

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

April 18, 2005

The Board of Supervisors met in regular session on April 18, 2005, at 9:00 a.m., in Cottonwood, Arizona.

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; Randy Schurr, Deputy County Attorney.

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.

The pledge of allegiance was performed by students from Beaver Creek School, after which Supervisor Davis provided each of the students with a certificate of appreciation.

CONSENT AGENDA

C – BOARD OF SUPERVISORS With the exception of items C3., C12., C14., C15., C21., and C22., all items were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public. See above-listed items for detail.

- C1. Approve minutes of meeting of April 4, 2005, and of special meeting of March 28, 2005.
- C2. Approve resolution authorizing the submission and implementation of the 2005 Community Development Block Grant applications; approve resolution to approve the Relocation Assistance Plan, as required by the Housing and Community Development Act of 1974, amended; and approve the 2005 CDBG contract with NACOG for grant administration in the amount of \$131,461. Resolutions Nos. 1577 and 1578.
- C3. Permission for Supervisor Thurman to exceed the allotted \$50,000 per fiscal year amount from park funds for community clean-ups, per Resolution No. 1433, in order to provide for a community clean-up in Black Canyon City on May 14, 2005. Approved by unanimous vote, upon a motion by Supervisor Davis seconded by Chairman Springer.

Supervisor Davis asked if \$45,000 had already been spent out of that fund for clean-ups. Supervisor Thurman said yes, that the money had been spent before he took office. He said there was actually quite a bit of money in his parks fund but that he needed the Board's permission to exceed spending \$50,000 for community clean-ups and that he would like to do a clean-up in Black Canyon City.

- C4. Receive impact statement for establishment of Walker Fire District, set bond in the amount of \$2,032.26 and set hearing for June 6, 2005, at 9:00 a.m.
- C5. Appoint Darryl Tingler to the Yavapai County Food Safety Industry Council as a representative of District 1 to complete the two-year term vacated by Sandi Slade, with term to expire May 6, 2005, and also reappoint Mr. Tingler for a two-year term to be effective from May 6, 2005 to May 6, 2007, as requested by the University of Arizona Cooperative Extension Service.
- C6. Amend action taken on April 5, 2004, to appoint Scott Chilleen to a three-year term on the Yavapai County Food Safety Industry Council as a representative of District 2, to reflect that the appointment should have been for two years, with term to expire May 6, 2006. Requested by the University of Arizona Cooperative Extension Service.
- C7. Appoint Steve Bernstein to the Yavapai County Food Safety Industry Council as a representative of District 3 to complete the remainder of the two-year term vacated by Susan Commins, with term to expire May 6, 2006, as requested by the University of Arizona Cooperative Extension Service.
- C8. Acknowledge removal of precinct committeemen, as requested by the Yavapai County Republican Committee, and as evidenced in Board Memorandum No. 2005-5.
- C9. Approve vouchers.

C – DEVELOPMENT SERVICES

- C10. Zoning Ordinance Amendment, Section 573.C.2, Self-Service Storage Facilities Standards, Planning & Zoning Commission, #H4171. Consideration of an amendment to Section 573.C.2 SELF SERVICE STORAGE FACILITIES STANDARDS of the Yavapai County Zoning Ordinance to modify the definition and to reduce the required aisle width of driving lanes in self storage facilities. Amend: SECTION 573.C.2 SELF-SERVICE STORAGE FACILITIES STANDARDS The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment, Section 573.C.2 SELF SERVICE STORAGE FACILITIES STANDARDS, HA# H4171, as follows: 1). Driving/loading lanes shall be a minimum of twenty feet

(20') in width (paved driving surface) when cubicles open onto one (1) side of the lane only and a minimum of twenty-four feet (24') when cubicles open onto both sides of the lane. 2). Driveway corners shall have a minimum thirty foot (30') radius. 3). Dead-end driveways shall in no instance exceed in length the requirements of the Fire Code and in instances that dead-end driveways exceed one hundred fifty feet (150') in length, same shall be reviewed and approved in writing by the local Fire Marshall and in the absence of a Fire District, shall be reviewed by the State Fire Marshall

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

C11. Consider approval of additional cost with ASSI Security of Arizona for the surveillance system in the Prescott Jail in the additive amount of \$2,741.90, to be paid from Jail District and Jail Commissary.

C – LIBRARY DISTRICT (The Board of Supervisors will resolve into the Board of Directors of the Yavapai County Free Library District and following action will reconvene as the Board of Supervisors.)

C12. Permission to enter into a management agreement with the Ash Fork Library Board for library services. Reference: Library District minutes.

C – MANAGEMENT INFORMATION SERVICES

C13. Permission to purchase update to the County's fixed asset program at a cost of \$3,352 to be paid from the MIS Software account.

C14. Permission to purchase an upgraded projector for the Courts' shared use projector at a cost of \$3,700 to be paid from the MIS Office Supplies account. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman.

