

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

May 2, 2005

The Board of Supervisors met in regular session on May 2, 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 C14., C19., C21., C24., C26. and C39., all items on the Consent Agenda were approved by unanimous vote, upon a motion by Supervisor Davis, seconded by Supervisor Thurman. No comments from the public.

C – ADULT PROBATION

- C1. Consider approval of Notice of Intent to Extend Lease for building located at 154 S. Main Street in Cottonwood, to be effective February 4, 2006 and expire February 3, 2007, at a cost of \$32,595.40 to be paid from Building/Land Rental.
- C2. Consider approval of janitorial contract with Circle M Professional Cleaning for the Cottonwood Adult Probation building located at 154 S. Main Street for the 2005-2006 fiscal year in the total amount of \$5,880 to be paid from Outside Services. Contract amount reflects a reduction from previous contract.

C – ASSESSOR

- C3. Permission to purchase a cubicle for the Cartography department at a cost of \$3,889 to be paid from existing budgeted funds in the Capital Equipment account.

C – BOARD OF SUPERVISORS

- C4. Approve minutes of meeting of April 18, 2005, and of special meeting of April 20, 2005.
- C5. Liquor licenses for which there are no protests: (1) Series 6 Location Transfer, Flinn's Sports Bar & Restaurant, Rimrock area, Robert W. Flinn; (2) Series 6 Person Transfer, Burro Saloon, Wilhoit area, Gregory J. Senst; and (3) Series #10 Beer and Wine Store, Humboldt C Store, Humboldt area, Rachael M. Hebb.
- C6. Amend action taken on April 18, 2005, to appoint Darryl Tingler to a two-year term on the Yavapai County Food Safety Industry Council as a representative of District 1, to reflect that the appointment should have been for three years, with term to expire May 6, 2008, as recommended by the University of Arizona Cooperative Extension Service.
- C7. Appoint Randy Riesberg to the Merit Award Board as a representative of District 2, replacing Becky Stolzberg, to be effective May 18, 2005, through May 18, 2007.
- C8. Approve appointment of precinct committeemen as recommended by the Yavapai County Democratic Party as evidenced in Board Memorandum No. 2005-6.
- C9. Accept resignation of County School Superintendent Dr. Paul Street effective June 30, 2005.
- C10. Approve vouchers.

C – COMMUNITY HEALTH SERVICES

- C11. Permission to purchase five firewall devices, per Management Information Systems' request, at a cost of \$6,100 in order to become compliant with HIPAA Security rule. To be paid from Health Fund.
- C12. Permission to purchase one Computer Rack, per Management Information Systems' request, at a cost of \$3,656 to replace rack being used by department. To be paid from Health Fund.

C – DEVELOPMENT SERVICES

- C13. Extinguishment of PAD zoning and reversion to underlying zoning of R1L-18, R1L-25 and R1-25, 203-05-002B, 001 and 002A, Yarnell area, Donna M. Killoughey agent for Life Teen, Inc., #H5065. Applicant has requested approval as an emergency measure, to be effective immediately. Consideration of the extinguishment of a Planned Area Development (PAD) zoning and reversion to underlying zoning of R1L-18 (Residential; Single Family; 18,000 square foot minimum), R1L-25 (Residential; Single Family Limited; 25,000 square foot minimum), and R1-25 (Residential; Single Family; 25,000 square foot minimum) on a total of 160 acres for the project known as Life Teen. Located at the end of Shrine Road, approximately one half (1/2) mile northwest of the SR 89/Shrine Road intersection in the community of Yarnell. S10 T10 R5W G&SRB&M.

- C14. Use permit to allow the operating of a fencing business with four employees and outside storage of two commercial trucks in an RCU-2A zoning district, Tamayo Fence, 402-15-052B, Henderson Valley area north of SR 69/Old Cherry Road, Luis Tamayo agent for Luis and Rosa Tamayo, #H5038. Consideration of a Use Permit to allow the operation of a fencing business including 4 employees and the outside storage of two commercial trucks on a parcel totaling approximately 2 acres in an RCU-2A (Residential, Rural; two acre minimum lot size) zoning district. Located on the northwest corner of Purple Sage Trail and Arc Landing approximately 1½ miles north of the intersection of State Route 69/Old Cherry Road intersection in the Henderson Valley area. S28 T14N R2E G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit with the following stipulations: 1). Use Permit to be granted on a 5 year, non-transferable basis and shall be in conformance with Letter of Intent dated 2-9-05 and the Site Plan 2-8-05; 2). A maximum of 4 employees shall be allowed; 3). Section 567 Screening requirements shall be required for any outdoor storage of fencing and construction material other than vehicles and mobile equipment related to the fencing business. A vegetative screen shall be acceptable; 4). No signage shall be allowed other than what is allowed in a residential district; 5). The use shall operate in conformance with all other applicable County, State and Federal regulations. Planning Manager Elise Link presented this item, and Planning & Zoning Commission Chairman Gene Kerkman participated in discussion. Darlene Callender, Tracy Lemond and Sandra Lee all spoke in opposition to the application. Upon a motion by Supervisor Thurman, seconded by Chairman Springer, the Board voted unanimously to refer this application back to the Planning & Zoning Commission for further consideration.

Ms. Link noted that staff had received a call the previous Friday from people who said they lived about a half mile away from the subject property and who were opposed to this application. Ms. Callender said she was opposed to the application because the applicant's employees speed on the roads. She said the roads in the area were private and that the property owners paid to have them maintained. She said she also understood that the applicant had a port-a-potty on his property. Ms. Lemond said she did not live in the area but that she did own property there, and that the applicant's employees had to drive a couple of miles on the private roads to reach the subject property. She said the applicant's employees were speeding on the roads and that when they were asked to slow down they threatened the person who had asked them. Ms. Lemond said the applicant did not pay any money to help maintain any of the roads in the area, and that there were other people who lived in the area who had been told they could not have businesses at their homes. She said she had seen three or four trucks with Mr. Tamayo's employees and that he probably had more employees than he said he had. Chairman Springer asked how far it was from the pavement to where Mr. Tamayo's property was located. Ms. Lemond said it was at least two miles. Ms. Lee said she had a commercial semi tractor in her yard and that the County had told her she could not park it there. Mr. Tamayo said he was just asking for permission to park his trucks at his property. Chairman Springer told him that someone had testified that there were more than two commercial trucks going back and forth from his property. She asked Mr. Tamayo if he had four employees. Mr. Tamayo said that was correct. Supervisor Davis asked Mr. Tamayo if he had worked with neighbors on road improvements. Mr. Tamayo said yes, that money was collected for a grader. Supervisor Davis asked Mr. Tamayo if he encouraged his employees to drive less than 25 miles per hour on the neighborhood roads. Mr. Tamayo said yes. He said he did not know the people who had appeared on this day to oppose his application, that the people did not even live in the area, and that he was not the only person in the area with commercial trucks. Supervisor Thurman told Mr. Tamayo that his employees were driving by property owned by the people who had appeared on this day to register opposition. He asked Mr. Tamayo whether he had to drive through White Horse Ranch to reach his property. Mr. Tamayo said he did not. Supervisor Thurman asked Mr. Tamayo whether he had a port-a-potty at his home. Mr. Tamayo said no, but that he had had one once for a wedding. Supervisor Thurman asked Mr. Kerkman what had occurred at the Planning & Zoning Commission meeting. Mr. Kerkman said that the people who had appeared in opposition on this day were not at the Commission's meeting. He said the Commission had not felt there would be a problem with this application, but added that the Commission was not aware there was opposition. He said he was a little bit familiar with White Horse Ranch and that the roads in the area were not good for speeding and that the area was developing rapidly. Supervisor Thurman said he believed the Board had granted a use permit to the phone company to park trucks in that area, and that Ms. Lee could apply for a use permit if she wanted to do so. Mr. Kerkman said that was correct. Supervisor Thurman said the rules on home businesses were pretty clear and that Mr. Tamayo had requested a use permit for his business. He said the County did not have any jurisdiction with regard to private roads, but that on the other hand most people who run a business tend to rent commercial property. He told Mr. Tamayo that the biggest complaint he had heard was that his employees were always driving too fast, and that the property owners in White Horse Ranch pay every year to have their roads improved. Supervisor Thurman said he would prefer to send this application back to the Commission for further consideration, and that, for him, it was either that or vote to deny it. He said he would like to see more information from the neighborhood association in White Horse Ranch because the applicant had to drive through that area to reach his property and that he felt the people who lived in White Horse Ranch should be

involved. Supervisor Davis asked if it would accomplish the same thing if the Board granted the use permit on a one-year basis with administrative renewal for the other four years if there were no complaints. Chairman Springer said she thought that an operation with two commercial vehicles and four employees was a fairly heavy use for a home occupation. She asked Ms. Link where she would draw the line between a home occupation and something that would require commercial zoning. Ms. Link said that Mr. Tamayo's business was nowhere near to meeting the criteria for a home occupation and that the use was commercial. She said she believed that when the Commission recommended approval of the use permit it had felt it was appropriate to give the applicant five years to see if his business would be viable, after which he would be expected to move the business to a more suitable location. Ms. Link said that staff was under the impression that there was one additional employee who came to the subject property to pick up a truck, in addition to Mr. Tamayo's son, who lived on the property. Chairman Springer said she was inclined to agree with Supervisor Thurman, and that in order to give the applicant another opportunity to address concerns the application should go back to the Commission.

