session and consider action as required regarding settlement agreement, acceptance of assignment of completion contract and other action as required regarding completion of the Verde Valley Senior Center project. Dave Hunt, Board Attorney/Assistant County Administrator. Supervisor Thurman moved to approve this item. His motion died for lack of a second. Supervisor Davis moved to rescind the Board action taken on March 7, 2005, regarding completion of the Verde Valley Senior Center; approve the revised Settlement Agreement, Release and Assignment between Yavapai County and Capital Indemnity subject to amendment as necessary to address payment for observed water-related damage and any necessary form-related amendments to the revised Settlement Agreement, Release and Assignment and/or the Completion Contract between Capital Indemnity and Straightline Builders; and authorize the Chairman to execute such documents and take such other action as may be required to effectuate the purposes of the Board's approval for completion of the Verde Valley Senior Center Project. Supervisor Thurman seconded the motion, which carried by unanimous vote. No comments from the public.

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<u>CLAIMS AGAINST YAVAPAI COUNTY</u>			
<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	2,035,954.77	Jail District	339,543.94
District 1 Park Fund	1,909.05	District 2 Park Fund	317.84

District 3 Park Fund	874.00	WMD Planner	928.53
HS 2003 Primary	20,055.94	Improve of Education	1,159.20
AZ Coop Purchas. Net	6,550.52	Adult Prob Fees – 40	543.09
Electronic Doc. Image	58,936.00	Public Health Reserve	1,949.19
Environmental Health	10,495.92	Susan Komen Breast H.	1,086.85
Medical Reserve Corps	756.53	Resep Radiation Exp.	445.40
Comm. Health Center	17,671.76	AMPPHI	1,747.72
Family Planning	4,768.16	MCH Programs	931.61
Health Promotion	2,348.55	Cost Allocation	460.56
Nutrition	1,388.97	WIC Program	16,902.45
Title X Family Plann.	1,295.02	Jail Enhancement	2,285.13
Juvenile Delinq. Reduct	11,673.33	Juvenile IPS	33,249.85
Juvenile Food Prog	2,005.07	Probation Serv	4,132.84
Adult IPS	33,249.85	Adult Probation Fees	13,139.08
Prob Enhance	42,094.60	Recorder's Surcharge	6,338.07
Indigent Def/Dg	1,583.28	Crim Just/Atty	3,435.35
Bad Check Prog	3,006.67	Juv Prob Svs	1,819.98
Commodity Fd	906.06	Hi Risk Chld HI	6,727.50
Clerk's Storage	80,936.75	HIV Counsel & Test	1,454.85
Atty Anti-Racket	24,743.72	PANT	8,298.69
Law Library	4,242.52	CASA	4,289.70
Case Processing	5,803.70	Prim. Care – V.V.	2,828.94
DARE	241.40	Victim Witness Prog	8,997.05
Court Enhancement	1,736.41	Council Court	8,467.00
Enhance Drug Court	2,005.18	Inmate Health Svs	247.54
Drug Enforce. Fund	3,779.39	Probate Fund	981.89
Primary Care Services	11,809.48	PC Fees VV	494.01
Local ADR	628.19	Victims Rights Impl	3,319.51
JAIBG Juv Acct P-II	1,812.79	Yav. Indian Agree.	270.73
DUI Abatement 2005	1,766.65	Dietetic Intern	989.77
Immuniz Service	2,895.51	Personal Care Svs	2,760.23
Idea-Preschool	1,397.24	Subs Abuse/DARE	511.05
Chem Abuse	798.16	Family Drug Court	1,154.57
Juv Det/PACE	5,102.45	Collab. Comp Rev Gr	1,036.23
Special Program	23,273.53	Sm Schools Ecia	886.29
Sm Schools Beha	15,767.84	Fill the Gap – Courts	5,966.27
School Facilities	23.88	Hurf Road Funds	559,100.64
Assessor Surcharge	2,040.13	Assessor App Dev	8,289.18
Health Fund	62,913.64	Jail Commissary	28,659.58
Landfill Administ.	35,845.71	Judge Pro Tem Div B	10,363.28
Water Advisory Comm	3,168.40	Tire Recycle	10,669.99
Safe School Pro	8,205.17	Adhs-Svs Coord	13,784.34
Local Incentive Awards	1,583.72	Fill the Gap – Attorney	4,759.43
Family Law Commiss.	7,505.82	Comm Punish Pro	8,023.54
Juven. Detent Ed Pro	1,595.68	Regnl Road Project	449,798.21
Library Auto Consor	74.25	Health Start	3,479.27
Interstate Compact Pro	2,321.70	Ryan White II	3,991.92
Prepared. Bioterror	17,117.01	St Grant in Aid	3,226.44
Primary Care Fees	17,652.43	Perinatal Block	3,050.09
Well Woman Health	3,280.73	Tobacco Educ	9,355.65
St Imple. Grant	770.83	Yav. Heritage Roundup	178.80
School Reso. – Mayer	907.76	Az Region Support	130.88
Direct Treatment Fund	2,804.74	Mental HealthRWJF	1,977.64
Mental Health Part.	1,977.65	Field Trainer	2,293.15
Attendant Care	24,016.57	HIV/CT	34.22
Childrens Justice	1,115.46	Child Sup & Vis	908.77
Domestic Relations Ed	339.42	Self Service	217.73
VOCA	8,116.45	JTSF Treatment	5,061.65
Diversion Conseq.	1,078.05	Jail Construction	10,550.40
ALTCS	781,513.81		

In addition, payroll was issued on April 1 for the pay period ending March 26; warrant numbers 2451526 through 2451870, in the amount of \$287,960.49. Jury certificates issued during this time; 6869855 through 6870005. Warrants issued for April 4 Board day, 4239180 through 4239600; 4239601 through 4240001.

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

ATTEST:

_____ Clerk _____ Chairman