Supervisor Davis asked where the old projector would go. Mr. Holst said he did not know but would follow up on the question. He said he was not certain whether the projector would need to stay in the court system or whether it would be available to other departments.

C15. Permission to purchase six VSX3000 video units at a cost of \$20,000 to be paid for from Contingency. Approved by unanimous vote. Motion by Supervisor Davis, seconded by Supervisor Thurman.

Supervisor Davis asked where the units would go. Mr. Holst said the video system in the courts operates through personal computers and laptops and that the new video units would eliminate the need for those PCs and laptops and make them available for use in other places.

C – PUBLIC WORKS

C16. Accept petitions for establishment of Poquito Valley Road Improvement District, set bond in the amount of \$481.71 and set hearing for May 25, 2005, at 9:00 a.m.

C17. Consider approval of a no parking zone along Cornville Road at Loy Road.

C18. Consider approval of a no parking zone at the intersection of Hereford Lane and Durham Road in the Prescott Country Club area.

C19. Permission to purchase replacement traffic counters at a cost of \$4,200 to be paid from Signs account (HURF).

C20. Permission to purchase replacement cutter/plotter for the sign shop at a cost of \$5,000 to be paid from Signs account (HURF).

C21. Consider approval of Change Order #1 (final) with Asphalt Paving & Supply, Inc., for Old Black Canyon Highway Cold In-Place Recycle Project in Yavapai County, Arizona, Project #2314002 in the decreased amount of \$55,226.32. Half-cent sales tax project. Public Works Director Richard Straub participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis.

Supervisor Thurman asked what would happen to the money that would no longer be spent on this project. Mr. Straub said that because it was half-cent sales tax money it would just go back to that account for eventual reallocation and that it did not have to be spent in the current fiscal year.

C22. Consider approval of Change Order #1 (final) with Arizona Highway Specialists, Inc. for Guardrail Construction at Various Locations in Yavapai County, Arizona, Project #2414259 in the decreased amount of \$4,062.54. HURF. Public Works Director Richard Straub participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis.

Supervisor Thurman said he knew of some roads in the County that were in need of guardrail and he asked how it was determined which roads would receive guardrail and which roads would not. Mr. Straub responded that the Public Works Department generally picked locations for guardrail but that in this case the needs were determined by the Arizona Counties Insurance Pool. He asked Supervisor Thurman to

forward his requests for guardrail so they could be included in next year's budget.

- C23. Permission to participate with other Central Yavapai Metropolitan Planning Organization (CYMPO) entities to host a reception dinner for the Arizona State Transportation Board on June 16, 2005, in Prescott, at an approximate cost of \$2,500 to be paid from the Regional Road Fund.
- C24. Consider approval of indemnity agreement with Kevan Larson for use of his property for a community clean-up in Paulden on April 30, 2005.

C – SHERIFF

- C25. Permission for Yavapai County to joint the State and Local Law Enforcement Equipment Procurement Program (the 1122 Program).
- C26. Consider approval of a grant proposal submitted to the Governor's Office of Highway Safety to fund overtime for deputies and dispatchers during selective traffic enforcement details. Amount being requested is \$53,280 (\$46,080 for deputy overtime and \$7,200 for dispatcher overtime.) No local cash or in-kind match is required.

C – WATER ADVISORY COMMITTEE

- C27. Permission to send a letter to the United States Geographical Survey regarding completion of the Verde River Watershed Hydrologic Studies.

ACTION ITEMS (Immediately following completion of Consent items. The order of items may be modified at the meeting.)

A – BOARD OF SUPERVISORS

- A1. Presentation of Tribal contribution from gaming revenues to local government in the amount of \$56,543.83. Jamie Fullmer, Chairman of the Yavapai-Apache Nation. Yavapai-Apache Nation Council Member and Past Tribal Chairman Vincent Randall presented this item. Elaine Bremner, Executive Director of the Verde Valley Senior Center, and Karen Ward, Principal and Superintendent for the Beaver Creek School, participated. Upon a motion by Supervisor Thurman, seconded by Supervisor Davis, the Board voted unanimously to approve the allocation of 50% of the funds toward the wastewater treatment plant to be built by the Tribe and to serve the Camp Verde Justice Facility; 30% of the funds to the Verde Valley Senior Center; and 20% of the funds to the Beaver Creek School.

Mr. Randall said he was present on this day in place of Chairman Fullmer, who he said was in Washington on Tribal business. Mr. Randall said that this was part of the new compact the Nation signed with the State of Arizona a few years ago regarding revenue sharing, whereby a percentage of the Nation's net revenues were to be shared with the state. He said that when the Nation agreed to the compact it wanted to be sure that the revenues to be shared would remain in the Verde Valley, and that even before the compact went into effect the Nation was donating back to local citizens in the form of scholarships. Mr. Randall told the Board that the Nation was not making this contribution because a gun was being held to its head, and that the Nation tried to take care of its own. He said that 50% of the funds would go toward the wastewater treatment plant, with 30% of the funds being directed to the Verde Valley Senior Center and 20% being given to the Beaver Creek School. Ms. Bremner and Ms. Ward expressed their thanks to the Nation and to the Board. Supervisor Davis asked Mr. Randall to relay to the Nation what a pleasure it was to have someone come to the Board bearing gifts instead of asking for something.