- C15. Zoning map change from RCU-2A to C2-1, Wickenburg 52, 201-11-005B, 002B, 003, 004B, Wickenburg area, Kevin Kerpan agent for Wickenburg 52 LLC, #H5042. Consideration of a Zoning Map Change to C2-1 (Commercial; Neighborhood Sales and Services) in order to allow the construction and operation of a commercial center including a grocery store, retail shops, fuel service station, fast food restaurants and a bank in a RCU-2A (Residential; Rural; two acre minimum lot size) zoning district on an approximate 23 acre portion of 4 parcels totaling approximately 53 acres. Located on the northeast corner of the intersection of Vulture Mine Rd and State Route 93 approximately 500 feet north of the Yavapai County and Maricopa County border north of the community of Wickenburg. Located in S27&28 T8N R5W G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change with the following stipulations: 1). Approval of zoning map change to C2-1 for H5042, subject to the property being developed in keeping with the applicant's letter of intent & site plan; 2). Applicant to dedicate a 50 ft. easement reserved for public roadway right-of-way for future roadway construction. Roadway easement to cross the subject property and the remainder of the applicant's property to the north of the proposed commercial center, so as to provide access from the SR 93/Vulture Mine Road intersection to the adjacent property to the north that is not owned by the applicant. Said roadway dedication to be submitted to the Development Services Department, prior to building permits being issued for the Wickenburg 52 Commercial Center; 3). Conformance with all applicable local, state and federal codes and regulations.
- C16. Zoning map change from C2 to C3, Elm Self Storage, 402-02-046 and 046A, Dewey area, Erik Hemmingway, #H5040. Consideration of a zoning map change from C2 (Commercial, General Sales and Service) to C3 (Commercial and Minor Industrial), a 2.3 acre parcel and from RS (Residential Services) to C1 (Commercial; Neighborhood Sales and Services) an adjacent ½ acre parcel and an amendment to the previously approved site plan. Located on the east side of SR 69, approximately 300 ft. north of the Kachina/SR 69 intersection in the Dewey area. S3 T13N R1E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change, with the following stipulations: 1). Approval of a zoning map change from C2 to C3 zoning for tax parcel 402-02-046 to allow for the construction of a self-storage facility. Site to be developed for the uses stated in the applicant's letter of intent and in keeping with the site plan submitted with the zoning map change application that depicts zero lot line building setbacks and aisle width waiver requested; 2). Approval of a zoning map change from RS to C1 zoning for tax parcel 402-02-046A to allow for commercial buildings and a manager's office/residence. Site to be developed for the uses stated in the applicant's letter of intent and in keeping with the site plan submitted with the zoning map change application; 3). Property to be served with a security alarm system, per CYFD recommendations.
- C17. Zoning Ordinance Amendment to Section 603.C.5.c (Light Pollution Control) of the Yavapai County Zoning Ordinance to clarify the use of mercury vapor lamps, Planning & Zoning Commission, #H5028. Consideration of an amendment to Section 603.C.5.c (Light Pollution Control) of the Yavapai County Zoning Ordinance to clarify the usage of Mercury Vapor Lamps. Following are the actual text amendments being proposed: **AMEND** Section 603.C.5.c: c. "... however, no modification or replacement shall be made to a non-conforming fixture unless the fixture thereafter conforms to the provisions of this Ordinance, except that identical lamp replacement is allowed (no mercury vapor lamp/fixture can be replaced or be found legal non-conforming). The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment to Section 603.C.5.c (Light Pollution Control).
- C18. Zoning Ordinance Amendment to Section 516 (Density Districts) of the Yavapai County Zoning Ordinance to eliminate reference for need of a use permit for a 3-story building where it is already required under the general requirements of the Ordinance; if not listed, not allowed and needs a use permit. Planning & Zoning Commission, #H5027. Consideration of an amendment to Section 516 (Density Districts) of the Yavapai County Zoning Ordinance to eliminate reference for need of a Use Permit for a 3 story building where it is already required under the general requirements of the Ordinance, if not listed, not allowed and needs a Use Permit. Following are the actual amendments being proposed:

AMEND SECTION 516 (DENSITY DISTRICTS)

B. Requirements of the Density Regulations.

Density Regulations:

A=Acres

Dist.	Min Lot Size in Sq. Ft.	Min Area per dwelling	Min Lot Width and Depth	Min Yard Setbacks Front	Min Yard Setbacks Rear	Min Yard Setbacks Interior	Min Yard Setbacks Exterior	Max Building Height Stories	Max Building Height Feet	Max Lot Coverage Percent	Min Building Spacing Feet
1	7,500	1,000	75	20	25	7	10	4(3) 2	50	50	10
2	7,500	2,000	75	20	25	7	10	3(3) 2	40	50	10

~~(3) Use Permit required to exceed two (2) stories.~~

These changes would also occur throughout the Zoning Ordinance where a copy of the density district chart is utilized for ease of reference. The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment to Section 516 (Density Districts).

C – FACILITIES

C19. Consider approval of Addendum #1 to agreement with Contract Wastewater Operations for Camp Verde Justice Facility Wastewater Treatment Plant operations to provide for automatic annual renewal of the agreement. Supervisor Davis moved to approve this item with the understanding that the agreement would be amended to make it more flexible with regard to termination. Supervisor Thurman seconded the motion, which carried by unanimous vote. NO comments from the public.

Supervisor Davis said he was hesitant about this request because the Board was looking at bids to trade out this plant and that it was also working with the Yavapai-Apache Nation regarding connection to its wastewater treatment plant. He said he would like to wait a little longer before considering this agreement. Mr. Hunt said the reason the agreement was on this day's agenda was that it had already expired. He said he was sure it would be possible to make some kind of arrangement to make the agreement for flexible. Chairman Springer said she would support moving forward with this agreement since there was nothing substantive that had been agreed to with regard to another method of operation. Mr. Hunt said he agreed, and that he believed the question was whether the agreement could be more flexible with regard to termination.

C – HUMAN RESOURCES

C20. Consider making a replacement capital outlay of \$10,500 for a new copy machine, to be paid for from unused budgeted funds, Human Resources Equipment account.

C21. Consider accepting retirement notice from Richard Straub, Public Works Director, to be effective July 29, 2005. Human Resources Director Julie Ayers participated in discussion. Approved by unanimous vote after Ms. Ayers provided a copy of the retirement notice. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

C – JAIL DISTRICT (The Board resolved into the Board of Directors of the Yavapai County Jail District and following action reconvened as the Board of Supervisors.) Reference: Jail District minutes.

C22. Permission to purchase a replacement clothes dryer for the Prescott Detention Facility in an amount not to exceed \$3,300, to be paid from existing budgeted Jail District funds.

C – MANAGEMENT INFORMATION SERVICES

C23. Permission for Andy Watson and Henri Prud'homme to take a County vehicle out of state to attend the Cisco Networkers 2005 Conference in Las Vegas, Nevada, June 19-24, 2005.