- A2. Presentation of symbolic Community Development Block Grant check for \$60,000 to the Verde Valley Senior Center. Supervisor Davis. Verde Valley Senior Center Executive Director Elaine Bremner and NACOG representative Margaret Keener were present for this event. Supervisor Davis noted the actual amount was something less than \$60,000.
- A3. Approve proclamation declaring 2005 as the "50th Year Anniversary of the Sedona Airport." Supervisor Davis. Sedona Airport General Manager Mac McCall participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman.

Mr. McCall told the Board that Sedona had a long history with the airport, that the city was growing and so was the airport. He said the airport was doing some remodeling and making things safer and trying to be a good neighbor to the community. He told the Board he was working with members of Congress in order to acquire controlled airspace for the airport and that he was looking at consolidating the terminal services at the airport. Supervisor Davis noted that the Sedona Airport was established by the late Senator Barry Goldwater and that it was deeded to Yavapai County.

A – PUBLIC WORKS

- A4. Award or reject bids received for Black Canyon City Drainage Improvement (Phase II) and Overlay Project in Yavapai

County, Arizona, Project #2313424. Bids opened April 5, 2005, with bids received from the following vendors: M.D. Merrett, Inc., \$838,892.13; and J. Banicki Construction, \$1,058,334.20. Recommend awarding to M.D. Merrett, Inc., in the amount of \$838,892.13. Half-cent sales tax project (\$630,900.13) and Flood Control project (\$207,992). Public Works Director Richard Straub. Approved by unanimous vote, upon a motion by Supervisor Thurman, seconded by Supervisor Davis. No comments from the public.

- A5. Award or reject bids received for Willow Creek Road Construction, S.R. 89 to Pioneer Parkway Project in Yavapai County, Arizona, Project #2313538. Bids opened on April 5, 2005, with bids received from the following vendors: Asphalt Paving & Supply, Inc., \$481,032.75; and Fann Contracting, Inc., \$507,890. Recommend awarding to Asphalt Paving & Supply, Inc., in the amount of \$481,032.75. Half-cent sales tax project and NACOG (\$220,000 reimbursable funding). Public Works Director Richard Straub. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.

A – SHERIFF

- A6. Request for permission to increase the fleet by converting the Health Department Motor Home presently housed at the Fleet Maintenance yard to a Mobile Command Post for use by the Sheriff's Office and other public safety agencies within Yavapai County, but particularly in the Verde Valley. Lt. Steve Francis. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Lt. Francis, Area Commander for the Verde Valley, told the Board that the Sheriff's Office would like to convert the motor home formerly used for the Wellness on Wheels program into a mobile command post for use in the Verde Valley. Supervisor Davis asked Lt. Francis if he had checked to be sure that any grant requirements related to the motor home had been satisfied in order for the motor home to be turned over for this new use. Lt. Francis said he had. Chairman Springer asked where the money would come from to retrofit the motor home. Lt. Francis said there was some money available from Homeland Security and that the Sheriff's Office would also hold some fundraisers.

A – WATER ADVISORY COMMITTEE

- A7. Permission to send a letter to the U.S. Army Corps of Engineers requesting assistance with water resource studies in the Upper Agua Fria watershed. Mary Hoadley, Upper Agua Fria Partnership, and John Munderloh, Prescott Valley Water Resources Manager and interim WAC Coordinator. Brian Lake, Army Corps of Engineers, participated in discussion. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Mr. Munderloh said the Army Corps of Engineers, through a coalition of federal agencies known as Southwest Strategy, had identified the Upper Agua Fria watershed as an area for doing water resource studies. He said the WAC felt it would be a good idea to be involved in this project, which he said would begin with a feasibility level study of the watershed. Mr. Lake added that it would be reconnaissance type of investigation. Supervisor Davis asked how the Upper Agua Fria had landed such a high spot on the list of areas to be studied. Mr. Lake said it was an area in which the Army Corps of Engineers had an interest. Ms. Hoadley said her organization saw this partnership as a great step forward and that it represented a shot in the arm with regard to finding out about the quality and quantity of water in the 50,000-square-mile watershed. Mr. Munderloh said that although the initial project would be funded by the Army Corps of Engineers any subsequent projects would require matching funds and that it was his understanding that USGS funds would qualify as matching funds. He added that there was no commitment at this time to either participate in or fund subsequent projects.

HEARINGS

H – BOARD OF SUPERVISORS

- H1. Consider approval of 2005-2006 fiscal year fee schedule for reimbursement of County services provided to fire districts and other special districts. Bev Staddon, Clerk of the Board. Approved by unanimous vote, with no comments from the public. Motion by Supervisor Thurman, second by Supervisor Davis.
- H2. Hearing on establishment of Clarkdale Fire District. Bev Staddon, Clerk of the Board. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to deny establishment of the district. There were no comments from the public.