C – PUBLIC DEFENDER

C24. Permission to hire Lourdes Todd as a Journey Attorney which will underfill the position vacated by Jennifer Jordan when she was promoted to Supervisor. Interim Public Defender Janet Lincoln participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

C25. Permission to hire Ingrid Blasik as an Attorney Entry to fill open position vacated by John Bene's promotion to Attorney Journey.

C – PUBLIC WORKS

C26. Consider approval of renewal of 2004 Homeland Security Grant intergovernmental agreement with the Arizona Division of Emergency Management for acceptance of 100% grant funds through the Federal Department of Homeland Security reimbursement grant program. No County match. Public Works Director Richard Straub participated in discussion of this item. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

C27. Consider approval of Paramount Petroleum Corporation's Terminal Access Agreement with regard to the County's annual

Contract to Supply and Deliver Liquid Asphalt Products.

- C28. Consider approval of 2004-2005 revised HURF Road Upgrade Projects List for District 3, at a cost of \$80,629 to be paid from existing funds in HURF Projects account.
- C29. Award or reject bids received to Supply or Supply and Deliver Corrugated Metal Pipe in Yavapai County, Arizona, Contract No. 2513833. Bids opened April 12, 2005, with bids received from the following vendors: Arizona Culvert Company, and Contech Construction Products, Inc. Recommend awarding to both bidders at various unit prices. To be paid from HURF.
- C30. Award or reject bids received to Supply or Supply and Deliver Cover Material (Chips) and Pre-Coated Chips in Yavapai County, Arizona, Contract No. 2513830. Bids opened April 12, 2005, with bids received from the following vendors: Hanson Aggregates Arizona, Inc.; Rinker Materials (Camp Verde); Rinker Materials (Prescott); Weston Concrete & Materials, Inc.; Yavapai-Apache Sand & Rock. Recommend awarding to all bidders at various unit prices. To be paid from HURF.
- C31. Award or reject bids received to Supply or Supply and Deliver Select Material in Yavapai County, Arizona, Contract No. 2513832. Bids opened April 12, 2005, with bids received from the following vendors: Granite Mountain Design; Rinker Materials (Camp Verde); Rinker Materials (Prescott); Weston Concrete & Materials, Inc.; Yavapai-Apache Sand & Rock. Recommend awarding to all bidders at various unit prices. To be paid from HURF.
- C32. Award or reject bids received to Supply and/or Supply and Deliver Lime Stabilized Base in Yavapai County, Arizona, Contract No. 2513834. Bids opened April 12, 2005, with bids received from the following bidders: Asphalt Paving & Supply, Inc., and Rinker Materials (Phoenix). Recommend awarding to both bidders at various unit prices. To be paid from HURF.
- C33. Award or reject bids received to Supply or Supply and Deliver Hot Asphalt Concrete in Yavapai County, Arizona, Contract No. 2513831. Bids opened April 12, 2005, with bids received from the following bidders: Asphalt Paving & Supply, Inc.; Fann Contracting, Inc.; Hanson Aggregates AZ, Inc. (Clarkdale); Rinker Materials (Camp Verde); Rinker Materials (Prescott). Recommend awarding to all bidders at various unit prices. To be paid from HURF.
- C34. Consider approval of Change Order No. 1 (final) to Authorization of Services No. 2413816 with Deutsch Associates for the Ash Fork Maintenance Building Rehabilitation Project in Yavapai County, Arizona, Project No. 2413813, in the decreased amount of \$1,265.62. No County funds involved.
- C35. Consider approval of Change Order No. 3 (final) with NCCI, Inc. for the Ash Fork Maintenance Building Rehabilitation Project in Yavapai County, Arizona, Project No. 2413813, in the decreased amount of \$957. No County funds involved.
- C36. Consider approval of indemnity agreement with Jeane Albins for use of her property for a community clean-up in Black Canyon City on May 14, 2005.

C – RECORDS MANAGEMENT/MAILING SERVICES

- C37. Permission to purchase one personal computer for use with the Smart Mailer system at a cost of \$1,500 to be paid from Equipment \$5,000+ account.

C – SHERIFF'S OFFICE

- C38. Request for approval and signature on "Consent to Assignment" from AT&T Communications to GTEL Holdings, Inc. for inmate long distance pay phone calling services in Yavapai County Detention Facilities.

C – WATER ADVISORY COMMITTEE

- C39. Permission to adjust the makeup of the Water Advisory Committee's Technical Advisory Committee from 6 to 7 members, with the new addition to be an at-large position reserved for a qualified technical person from the Arizona Department of Water Resources and to request the appointment of Leslie Graser, ADWR hydrologist to that position; also appoint John Munderloh to the TAC to fill a position vacated by Carol Johnson. WAC Co-Chairman Bob Roecker participated in discussion. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

ACTION ITEMS

A – BOARD OF SUPERVISORS

- A1. Consider approval of Teresa Manning, Probation Officer Supervisor – Juvenile Probation Department, as Employee of the Month for February 2005. Joe Huot, Merit Award Board Chairman. Chief Juvenile Probation Officer Scott Mabery participated in discussion. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.
- A2. Present Becky Stolzberg with a certificate of appreciation for service on the Merit Award Board as a representative of District 2. Joe Huot, Merit Award Board Chairman.
- A3. Approve Proclamation declaring May 2005 as National Forests of Yavapai County Month. Prescott National Forest Supervisor (Retired) Mike King. Prescott National Forest Acting Supervisor Mark Johnson and newly-appointed Prescott National Forest Supervisor Allan Quan participated in discussion. Supervisor Thurman read the proclamation, after which Supervisor Davis moved to approve it. Supervisor Thurman seconded the motion, which carried by unanimous vote.

Mr. Johnson thanked the Board for this recognition of the establishment of the birthday of the Forest Service. Mr. King told the Board it had been an honor to serve as Supervisor for the Prescott National Forest for the last nine and one-half years. He said he could still remember a meeting with the Board, when Supervisor Davis had read him the riot act about things going on in the forest. Chairman Springer thanked Mr. King for his many years of service. Supervisor Davis said he also wanted to thank Mr. King. He said that in his district he also had to work with the Tonto and Coconino National Forests and that he had always found the Prescott National Forest extremely reasonable to work with. The Board also welcomed Mr. Quan.

- A4. Resolve into the Yavapai County Board of Equalization and consider petition for Notice of Proposed Correction for the 2004 tax year, Margaret A. Rambo, 407-21-003D, Cornville area. Following action, reconvene as the Board of Supervisors. Reference: Board of Equalization minutes.

A – PUBLIC WORKS

- A5. Consider approval of Authorization of Services No. 2515190 with Cannon & Associates/TranSystems Corporation for Geotechnical Services on the State Route 89/State Route 89A Traffic Interchange Project in an amount not to exceed \$32,500. Regional Road (half-cent sales tax) project. Richard Straub, Public Works Director. Approved by unanimous vote, upon a motion by Supervisor Thurman, seconded by Supervisor Davis. No comments from the public.

Mr. Straub said that in July of 2006 money would be available to build this interchange, but that because so much time had passed since the plans had been done ADOT was requiring that the soils around the bridge be evaluated again.

- A6. Consider approval of Authorization of Services No. 2515191 with Ecoplan Associates, Inc., for the Environmental Analysis Update for the State Route 89/State Route 89A Traffic Interchange Project in an amount not to exceed \$13,440. Regional Road (half-cent sales tax) project. Richard Straub, Public Works Director. Approved by unanimous vote, after Mr. Straub said this request was necessary because of the same situation described in A5., above. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.
- A7. Consider approval of Intergovernmental Agreement JPA 05-014 with the State of Arizona for joint participation in an Enhanced Project Assessment Study for the segment of State Route 89 between State Route 89A and Center Street in Chino Valley. Regional Road (half-cent sales tax) project. Richard Straub, Public Works Director. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.

Mr. Straub said that last year it had been necessary to begin preliminary engineering on this stretch of SR89, and that this intergovernmental agreement would provide for the County to be reimbursed approximately \$250,000 for that work. Supervisor Davis asked what role the Central Yavapai Metropolitan Planning Organization would plan in this matter. Mr. Straub said that CYMPO was not playing a significant role and that it was not providing any funding for this project because of urgent needs on SR 69.

- A8. Permission for road crews in District 3 to work overtime for the remainder of the fiscal year in order to complete the District's revised road project list, at a cost of approximately \$50,000 to be paid from HURF Overtime account. Richard Straub, Public Works Director. Chairman Springer moved to deny this request, and then withdrew the motion. She subsequently moved again to deny the request, but the motion died for lack of a second. Supervisor Thurman moved to approve the request with the understanding that the Board would not have any new projects for the 2005-2006 fiscal year. Supervisor Davis seconded the motion. Supervisor Thurman then clarified his motion to simply approve the request. Supervisor Davis seconded the motion again, and it carried by a 2-to-1 vote, with Supervisor Davis and Supervisor Thurman voting "yes" and Chairman Springer voting "no."

Mr. Straub said that the HURF overtime budget was not sufficient to cover necessary work and that this year had been particularly bad because of storms and the resulting repair work. He said that District 3 could like to finish a list of projects that had not been done because of the wet winter and that he believed it would cost about \$50,000 in overtime to complete those projects. Mr. Straub said there was enough money in the District 3 projects fund to cover the cost of the overtime. Supervisor Davis said past policy had been that a certain amount of money be earmarked for each project, but that salaries still came out of the permanent salaries line item instead of from funds for the project. He said that in order get the work in his district done he was asking if it would be possible use project money for overtime. Chairman Springer said she had a bit of a problem with it, and that she was wondering why it would be an issue to continue to work on District 3 projects to the extent of paying overtime when the other two districts were at a halt because their project money was being used for storm damage repairs. She asked if the District 3 projects could be carried over to the next fiscal year. Supervisor Davis said he was just trying to monitor the budget, and that he had money left over and would like to get these projects done. Chairman Springer said that next

year's budget was calling for a \$700,000 transfer to HURF and that something did not compute. Mr. Holst said that staff could adjust projects according to the Board's desire, and that to his knowledge there were no plans at this time to carry forward projects for each district but that it would be possible to do that but that it would come out of the amounts that staff had projected for maintenance next year. Mr. Holst said there was sufficient money to make transfers and that many of the emergency repairs being made would be reimbursed at least in part by the federal government. He said he did not believe all of the money would be needed for maintenance next year and that he believed there would be enough money to carry forward Board projects, or the money could be spent prior to the end of the current fiscal year. Chairman Springer said the issue was the additional payment of overtime that would be spent in a year when the County would come up short in the HURF account. Mr. Straub said it appeared that HURF might come up short this year, but that it would depend on what type of reimbursement the County received from FEMA. Chairman Springer asked what the problem would be with carrying these projects over to the next fiscal year and paying for them at straight time instead of having to pay overtime. Mr. Straub said that was an option. Supervisor Davis said his intent was that the savings from doing the projects in-house would offset the overtime issue. Chairman Springer asked why the projects could not be done in-house next year. Supervisor Davis said that would result in projects stacking up. Chairman Springer said she had a problem with paying a premium this year. Supervisor Thurman asked if there were other projects in the County that had not been finished, other than those in District 3. Mr. Straub said yes, that there were unfinished projects in all three districts. Supervisor Thurman asked what would happen to the money for those projects if it was not used in the next two months. Mr. Straub said the money was being used for emergency repairs. He said that District 3 had very little flood damage compared to Districts 1 and 2, and that he had brought the request for overtime forward because the situation was a little unusual. He said he had a basic rule to not use overtime for construction but instead to reserve it for emergencies. Supervisor Thurman asked if a list of projects for 2005-2006 for each Supervisor district had been prepared. Mr. Straub said he had a five-year list but that everything was on hold until something firm would be known about the emergency repairs. Supervisor Thurman said that if the projects in District 3 were 95% complete then they needed to be finished and he asked if that was what the \$50,000 was for. Mr. Straub said the projects had not been started yet. Supervisor Thurman asked whether there was an immediate need to do the projects and whether they could be started in July. Mr. Straub said he was not aware of any emergency related to the projects. Mr. Holst said there had been discussions about not budgeting for projects next year in order to reserve funds for maintenance. He said that normally any money left over from projects would be rolled back into the HURF fund for the following fiscal year, and that staff would look to the Board to re-budget projects that were stopped in the current fiscal year. Supervisor Thurman said that his priority for the 2005-2006 fiscal year was not to do any new projects but to do maintenance because the roads were so badly in need of it, and that the Board might not allocate that \$50,000 to District 3. Chairman Springer said she thought it had been an unusual year because of storm damage and that the maintenance program had been a little lax, and that for those reasons she did not support the request to use project money for overtime. Supervisor Thurman said he did not want any district to have project money next year, and that he did not know what Supervisor Davis might have told people in his district about the projects he was now asking to complete. Supervisor Davis asked Chairman Springer if she was suggesting that he carry the money over for projects next year. Chairman Springer said if he was talking about \$637,000 the answer was no. Supervisor Davis said he wanted to say he did not believe the County had been lax in keeping up with road maintenance. Chairman Springer said it was her understanding that Supervisor Thurman's motion to approve this request was with the understanding that all of the money next year would go for maintenance and not for projects. Supervisor Thurman clarified his motion, saying he merely wanted to approve the request.

A – WATER ADVISORY COMMITTEE

- A9. Presentation and discussion regarding the future role of the Water Advisory Committee and possible approval to fill the vacant WAC Coordinator position. WAC Co-chairs Jane Moore and Robert Roecker, and interim Coordinator John Munderloh. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

Mr. Munderloh handed out a printed PowerPoint script, saying that in the interest of time he would not make a long presentation on this day. He said the WAC was continuing to do work and that it would be receiving its first major installment of studies at its May meeting in Jerome. He said that in December of 2004 the Board had directed the WAC to develop feedback from the various communities around the County and that the WAC had been engaged in that process. Mr. Munderloh said the WAC did not want to be held back because of the Verde River Partnership provision of the Yavapai Ranch land exchange bill, which he said he understood was stalled anyhow. He said the WAC would like to hire a Coordinator with similar

duties and qualifications as the previous Coordinator and that it would like the County to continue to provide space and benefits for that person. He said that although a salary range had not been discussed, in 2000 the salary was set at between \$55,000 and \$65,000 and that he believed it would probably need to be set between \$60,000 and \$70,000 now. Mr. Munderloh said that if the Board approved this request the TAC would like to meet with someone from the County's Human Resources Department to talk about how to go about hiring someone. Supervisor Davis asked if there was a proposal for a selection committee. Mr. Munderloh said he would talk with the TAC but thought it would be pretty much the same process as last time. Supervisor Davis asked about the condition of the WAC budget with regard to salary, saying he felt the salary level was probably more a WAC decision than a Board decision. Mr. Munderloh said the WAC budget was doing fine, and that the cost of studies had decreased over time while the share from the partners had increased. Supervisor Davis said he thought the Board members were probably all in agreement on this request. Mr. Holst said he recalled that the prior process to choose a Coordinator was that the WAC would do whatever was necessary to assist the Board in the selection process, but that he was sure it was the Board of Supervisors that actually hired the person and set the salary because that person would actually work for the Board. Chairman Springer said she did not think there was any question that the Board supported the WAC, and that she did not think the issue was eliminating the WAC but rather clarifying the role of the WAC if the Title II legislation in the land exchange bill passed. She said that, ideally, the WAC would be able to convince the Secretary of Agriculture to allow it to participate in the formation of the Title II committee, but that it would be better to form that as a subcommittee of the WAC because it would require a broader stakeholder position. Chairman Springer said that with regard to hiring a new Coordinator, she would like to see the WAC come up with a couple of people who could work with the Human Resources Department to determine criteria, accept applications and screen applicants and then have those applicants come back to the Board. She said she believed that Mr. Munderloh should be part of that group as well as two people from the WAC. Supervisor Davis said he thought the TAC could review the applications. Ms. Moore said the WAC had decided at its last meeting that it wanted to move forward with this as soon as possible, and that if the TAC could review the applications and Mr. Munderloh and two WAC members could work with Human Resources it would be a good thing.

HEARINGS

H – DEVELOPMENT SERVICES – Planning & Zoning Commission Chairman Gene Kerkman was present to represent the Commission.