Ms. Staddon told the Board that it had authorized circulation of petitions for establishment of this district in March of 2004 and that the deadline to file the petitions was March 15, 2005. She said that in order to establish the district, proponents of the district needed to obtain the signatures of 916 qualified electors and that they had obtained only 856 valid signatures. She said they also needed to obtain the signatures of a majority of the property owners in the proposed district and that those property owners who signed the

petitions needed to represent a majority of the assessed valuation in the proposed district. Ms. Staddon said that in each case the proponents had obtained only 33%, and that as a result the district could not be established. Chairman Springer said she hoped that Clarkdale would try again for establishment of a fire district.

H – DEVELOPMENT SERVICES Planning & Zoning Commission member Curtis Lindner was present to represent the Commission.

H3. Zoning Ordinance Amendment, Section 570, Real Estate Office Standards – Temporary, Planning & Zoning Commission, #H4170. Enalo Lockard, Assistant Development Services Director. Consideration of an amendment to Section 570 REAL ESTATE OFFICE STANDARDS - TEMPORARY of the Yavapai County Zoning Ordinance to modify the time allowed for subdivision sales offices. The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment Section 570 REAL ESTATE OFFICE STANDARDS–TEMPORARY, HA# H4170, as follows: 1). Sales facility shall be utilized for on-site sales of lots and homes within the approved subdivision only; 2). Temporary sales facility shall only be administratively authorized for a period of three (3) years from approval of phase one of the project and/or issuance of the Public Report from the Arizona Department of Real Estate (ADRE). Extensions, in 2 year increments, beyond the initial period shall require an Administrative Use Permit with comment period. Village of Oak Creek resident Douglas Ayres participated in discussion of this item. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission.

Mr. Lockard told the Board that this amendment would provide for temporary sales facilities to exist for three years initially with extensions in two-year increments to be approved administratively but with a comment period. In response to a question from Chairman Springer regarding the comment period, Mr. Lockard said that if no comments were received an extension would be approved administratively and that if there was opposition the applicant would be required to go through a hearing process. Supervisor Thurman said he believed this would simplify the process and allow staff to take care of things as long as there was no opposition. Mr. Ayres told the Board that he opposed the amendment in its entirety and he requested that the Board send it back to the Planning & Zoning Commission for further discussion. He said he was opposed because sales offices become full service real estate offices, and that he and the planned area development he lived in had been victimized and almost rezoned because of a sales office. Mr. Ayres said his subdivision had been changed from single-family homes to a rental area because of an on-site sales office that ran for 13 years, with only three of those years having been permitted. He said he believed the Board needed to annually review all such sales offices and that the County needed to enforce the Ordinance. Supervisor Davis asked if the Commission had adequately discussed this issue. Mr. Lindner said it had and that the way the amendment was written was what the Commission had developed in an effort to address the concerns of Mr. Ayres. He said that the problem with sales offices was that they “morphed” into other things. Supervisor Davis asked whether the process provided for by the amendment would be self-enforcing, noting that if, after the initial three years there were complaints, the permit would not be renewed. Mr. Lindner said that was the gist of the amendment. Supervisor Davis said he was aware of Mr. Ayres’ concerns and that he believed the amendment would address those concerns. Supervisor Thurman said Mr. Ayres wanted to see the time reduced to one year, but that this would be detrimental to sales offices located in the outlying areas of the County. Chairman Springer asked if the Commission had considered inserting some language to the effect that this would apply to initial sales offices only. She said she could understand Mr. Ayres’ concerns. Mr. Schurr said this issue was discussed extensively by the Commission and that there were a number of scenarios discussed, with some Commission members wanting to be more restrictive and others wanting to support the real estate industry, but that in the end the Commission had felt it should not be restricted to initial sales. Mr. Ayres asked if it would be appropriate to make it more restrictive in areas that have planned subdivisions in place, saying that what happens is a rezoning when sales offices “morph” into something else. Supervisor Davis asked if language should be changed to make it apply to the sale of land and initial home sales only. Mr. Lockard said this section of the Ordinance was tied to when the plat for a subdivision is recorded, but that it might be possible to change the language as Supervisor Davis had suggested. Mr. Schurr said it would be possible but that it would be necessary to re-advertise the application.