- H1. Use permit to allow the operation of a vacation rental cabin in an R1-25 zoning district, Schoenfeldt Vacation Rental, 205-13-005E, Walker area, Charles and Carol Schoenfeldt, #H5036. Elise Link, Planning Manager. Consideration of a Use Permit to allow the operation of a vacation rental cabin on a 30,109 square foot parcel in a R1-25 (Residential; Single-Family; Site Built, Multi-Sectional and Manufactured; 25,000 square foot minimum) zoning district. Located on Pine Mountain Rd., approximately 6.5 miles south of the Walker Road/S.R 69 intersection in the community of Walker. S20 T12½N R01W 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 in conformance with the letter of intent and site plan dated January 19, 2005; 2). Waiver of screening requirement; 3). Per Environmental Unit requirements, no additional septic flows allowed without permitted system addition; 4). Proposal to be in conformance with all other applicable codes and ordinances. David Riggs spoke in opposition to this application. Bill Morgan spoke in favor of it. Verda Mae Morris, John Horvat, Peggy Zink, Gene and Toni Tomek, and Keith Barwick all submitted written comments in support of the application. Supervisor Thurman moved to approve the recommendation of the Planning & Zoning Commission. Supervisor Davis seconded the motion, which carried by unanimous vote.

Ms. Link told the Board that access to the subject property was via a primitive, unimproved road and that the parcel, which she said was created prior to zoning, was currently zoned R1-25. She told the Board that most customers came in the summer, and that one letter of opposition had been received from someone who lived along Pine Mountain Road and who expressed concern about traffic. Ms. Link said staff had also received 20 letters of support from neighbors and from other residents in the area. She said the use permit would be non-transferable and therefore good only so long as the property was owned by the applicant. She added that no concerns had been expressed by any reviewing agencies or County departments. Mr. Riggs said he was speaking on behalf of his brother, who had lived in the area for five years but who could not be here on this day due to illness. He said he did not have a problem with the application and did not believe his brother did, either, except for the traffic it would generate. He said his brother had asked him to convey to the Board that the area had been rural residential for many years and that approval of this application would change the area and would amount to opening the door to spot zoning. Mr. Riggs said that if the community wanted a small bed and breakfast operation it was fine, but that it would open the door to more changes later on and that he knew it would result in increased traffic. Mr. Morgan said he and his family

liked this operation because it provided a place for relatives to stay when they come to visit. He said that if the applicants sold the property to a permanent resident there would be even more traffic.

- H2. Use permit to allow the operation of a bed and breakfast in an RCU-2A zoning district, Schoenfeldt Bed and Breakfast, 205-13-006, Walker area, Charles and Carol Schoenfeldt, #H5056. Elise Link, Planning Manager. Consideration of a Use Permit to allow the operation of a Bed and Breakfast on a 25,244 square foot parcel in a RCU-2A (Residential; Single-Family; Rural; 2-acre minimum) zoning district. Located on Pine Mountain Rd., approximately 6.5 miles south of the Walker Road/S.R.-69 intersection in the community of Walker. S20 T12½N R01W 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 in conformance with the letter of intent and site plan dated January 19, 2005; 2). Per Environmental Unit requirements, no additional septic flows allowed without permitted system addition; 3). Proposal to be in conformance with all other applicable local, state and federal codes and ordinances. Upon a motion by Supervisor Thurman, seconded by Supervisor Davis, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission. There were no comments from the public.

Ms. Link noted that the applicant in this case was the same applicant as that in hearing application #H5036 (above) and that it was basically the same request. She said the reason for the use permit in this case was that this particular bed and breakfast did not meet all of the criteria that would allow it to exist as a matter of right. She added that the subject property was the applicant's primary residence and that screening was not required.

- H3. Use permit to allow the operation of a horse boarding facility in an RCU-2A zoning district, McFarlan Horse Boarding, 306-02-318L, Chino Valley area, Mandy McFarlan, #H5030. Elise Link, Planning Manager. Consideration of a Use Permit to allow the operation of a horse boarding facility on a four (4) acre parcel in a RCU-2A (Residential; Single Family; Rural; 2-acre minimum) zoning district. Located on Road 1 South, approximately 2.4 miles west of S.R.-89 in the vicinity of Chino Valley. S29 T16N R02W G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit, with the following stipulations: 1). Use Permit to be granted on a ten (10) year, non-transferable basis. Development shall be in conformance with the letter of intent dated January 14, 2005, amendments dated February 03, 2005, and site plan; 2). Waiver of solid screening requirement; 3). Waiver of parking surface improvement requirement; 4). Applicant to adhere to manure abatement plan; 5). Development shall conform to all other applicable codes and ordinances. Upon a motion by Supervisor Davis, seconded by Supervisor Thurman, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission, except to change the use permit from allowing 10 horses to allowing 8 horses.

Ms. Link located this property just west of the corporate limits of the Town of Chino Valley, saying that the applicant was requesting a maximum of ten horses and also wanted to provide riding lessons for children in the neighborhood. She said the reason for the use permit was that horse boarding is considered an industrial use. Ms. Link told the Board that the maximum number of horses allowed on four acres would be eight. She said that six letters of support had been received from neighbors and that a new letter had been received from someone who was purchasing the four acres adjacent to the applicant's property and that the new letter expressed support for the application. Ms. Link said that just prior to the Commission meeting staff had received a petition of opposition signed by 18 individuals. She noted that the Commission had recommended a ten-year non-transferable use permit and that the applicant was fine with that. She added that the Town of Chino Valley was supportive of the request and that the request also included a waiver of parking and screening requirements because of the size of the property. Chairman Springer told the applicant, Ms. McFarlan, that she was a little concerned about exceeding two horses per acre and that in Ms. McFarlan's original letter she had told neighbors that she only wanted eight horses. Chairman Springer asked why that had changed. Ms. McFarlan said there was an existing ten-stall barn on the property and that she figured since she had to pay an application fee anyhow she might as well ask to have ten horses. Chairman Springer said she would prefer that only eight horses be allowed and this would make it less likely that Ms. McFarlan would have problems in the future.

H – HUMAN RESOURCES

- H4. Consider establishing a \$125 annual fee for service for the administration of the Retiree Insurance Subsidy Program, a program for retired County employees. Julie Ayers, Human Resources Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Thurman. No comments from the public.

H – PUBLIC WORKS

- H5. Consider renewing a water franchise agreement with Walden Meadows Community Co-op, Inc. Richard Straub, Public Works Director. Approved by unanimous vote. Motion by Supervisor Thurman, second by Supervisor Davis. No comments from the public.

STUDY SESSIONS

S – BOARD OF SUPERVISORS

- S1. Discussion regarding the process for filling County School Superintendent position that will be vacant as of June 30, 2005. Human Resources Director Julie Ayers and Deputy County Attorney Randy Schurr participated in discussion, as did Clarkdale resident Becky O'Banion and former Sedona-Oak Creek School District Superintendent Dr. Nancy Alexander.