H4. Zoning map change from RCU-2A and C2-1 to M1-1 and M1-2A, Beaver Hollow Zoning Map Change, 405-23-005D, 005N, 007V, 007Y, 035E, 037A, 037B, 037C, 181D, 181H, 181J, 181K, 189A and 189B, McGuireville area; Nathan S. White, Tim Fish, John Reay, Paul Davis, Mike Mulcaire, Roger Brown, Gerald Hardy, Deborah Hunter-Bader, Mike Tucker, Leo Rayburn, Ernie Silva, Ana Rios, property owners/applicants, #H5033. Enalo Lockard, Assistant Development Services Director. Planner Connie Dedrick participated in discussion. Consideration of Zoning Map Change from RCU-2A (Residential; Single-Family; Rural; minimum of two (2) acres) and C2-1 (Commercial; General Sales & Services; minimum 1,000 square feet) to M1-1 (Industrial; General Limited minimum; 1,000 square feet) and M1-2A (Industrial; General

Limited; minimum two (2) acres). The combined acreage is approximately 136 acres. Located north of I-17 on both sides of Cornville Road in the McGuireville area SEC 33 T 15N R 5E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change, with the following stipulation: Future development shall submit a detailed traffic analysis, which must be reviewed and approved by Public Works, and make any necessary improvements to mitigate their impact to the County's roadway system prior to any development. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission and suggested there be a meeting with staff and department heads regarding this process. Supervisor Thurman seconded the motion, which carried by unanimous vote.

Mr. Lockard said this application was brought forward by 12 applicants and that it applied to existing actual uses on the properties. He said that some nearby residents had expressed concerns because of hours of operation. Mr. Lockard said the request for the zoning map change had been reduced from 390 acres to 136 acres, that a representative from the Lake Montezuma Property Owners' Association had expressed concern about fire suppression and traffic, and that the Commission's recommendation included a stipulation that a detailed traffic analysis be done. Mr. White told the Board that most of the applicants represented family-owned operations, that the area in which the properties were located had been earmarked for industrial zoning and that the applicants had purchased their properties and invested in them based on that understanding. Mr. White said that most of the use permits held by the applicants stipulated that they come back and request rezoning. He added that the applicants just wanted to protect their investments and that they were concerned about the possibility of use permits being rejected because of similar action being taken, such as Trail Horse Adventures losing its use permit. Supervisor Davis asked Mr. Lockard how many of the parcels had existing businesses on them. Mr. Lockard said he believed that 10 of them had businesses on them. Supervisor Davis asked if some of the parcels were vacant. Ms. Dedrick said that the only business that did not have a use permit was B & B Materials, because it had a mining exemption, but that the other nine businesses had use permits. Supervisor Davis asked how many acres were currently in use and how many were vacant with no plan for development. Ms. Dedrick said she thought about 47 acres were vacant. Supervisor Davis said he could understand approving rezoning for those properties that already have businesses on them but that he did not understand doing it for vacant lands. He asked if this application had been sent out for review by regional planners. Ms. Dedrick said no. Chairman Springer said she was very reluctant to approve something like this without a specific plan. She said she could understand the applicants wanting to protect their investments but that she objected to rezoning land specifically to increase the value of the land. Mr. White said that Mr. Mulcaire had expressed a desire to move his business to the area. He said that Mr. Mulcaire had 36 acres, and that this was more than what he could use, but that it would make land available to other people who want to move there. He said there was no other place in the area for industrial uses, and that the rezoning made sense. Mr. White said that Mr. Mulcaire would make more money by developing his property for residential but that he wanted to comply with the Beaver Creek Community Plan. Supervisor Davis said he understood Mr. Mulcaire's position because he would have to make some improvements to Cornville Road and it would help him if some other people also had to participate in that. Supervisor Thurman recalled his days as a Planning & Zoning Commission member, saying it seemed like every six months someone else from this particular area was coming in for a use permit. He said the Commission had continued to recommend use permits because of residential development moving closer to the area, but that there were not many places in the Verde Valley that had M1 zoning. Supervisor Thurman said that after a while, this sort of thing became a real headache for staff and that it either needed to go away or be changed permanently. He said he was in favor of this rezoning request, that the community plan said this was the area for industrial development, and that it was pretty well a given that the subject properties would be a commercial area. Supervisor Davis apologized to Mr. White, saying he agreed with what the applicants were trying to do as business owners but that he was hesitant because staff knew that the Board did not rezone property for speculative reasons. He said everyone had worked hard on this, but added that at the last meeting on this subject the Board had asked not to be blindsided.

STUDY SESSIONS

S – BOARD OF SUPERVISORS

- S1. Review of proposed budget for the 2005-2006 fiscal year for the Verde Valley Constable. Ken Ellis, Verde Valley Constable.

Mr. Ellis told the Board that he did not have any major changes for next year's budget, and that the budget he had submitted was what he believed was necessary in order for him to adequately carry out his responsibilities. There was brief discussion about fuel costs, with Mr. Ellis saying he charged \$2.40 per mile one way for non-County items, but that there was no charge for mileage related to services performed

for the County.

S – ADMINISTRATOR

S2. County Administrator's Report. Jim Holst, County Administrator.