Chairman Springer said the Board was not happy about losing current County School Superintendent Dr. Paul Street. Supervisor Davis said he thought this was an unusual opportunity because the office of County School Superintendent is an elected office and the Board does not have a say in who will fill the position, other than casting a vote at the ballot box. He said this was an opportunity for the Board to evaluate the health of schools in Yavapai County and to look at how the County might become better with the administration of school services. Supervisor Davis said that he had asked Ms. O'Banion and Dr. Alexander to be present on this day to talk about how the school system in the County might be evaluated. Ms. O'Banion said she had served two terms as a member of the Sedona-Oak Creek School District Board of Trustees. Dr. Alexander said she and Ms. O'Banion had approached Supervisor Davis at the end of March, mostly because they wanted to help the County. She said that if their efforts were viewed as assistance, they would volunteer to help and that if their efforts were not viewed that way it was fine also. She said that up until 2002 the County School Superintendent's office was primarily a regulatory office but that after that time it became an education service agency. Dr. Alexander said that Dr. Street had done a good job with it, but that an ESA required a different kind of leader. She said that she and Ms. O'Banion proposed talking with charter schools and home schoolers as well as with school districts to find out what they need and that using that information they would develop a leadership profile. She said they would look at developing an application that would ask the right questions and work with Human Resources on it. Dr. Alexander said she and Ms. O'Banion knew the educational community in the County and that they could provide a point of view different from someone working in a County institution. Chairman Springer thanked Ms. O'Banion and Dr. Alexander for their proposal. Supervisor Davis said that usually the person who sat in the County School Superintendent's office was there as the result of campaigning and political work and that the opportunity for the Board to look at moving forward to help serve schools was unique, but that he had realized he had no background to do that other than being a parent. Supervisor Thurman said he thought it was a very good idea, adding that he had been raised in a family of educators. He said that if the Board created a committee for investigating applicants he would like to see it consist of more than two people. Chairman Springer said she thought Supervisor Davis was correct, adding that the appointment would be to fill the position only until 2006. She said being appointed to the position would give a person quite an advantage with regard to running in the 2006 election, and that she felt the Board needed to go to the extreme to make the process as open as possible and obtain as broad a group of applicants as possible. Chairman Springer stated that the basic requirements to fill the position were that the person must be a resident of Yavapai County, a registered Republican, and hold a basic or standard teaching certificate. She said that Mr. Hunt's opinion was that a basic or standard teaching certificate did not include a substitute certificate. Chairman Springer said it would be her recommendation that the Board consider appointing one person from each Supervisor district who is not currently employed in the educational system to work with Human Resources to develop criteria and go through applications. She said she believed that timing was of the essence because even though Dr. Street was not actually retiring until June 30 he would physically be leaving the state now. Supervisor Davis said he believed that what Ms. O'Banion and Dr. Alexander were looking at was just doing an assessment of the system in Yavapai County, and that perhaps they could do reconnaissance and hand that information to the selection committee. Chairman Springer said the Board was faced with a time constraint. She said she believed that Ms. O'Banion's and Dr. Alexander's ideas were good but did not see why they could not be implemented with the Human Resources Department. Supervisor Thurman asked Dr. Alexander if she wanted to work in a group that would suggest who the Board would hire or whether she was just looking at developing the parameters of a resume. Dr. Alexander said she and Ms. O'Banion had not gotten that far along, but that they could develop a nice profile for a committee. She said she had hoped to look at something a little different than the traditional County School Superintendent because the office was an ESA and therefore would be more customer service oriented than regulatory. Supervisor Thurman said that someone would need to be hired pretty quickly. Chairman Springer said she did not necessarily see that the information that Dr. Alexander and Ms. O'Banion would compile had a great deal of bearing on who would apply for the position and whether or not that person would implement the policies they recommended. She said she thought their intention was very good and probably would provide some good information for the Board she did not see it playing out quite the way they had anticipated. Dr. Alexander said it could be recommended

to the new County School Superintendent that the policies would be good steps to take. Chairman Springer said she thought the Board would be overstepping its boundaries if it even suggested what the agenda should be for the person taking on an elected official's position, regardless of whether that person was appointed or elected. She said she thought the information that Dr. Alexander and Ms. O'Banion proposed to provide would be good information but that the idea of setting it out in any way, shape or form as criteria for appointment made her very uncomfortable. Dr. Alexander acknowledged that she and Ms. O'Banion had made an assumption in that regard. Supervisor Davis said he thought that process took place even in elections. Chairman Springer said that if the Board members each agreed to appoint someone from their respective districts to assist in the process, she thought Dr. Alexander's and Ms. O'Banion's ideas could come out in committee discussion. Supervisor Davis asked if Dr. Alexander and Ms. O'Banion could work with Human Resources, saying they were taking a scientific approach to let the Board know what kind of shape the school system was in and that the Board could look for a person who set a direction more in line with the Board's focus. Ms. O'Banion said she thought that assessing needs County-wide would also encourage applicants to apply who might otherwise not apply. Chairman Springer said the County had an excellent Human Resources Director and that it was her job to deal with these types of things. She said she did agree that someone should be working with Human Resources but that she did not think there should be something developed independently of the County. Mr. Hunt said that, given the time frame, it would be a good idea for Human Resources to go ahead and prepare a solicitation for applications. Ms. Ayers said she had spent quite a bit of time with Dr. Street reviewing programs that are statutory and also the services provided by the department as an ESA. She said that if the Board wanted someone to start no later than July 1 it would probably take no less than three weeks to do interviews. She said she could do a statewide search, adding that it was her understanding that the person who filled the position would have to be a resident of Yavapai County on July 1. Supervisor Davis asked what the law was on filling vacancies. Mr. Schurr said the Board did not have to fill the vacancy by July 1. Supervisor Thurman asked if it would be possible for Ms. Ayers to screen it down to five applicants if 20 people applied. Ms. Ayers said the Board could tell her how many they wanted to see. Supervisor Thurman asked Ms. Ayers if having a committee comprised of one person from each Supervisor's district sounded suitable for a selection committee. Ms. Ayers said it did. Mr. Hunt asked if it was the Board's intent to consider applicants who were not currently residents of the County, adding that Ms. Ayers was proceeding on a presumption that this would be a statewide search. Chairman Springer said her personal position was that applicants should be current residents of the County. She said that person who would contemplate running for office would not generally move to the County just to run for office. Supervisor Davis suggested using the same guidelines required of someone running for the office. Mr. Schurr said it would be possible to include in the advertisement a statement that the Board will consider current residents of Yavapai County. Supervisor Thurman said that if only one or two applications were received he would change his mind about who could apply. Chairman Springer said she did not think there would be a shortage of applications.

S2. Discussion regarding replacement of Richard Straub, Public Works Director, who will retire on July 29, 2005. Human Resources Director Julie Ayers and Deputy County Attorney Randy Schurr participated in discussion of this item.

Ms. Ayers said she was looking at a potential time frame for filling this position and that one of the first things to consider was whether there would be any change to the position and whether there were any internal candidates that the Board might want to consider. She said she believed that Mr. Straub had someone in mind. Mr. Straub said that several years ago the Board had asked department heads to consider who might eventually replace them. He said he had been mentoring several people for the last few years and that there was one person who was an excellent candidate to fill his position. Mr. Straub said there was a great deal more to being the Public Works Director than having technical skills, and that it would take someone who was not only a technical person but who also had excellent people skills, communication skills and political skills. He said he felt that Assistant Public Works Director Phil Bourdon was an excellent candidate for the position, adding that he did not think it made much sense to bring someone in from the outside. He said Mr. Bourdon was an excellent candidate and that he would certainly give him his recommendation. Supervisor Thurman asked if there was a state statute that would require the County to advertise for the position. Mr. Schurr said that current County policy allowed for internal promotion, but that if the Board did not want to do that it would need to advertise. He said his preference would be to have someone who was already familiar with public works issues in Arizona. Supervisor Davis said he would like to see a proposal on the progression of advances in the department, i.e., if Mr. Bourdon was appointed as Public Works Director, who would fill his position and so on. Chairman Springer suggested that the Board include on its next regular meeting agenda an item for an executive session related to this issue. Mr. Straub said he would not anticipate a lot of changes if Mr. Bourdon was appointed, but that he would put something together for the Board's review.

- S3. Review of proposed departmental budgets for the 2005-2006 fiscal year for the following departments, to be followed by a wrap-up of the day's budget discussions:

Prescott Constable – Mr. Holst presented this budget.

Mr. Holst said that Constable John Watson had expressed to him concerns that the ability of one person to keep up with the Constable's duties for the Prescott Justice Precinct was beginning to become something of a challenge. He noted that several years ago the Board had increased the size of the Prescott Precinct by making the Mayer Justice Precinct smaller and that at some point there might be a change in the precinct boundaries to return them to something more closely resembling what they used to be. He said that aside from that concern, Mr. Watson's budget was pretty much the same as it was for the 2004-2005 fiscal year.

Public Fiduciary – Public Fiduciary Patricia Ian presented this budget.