Mr. Holst noted that on this day he had provided to each of the Board members a copy of the 2005-2006 fiscal year budget proposals from departments, which he said ran approximately 700 pages. He said all of the departments had submitted their budgets and that he had reviewed each one. He said this was the week for the Board to review the budget information in preparation for budget meetings that would begin next week, and that he would be available to meet with Board members individually to go over any questions or concerns they might have. Mr. Holst said that a review of what was being requested by departments and anticipated revenues showed that the budget requests exceeded normal revenues by a minimum of \$3 million. Supervisor Davis asked if that included health care and retirement increases. Mr. Holst said it did, and that he had included those increases as well as 1% increase for activation of the merit program. Supervisor Davis asked what the County could expect to receive in General Fund increases because of property valuation. Mr. Holst said that amount would be approximately \$4 million. Supervisor Davis said if the General Fund would receive \$4 million through property tax and it would cost \$2.5 million to cover health care and retirement increases, it would leave about \$1.5 million to take care of everything else. Mr. Holst said the budget books provided to each Board member contained a summary of the program change requests from all departments. Supervisor Davis asked if new program were ever "sunsetting" or reviewed at some point after the fact. Mr. Holst said that had not occurred, but that he understood there would probably be a discussion regarding the funding of parks into the future. Supervisor Davis asked if there was a list of things the Board wanted to discuss that might represent the philosophy of the Board. Mr. Holst said he would like the Board members to feel comfortable in sitting down and going through the process. He said that follow-up discussions could be scheduled as needed, and that he was looking at tentative adoption of the budget for the end of June. He added that the Board would find in the General Services budget that he had addressed the question of positions for a budget/management analyst and a capital improvements person. Mr. Holst said he expected to receive the updated appraisal on the rodeo grounds in Prescott by May 7. He said the other item he wanted to bring to the Board's attention was that about a week ago he had a discussion with the Yavapai-Apache Nation regarding the wastewater treatment plant and that they were quite receptive providing the security the County felt was necessary. He said this project looked more possible now than it did a while ago. Chairman Springer said that with regard to the treatment plant the Board had discussed this issue and made a decision to go out to bid on the plant, and that she would still like to see that happen. Supervisor Thurman said he was working with Special Projects Coordinator Angelo Manera on his opinion of capital improvements projects.

S3. Discussion of the PL-106-393 Forest Projects Program and allocation of Forest projects funds for the 2004-2005 Funding Cycle. Dave Hunt, Board Attorney/Assistant County Administrator.

Mr. Hunt noted that he had provided in the Board's packets summary material regarding this program. He said there was approximately \$181,000 to be disbursed for the 2004-2005 funding cycle, and that the purpose of this day's meeting was to address any questions Board members might have about how the program works and perhaps to receive direction with regard to what types of projects the Board would like to see. He said he would like some direction on how the Board might like to proceed with in-house projects and with outside projects. Supervisor Thurman said he wanted to know if applicants for funding were relying on those funds to the point that they would close if they did not receive them. Mr. Hunt said that had been taken into consideration in the past and that some projects had been funded over multiple years. He said if a project looked like it might not work over a number of years then it might be better to not fund it in the first place. He added that there was a remaining balance from the last funding cycle and that he had received a request from Supervisor Davis for one of his projects that was still pending, which he said had to do with the acquisition of some easements. Supervisor Davis referred to Mr. Hunt's summary materials, saying there was reference to a forest act of 1978 and asking what that was. Mr. Hunt said it had never been used for any of the projects in the past and that it probably never would be. He said what the Board needed to do by September was make the decision about how much the allocation should be. Supervisor Davis said that some projects, like the Forest Patrol, could be dealt with now, and that he believed in the past that had been funded at 50%. Supervisor Thurman said it appeared that the University of Arizona Cooperative Extension Service had received the same amount from year to year and he asked if the County received some of that back for rental of space. Mr. Hunt said it was just a request for a project, and that all of the projects were, in theory, one-shot projects. Chairman Springer said that if there was no opposition she would like to send a letter out to all recipients of past allocations and advise them of this

program and the need to submit a new application, and that she would also like to do a press release and make the public aware that this money is available. There was general agreement that this was a good idea.

S – DEVELOPMENT SERVICES

- S4. Discussion of amendment to Residential Building Code. Ken Spedding, Development Services Director. Chief Building Official Jack Judd participated in discussion of this item and of item S5, below.

Mr. Spedding said this was a follow-up to the Board's previous study session on this issue regarding what might be eliminated from the Building Code as the County looked at taking the code County-wide. He said that eliminating certain requirements would have the effect of reducing inspections. The following items were recommended for elimination from the Building Code: Re-roofing (no sheathing necessary); new doors and windows (replacement if same size or smaller than existing); electric water heaters (replacement, "like with like"); gas water heaters (replacement "like with like"); remodels (non-structural and no increase in square footage of plumbing, electrical, or mechanical); animal shades under 400 square feet; barns and sheds under 400 square feet (detached structures); fences under 6 feet; block walls under 4 feet; and detached carports. He said that these items would not require a building permit or inspection, but that if the cost exceeded \$1,000 a zoning clearance might be required in accordance with the Planning and Zoning Ordinance. Mr. Schurr said that something like replacing a hot water heater would not fall under the \$1,000 limit and that if a person was not changing the footprint of a building there should be no need for a zoning clearance. Mr. Spedding said that if someone was putting in a shed, fence or barn they would need a zoning clearance to ensure that they are not installing structures over the septic system and that they are meeting necessary setbacks. Supervisor Thurman said he was concerned about eliminating detached carports because if they were not built properly there could be serious problems resulting from high winds. Mr. Spedding said he believed that elimination of the suggested items could result in a reduction of 300 inspections, and that staff was also looking at ways to combine inspections to reduce the number of inspections. Supervisor Thurman said the proposal was to do 8 inspections for a single-family dwelling instead of 14 inspections. He said that APS would not connect electricity without a green tag, and that the County would still be doing those inspections but wanted contractors to be educated about having inspections done in combination. Mr. Spedding said that was correct, and that if this was done it would reduce trip time for inspectors. He said if everyone was okay with what was being proposed he would move forward with it.

- S5. Discussion regarding amending Building Code/Inspection Fees County-wide. Ken Spedding, Development Services Director. Chief Building Official Jack Judd participated in discussion of this item and of item S4, above.

Mr. Spedding said that going County-wide with the building inspections had been advertised, and that one of the things that had been discussed was whether or not there should be a varying fee system. He said he had divided the County into three zones, with Zones 1 and 2 covering the central part of the County and the Verde Valley respectively, with fees remaining the same, and with Zone 3 covering the northern portion, western half and southern half of the County. He said that building permits were based on valuation and that if fees were increased 10% for Zone 3 there would be significant fluctuation in the amount being collected, but the inspectors would still be driving the same distance for inspections whether the structure was valued at \$11,480 or at \$66,000. Supervisor Thurman said perhaps a minimum inspection fee would be possible. He asked Mr. Spedding if he was planning to have inspections two or three times a week in Zone 3. Mr. Spedding said he was asking for new inspectors and that he planned on having inspections on a daily basis. Chairman Springer asked Mr. Spedding if he had looked at the possibility of just increasing the inspection fee for everyone a little bit in order to cover inspections County-wide and forget about using zones. Mr. Spedding said that was another thing that could be done and that it might be worth leaving the fee schedule the same, going County-wide with the inspections and seeing what happens. He said the current fee schedule might generate enough revenue to cover going County-wide. He said his estimate for new staffing start-up was \$380,000 and that it included desks, cars, and computers in addition to inspector positions. Supervisor Davis said perhaps consideration should be given for lowering fees. Mr. Spedding said that currently revenues were at 100% or perhaps even 103% of expenditures. Chairman Springer said she was a little opposed to dividing the County into zones because it came back to treating people in different parts of the County differently and that she did not agree with that. She said the Board's goal was to serve people in all parts of the County and that just because someone chose to live in a remote area from the County seat it did not necessarily mean they should be penalized. Chairman Springer said she would like to see standard fees and have everyone pay the same for the same service. Mr. Spedding said he agreed, and that doing that would make things much simpler for him and for his staff. Chairman Springer said she liked

things simple. Mr. Schurr said there were a number of internal costs that were not reflected in the revenue picture, such as costs for the services of the County Attorney. Supervisor Thurman asked if having revenues at 103% would cover the cost of expanding inspections to the outlying areas of the County. Mr. Spedding said it would, and that his only question would be whether to wait until budget time with regard to additional inspectors and staff. Chairman Springer said the Board had not approved this change to the Ordinance. Supervisor Thurman asked if it would be better to start the County-wide inspections effective September 1 but allow Mr. Spedding to hire new people effective July 1. Mr. Spedding said there were some communities that were waiting for the County to go County-wide. He said that Mr. Schurr had advised that this could be put on the agenda for approval on May 16. Chairman Springer said she was reluctant to add any new personnel in this fiscal year, and that she believed adding those positions effective July 1 would be appropriate. Supervisor Thurman said it would take 30 to 60 days to hire and train people. Mr. Schurr suggested putting on the Board's May 16 agenda authorization for additional personnel in order to get them hired. Supervisor Thurman said the money would not come out of this year's budget. Supervisor Davis said he would like to see more of a business proposal, including revenue and expenditure projections. He said he needed to see it on paper. Chairman Springer asked Mr. Spedding if he felt he had sufficient direction from the Board. Mr. Spedding said yes, and that he would move forward with taking the inspections County-wide and would put on the Board's May 16 agenda a request for authorization to begin the hiring process with people to be hired effective July 1. Supervisor Thurman asked Mr. Holst if the budget books he had provided to the Board earlier on this day included the costs for the personnel Mr. Spedding would be requesting. Mr. Holst said yes, and that the cost was revenue neutral. He said he was comfortable with the numbers that Mr. Spedding and he reviewed about costs and start-up, and that the operations would be covered by the revenue generated. Mr. Spedding said he was asking for only two inspectors. Supervisor Davis said that fuel costs should be taken into consideration. Supervisor Thurman said he did not want to see fees reduced if the revenues were not really at 100%. Mr. Holst said he believed the revenues would cover all of the operational costs and most of the internal costs.