Ms. Ian began by saying that every county in the state has a Public Fiduciary to serve when there was no one else willing or able to serve as a guardian or conservator. She said there had been an unwritten policy in Yavapai County that the Public Fiduciary would only provide services to people who do not have the money to secure private assistance, and that the Public Fiduciary would not compete with the private sector. Ms. Ian said that sometimes the courts tried to persuade the Public Fiduciary to take some difficult cases and that sometimes she had taken them on a limited basis in order to straighten out a case. She said her office did all of its own legal preparation and that the County Attorney signed documents and represented the Public Fiduciary in court. Ms. Ian said for that reason she was requesting an upgrade of her Records Clerk position to a Legal Secretary position, adding that the Records Clerk was doing follow up work with doctors and attorneys, taking care of court filings, getting notices out and so on. She said she felt very strongly about this request, but that aside from that there was not much change in her budget over the current fiscal year. Ms. Ian explained that she had a few people on a residual program who were in nursing homes and that the number of people was growing smaller as people either passed on or became eligible to receive services through Medical Assistance. She noted that she had asked for more money in the Travel account because she and the people in her office had to maintain certification as fiduciaries. She said it was a statutory requirement and that they could not appear in court or make decisions for clients unless they were certified. Supervisor Thurman asked Ms. Ian if she saw her office growing larger in relation to the percentage of increase in the County's population. Ms. Ian said she thought so, and that the courts wanted to see guardianship or conservatorship only if there was no other alternative. Supervisor Thurman asked about reimbursement for services provided by the Public Fiduciary. Ms. Ian said her office had a fee schedule approved by the court and that she received some money from each estate. She said her office collected approximately \$64,000 last year and that she believed it would be more this year. She said she was going to propose a higher fee schedule this year but that it might not make much difference because so many people could not afford to pay much.

Medical Assistance/Long Term Care – Medical Assistance Director Mona Berkowitz presented this budget.

Ms. Berkowitz told the Board that her budget was not part of the General Fund, and that her department provided services to people on the Arizona Long Term Care program. She provided the Board members with a spreadsheet showing the department's profits from 1993-94 through 2004-2005. She noted that for the first year only 20% of the department's clients were in Home and Community Based Services (HCBS) and that upon reaching a higher percentage of clients in HCBS the department began to make money and was able to distribute money back to the County. Ms. Berkowitz said that in the last couple of years there had been a loss because the department did not reach its HCBS target, but that she thought by June 30 of the current year the department would be back to the good by about \$150,000 or more. She said she thought the federal fiscal year would show a profit of about \$250,000. Ms. Berkowitz said the program was very important in the area of HCBS, with about 59% of the department's clients being able to participate instead of having to be in nursing homes. She said there were some people in nursing homes whose physical condition made it too risky to move them into the HCBS program. Chairman Springer asked if a decline in the program might also be due to more affluent retirees moving into the area. Ms. Berkowitz said that was true, and that those retirees were also healthier. Supervisor Thurman asked about the 3.3% HCBS variance. Ms. Berkowitz said she was doing some things to help offset that. She said that AHCCCS was also concerned about it and had indicated it would make some changes. Supervisor Thurman asked Ms. Berkowitz if she had compared her department's situation with other counties. Ms. Berkowitz said the drop

was a statewide trend, adding that 60% of people in HCBS was very good and that there was no other state in the country with that many people in HCBS. Chairman Springer asked who would pick up the difference if the department ended up in the red. Ms. Berkowitz explained that there was an equity fund containing \$2,000 for each member. She said she had not had to go into that fund yet but that she had told AHCCCS that she was concerned about that possibility. She said the fund was to cover in the event the program came up short and that it was 58% by the federal government, 24% by the County and 8% by the state. Ms. Berkowitz said she had not asked for any new positions in her budget and was asking only for some equipment. Mr. Holst said that the equity fund was the County's money, but that the County would receive the money only when the program ended. Ms. Berkowitz said she was hoping to be able to provide a better distribution of money to the County next year, adding that the Board would also need to decide in February whether to bid on the contract again. She said there would be competition for the program. Supervisor Thurman asked if he understood correctly that the County was taking a risk that if the department ended up not whole the Board would have to dip into the General Fund, but that if the program was operated by private enterprise there would be no such risk. Ms. Berkowitz said that was correct.

Library District (the Board resolved into the Board of Directors of the Yavapai County Free Library District and following discussion reconvened as the Board of Supervisors) Reference: Library District minutes.

Facilities – Facilities Director Pat Kirshman and Assistant Facilities Director Sandy Stazenski presented this budget.

Mr. Kirshman said he was not requesting any new positions. He said that in his memo to the Board he had outlined some of the challenges of working around the jail and the courts. He then proceeded to review each line item. In discussing custodial contracts, Mr. Kirshman said that last week he had done a quick survey to see whether departments were satisfied with the services being provided and that he was pleased with the responses he had received back. He said he was managing more contracts and that the turnover rate was somewhat high and that as a result there was sometimes a fluctuation in the quality of service but that generally the responses from the departments were that people were pretty happy with the services being provided. He said that he would probably not want to consider making a change with regard to custodial services at this time. Turning his attention to program change requests, Mr. Kirshman said he had spoken with Superior Court Administrator Debi Schaefer about having paper products and cleaning supplies for the courts put into the court's budget rather than keep it in the Facilities budget. He noted that there were two County custodians for the Courthouse. Chairman Springer asked if there was a security issue that would prevent the courts from using contract custodial services. Mr. Kirshman said the courts felt they had better security by having their own custodians on staff and that it had worked well for them. During discussion of an increase in supplies, Mr. Kirshman said this was the result of buildings that had been picked up last year. Mr. Kirshman continued reviewing his program change requests, which included vehicles, a steel cabinet for storing blueprints and as-builts, a compactor, gas-powered pole tree pruner, ladders, a power floor cleaner for use on the Courthouse Plaza, and a laser printer. Supervisor Thurman said that when a building was repaired or items related to a building were replaced, it was important to keep in mind that in another three years the County might not own the property anymore. He asked Mr. Kirshman if he was doing repairs that would be good for 20 years. Mr. Kirshman said there were many repairs pending at the Marina Street building and also at the Juvenile Detention Center, but that he was holding off them because of questions about how long the County would have those properties. Supervisor Davis asked Mr. Kirshman if he worked with the road department on chip seal projects. Mr. Kirshman said he had met with them but that he was not comfortable with some of the numbers he had been given. He said he could not imagine that it would cost \$82,000 to chip seal the parking lot at the Cottonwood administration building.

Development Services and Flood Control (the Board resolved into the Board of Directors of the Yavapai County Flood Control District and following discussion reconvened as the Board of Supervisors. Reference: Flood Control District minutes.) Development Services Director Ken Spedding and Administrative Assistant Gaby Stelmach presented these budgets. Assistant Development Services Director Enalo Lockard and Finance Director Mike Danowski participated in discussion.

Mr. Spedding said that four years ago Development Services was established to put all related services into one department, and that what his department strived for was to follow the County motto of "prompt, courteous and efficient service." He said the department was funded largely by user fees and that by having user fees there was a reduction in the department's dependence on the General Fund. Mr. Spedding said that last year the department was able to cover 93% of its costs with user fees and that he anticipated that costs would be covered at 100% or more this fiscal year. Chairman Springer asked whether the department's costs included vehicles and vehicle operating expenses and other expenses such as utilities. Mr. Spedding said that Mr. Danowski could provide information on indirect costs for several things and that

he already had a request in to Fleet Management for information on vehicle costs. Chairman Springer said that at first she thought the high percentage of costs being covered by user fees was pretty good but that the department should probably be striving for 130% or more to cover indirect costs and vehicle costs. She said she thought the Board needed to look at this as trying to recapture 100% of the department's expenses. Mr. Spedding noted that the Flood Control District did pay those indirect costs. Supervisor Thurman asked when the automated inspection services would begin. Mr. Spedding said that staff was working on it and trying it out, and that people seemed to be happy with it. He said he thought it would be ready to go soon. Supervisor Thurman said he would like to see that in place before going County-wide on the building codes. Mr. Spedding said his overall budget was about 8% higher than the current year but that about 6% of it was attributable to increases in state retirement, the inclusion of 1% for merit increases, and increased in health insurance. He said that increases in the Outside Services account included \$50,000 for abatement of properties, adding that there were three or four of them in the County that were just not going to get cleaned up any other way and that it would cost \$11,000 to \$12,000 for each of them. Supervisor Thurman asked if those properties also presented a problem for neighborhoods because of rats and so on. Mr. Spedding said yes. He noted that there was also about \$15,000 included in Outside Services for outside engineers and consultants. He said the Travel line item was also up, largely due to the need for certifications. Chairman Springer asked if it had been standard County policy to pay travel expenses for employees to become re-certified. Mr. Holst said that in general the County had paid those expenses, but that even bar dues had come as a question in the past. Chairman Springer asked if there were any exceptions to that policy. Mr. Danowski said that he could not think of any, and that if the County required an employee to be certified the County paid for the expenses associated with the certification. There was brief discussion regarding replacement of a microfiche reader, with Chairman Springer asking Mr. Spedding to check with the Recorder's Office to see if they had any old ones that he might have. Discussion turned to program changes, with Mr. Spedding saying he was requesting positions that would allow him to improve his department's level of service and provide for going County-wide with the building codes. He said that with County-wide building codes the user fees would generate just over \$800,000, and that he believed the department could generate enough revenue to cover the cost of his program change requests. Mr. Holst said there was about \$380,000 in program change requests related to expanding the building codes County-wide and that he had estimated \$500,000 in revenue to the department. He said the total of all of Mr. Spedding's program change requests was \$738,000 and that he had netted out \$500,000. Mr. Spedding told the Board he was also requesting a Business Manager. He said his department had 86 employees and that he, Ms. Stelmach and Mr. Lockard were all kept very busy trying to keep up. He said he envisioned a Business Manager taking over many of the responsibilities for budgeting, for handling the Flood Control District, and for doing other things. He said his department used to have a Senior Planner position and that he was requesting such a position again. He said this position could help with training and with dealing with requests for assistance from County commissions such as the Trails Committee. He said that he had also worked with Human Resources on a request for an Environmental Health Specialist III to help with training and other issues. Mr. Spedding said he was also requesting a vehicle for himself, but that he would make the vehicle available to others in his department and in other departments. He said he was also requesting a scanner/printer for the Building Safety division and \$130,000 for the Verde Valley Regional Plan, adding that Mr. Lockard and Supervisor Davis had been working with communities in the Verde Valley on that plan. Chairman Springer asked if the cities and towns in the Verde Valley were putting up money for this plan. Supervisor Davis said he and Mr. Lockard had just started making the rounds with the jurisdictions. Mr. Lockard said that Cottonwood, Clarkdale, Sedona and Camp Verde had each included money in their budgets for the regional plan, and that the amount to be contributed by the jurisdictions was based on population. Chairman Springer asked what the County's population was compared to the other jurisdictions. Mr. Lockard said the County would be picking up the lion's share of the cost. He said the total cost estimate for the project was about \$150,000. Chairman Springer said this was a new concept that the greater the vested interest for the jurisdictions the more likely they would be to stick with the project. Mr. Spedding said he thought the County's share would be closer to \$120,000, adding that the County was trying to take the lead on this project but wanted the cities and towns to pay something toward the project. Chairman Springer asked if there were grants available for this type of project and whether anyone had made application for grants. Mr. Spedding said he had not applied for grants on this project pending what the cities and towns would do. Chairman Springer said she thought it would be a good idea to look into it and at least apply for some assistance.

Wrap-up related to budget.

Looking forward to the May 9 and 10 special meetings of the Board to continue budget discussions, Chairman Springer said she thought the Board should plan to discuss the overall picture and what it would

like to see as far as budget priorities. She said she thought one of the things the Board would need to do would be to talk about how much it wants to spend on the Early Disposition Program in the courts. She said that what she would like to do, if no one objected, would be to ask departments to be present to participate in these meetings. Chairman Springer said she thought the department heads needed the opportunity to respond to whatever the Board had to say, and that it seemed to her that if the Board was going to make some pretty substantial decisions with regard to policy that department heads had the right to know about it and to address the Board. She said she was thinking that Monday morning the Board could begin with policy issues and that she believed it would be possible to make good headway. There was general agreement that department heads should attend the meeting.

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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	2,031,875.20	Jail District	310,290.06
District 1 Park Fund	536.93	District 2 Park Fund	361.38
District 3 Park Fund	1,655.60	WMD Planner	568.78
HS 2003 Primary	11,070.00	HS 2003 Supplement.	10,665.27
Improvement of Ed	1,958.95	AZ Coop Purchas. Net	8,345.05
Adult Prob Fees – 40	272.16	Public Health Reserve	44.25
Environmental Health	10,014.62	Susan Komen Breast H.	737.85
Medical Reserve Corps	572.07	Resep Radiation Exp.	442.94
Comm. Health Center	20,742.17	AMPPHI	1,152.36
Family Planning	4,224.10	MCH Programs	2,481.59
Health Promotion	2,057.54	Cost Allocation	3,961.21
Nutrition	1,198.89	WIC Program	15,047.39
Title X Family Plann.	785.72	Jail Enhancement	1,490.67
Juvenile Delinq. Reduct	11,287.66	Juvenile IPS	13,946.66
Juvenile Food Prog	2,355.46	Probation Serv	3,656.64
Adult IPS	29,456.33	Adult Probation Fees	11,775.96
Prob Enhance	35,726.34	Recorder's Surcharge	6,797.88
Indigent Def/Dg	1,402.25	Crim Just/Atty	2,890.34
Bad Check Prog	3,496.47	Juv Prob Svs	1,642.01
Commodity Fd	793.56	Hi Risk Chld HI	6,381.16
Clerk's Storage	1,107.96	HIV Counsel & Test	2,960.64
Atty Anti-Racket	4,727.85	PANT	6,221.06
Law Library	10,822.76	CASA	4,289.26
Case Processing	5,320.49	Childrens Jus Task F.	2,729.53
Prim. Care – V.V.	4,373.55	Victim Witness Prog	7,822.93
Court Enhancement	1,602.55	Council Court	4,046.63
Enhance Drug Court	3,312.66	Preserve C Att Photo	76.33
Drug Enforce. Fund	3,423.07	Probate Fund	1,316.16
Primary Care Services	10,666.69	PC Fees VV	382.49
Local ADR	1,520.91	Victims Rights Impl	2,890.16
JAIBG Juv Acct P-II	1,561.30	DUI Abatement 2005	951.96
Dietetic Intern	1,040.29	Immuniz Service	2,785.56
Personal Care Svs	2,433.76	Idea-Preschool	1,239.82
Subs Abuse/DARE	450.97	Chem Abuse	712.48
Family Drug Court	1,242.43	Juv Det/PACE	3,992.83
Collab. Comp Rev Gr	1,893.04	Special Program	24,576.09
Sm Schools Ecia	803.58	Sm Schools Beha	18,003.22
Fill the Gap – Courts	5,368.98	School Facilities	24.47
Hurf Road Funds	391,802.32	Assessor Surcharge	2,183.70
Assessor App Dev	7,570.47	Health Fund	57,794.41
Jail Commissary	5,716.97	Landfill Administ.	44,915.69
Judge Pro Tem Div B	10,211.91	Tire Recycle	16,398.96
Safe School Pro	7,311.96	Adhs-Svs Coord	6,721.61
Local Incentive Awards	1,351.34	Fill the Gap – Attorney	4,320.18
Family Law Commiss.	6,370.93	Comm Punish Pro	3,451.86
Juven. Detent Ed Pro	3,177.04	Regnl Road Project	18,139.87

Library Auto Consor	437.02	Health Start	2,653.02
Interstate Compact Pro	1,914.25	Ryan White II	4,006.49
Prepared. Bioterror	15,112.11	St Grant in Aid	2,202.22
Primary Care Fees	24,136.61	Perinatal Block	2,793.39
Well Woman Health	3,289.69	Tobacco Educ	10,148.48
St Imple. Grant	3,658.48	Yav Heritage Roundup	18.77
School Reso. – Mayer	617.41	Az Region Support	3,562.91
Direct Treatment Fund	2,058.35	Mental HealthRWJF	4,664.21
Mental Health Part.	5,149.86	Field Trainer	2,030.79
Attendant Care	23,880.00	HIV/CT	34.94
Access & Visitation	1,465.68	Childrens Justice	224.24
Child Sup & Vis	750.28	Domestic Relations Ed	3,890.27
Self Service	548.91	VOCA	7,161.46
JTSF Treatment	4,443.47	Diversion Conseq.	1,034.63
Jail Construction	1,513.00	ALTCS	784,976.55

In addition, payroll was issued on April 29 for the pay period ending April 23; warrant numbers 2452217 through 2452556, in the amount of \$295,039.77. Jury certificates issued during this time; 6870064 through 6870308. Warrants issued for May 2 Board day, 4240869 through 4241291; 4241292 through 4241748.

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

ATTEST:

_____ Clerk _____ Chairman