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CLAIMS AGAINST YAVAPAI COUNTY

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<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	1,996,487.31	Jail District	507,321.98
District 1 Park Fund	3,208.35	District 2 Park Fund	531.57
District 3 Park Fund	859.03	CERT	523.00
WMD Planner	928.53	HS 2003 Primary	1,555.30
AZ Coop Purchas. Net	7,842.23	Adult Prob Fees – 40	543.09
Public Health Reserve	1,303.20	Clinic Svs Reserve	143.84
Environmental Health	10,030.83	Susan Komen Breast H.	732.75
Medical Reserve Corps	920.53	Resep Radiation Exp.	445.40
Comm. Health Center	17,274.95	AMPPHI	1,428.27
Family Planning	4,832.77	MCH Programs	168.96
Health Promotion	2,292.33	Cost Allocation	621.32
Nutrition	1,386.89	WIC Program	16,911.18
Title X Family Plann.	1,180.96	Jail Enhancement	1,248.90
Juvenile Delinq. Reduct	11,510.96	Juvenile IPS	16,224.04
Juvenile Food Prog	2,332.41	Probation Serv	4,132.75
Adult IPS	33,249.83	Adult Probation Fees	13,521.58
Prob Enhance	45,526.19	Recorder's Surcharge	3,893.19
Indigent Def/Dg	1,583.28	Crim Just/Atty	3,435.35
Bad Check Prog	2,995.65	Juv Prob Svs	1,832.55
Commodity Fd	905.34	Hi Risk Chld HI	6,651.42
Clerk's Storage	1,378.22	HIV Counsel & Test	1,672.59
Atty Anti-Racket	2,974.34	PANT	7,979.62
Law Library	527.00	CASA	4,891.02
Case Processing	5,803.72	Childrens Jus Task F.	20.47
Prim. Care – V.V.	3,595.53	Victim Witness Prog	9,216.12
Court Enhancement	3,236.41	Council Court	5,513.86
Enhance Drug Court	2,033.38	Preserve C Att Photo	591.20
Drug Enforce. Fund	3,779.40	Probate Fund	814.76
Primary Care Services	11,809.48	PC Fees VV	494.01
Local ADR	971.94	Victims Rights Impl	3,347.24

JAIBG Juv Acct P-II	1,772.55	Yav. Indian Agree.	663.73
Dietetic Intern	598.35	Immuniz Service	2,979.71
Personal Care Svs	2,708.40	Idea-Preschool	1,397.25
Subs Abuse/DARE	511.46	Chem Abuse	798.53
Family Drug Court	746.19	Juv Det/PACE	8,700.88
Collab. Comp Rev Gr	1,444.43	Special Program	24,480.07
Sm Schools Ecia	886.72	Sm Schools Beha	20,624.54
Fill the Gap – Courts	9,299.12	Hurf Road Funds	623,130.73
Assessor Surcharge	1,881.87	Assessor App Dev	8,289.19
Health Fund	60,643.70	Jail Commissary	8,063.65
Landfill Administ.	21,506.98	Judge Pro Tem Div B	10,428.45
Water Advisory Comm	1.50	Tire Recycle	9,423.96
Safe School Pro	8,205.16	Adhs-Svs Coord	2,447.37
Local Incentive Awards	1,583.71	Fill the Gap – Attorney	4,759.43
Family Law Commiss.	6,398.77	Comm Punish Pro	8,363.98
Juven. Detent Ed Pro	1,595.66	Regnl Road Project	109,112.88
Library Auto Consor	474.19	Health Start	2,723.08
Interstate Compact Pro	2,321.70	Ryan White II	4,481.92
Prepared. Bioterror	10,472.90	St Grant in Aid	1,682.27
Primary Care Fees	17,706.97	Perinatal Block	3,100.09
Well Woman Health	3,641.75	Tobacco Educ	9,824.25
St Imple. Grant	170.83	School Reso. – Mayer	888.95
Az Region Support	1,760.48	Direct Treatment Fund	3,741.74
Mental HealthRWJF	2,668.80	Mental Health Part.	2,668.91
Field Trainer	2,293.15	Attendant Care	24,393.89
HIV/CT	31.36	Childrens Justice	182.03
Child Sup & Vis	774.72	Domestic Relations Ed	339.41
Self Service	327.54	VOCA	8,055.90
JTSF Treatment	5,504.58	Diversion Conseq.	841.50
Capital Projects	23,066.80	Sedona Airport	217,650.25
ALTCS	1,808,167.00	Help Debt Svs Loans	381,131.25

In addition, payroll was issued on April 15 for the pay period ending April 9; warrant numbers 2451871 through 2452216, in the amount of \$289,283.44. Jury certificates issued during this time; 6870006 through 6870063. Warrants issued for April 18 Board day, 4240002 through 4240428; 4240429 through 4240868.

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

ATTEST:

_____ Clerk _____ Chairman