

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

January 17, 2006

The Board of Supervisors met in regular session on January 17, 2006, in Cottonwood, Arizona, at 9:00 a.m.
Present: Thomas Thurman, Chairman; Chip Davis, Vice Chairman; Carol Springer, Member; Bev Staddon, Clerk.
Also present: Jim Holst, County Administrator; Dave Hunt, Board 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.

PRESENTATIONS

- P1. Certificate of Appreciation to Mike Emmett in appreciation of his six years of service on the Board of Adjustment & Appeals as a representative of District 3. Supervisor Davis.
- P2. Presentation regarding the accomplishments, challenges and future of the Yavapai Family Advocacy Center. Kathy McLaughlin, YFAC Director.

Ms. McLaughlin gave the Board an update on the accomplishments of YFAC and what still remains to be accomplished. She said the statistics were not going down and that child abuse and sexual assault continue to be a problem. Ms. McLaughlin briefly discussed plans for a Family Support Center in Prescott Valley that would house such agencies as the Arizona Department of Economic Security, Arizona Childrens' Association, Headstart, and Prevent Child Abuse. She noted that Yavapai County has a rapidly growing population of families making less than \$10,000 per year, saying that this was contributing to high rates of abuse. She said that YFAC was available to citizens County-wide, and she thanked the Board for its support of the organization.

CONSENT AGENDA Upon a motion by Supervisor Davis, seconded by Supervisor Springer, the Board voted unanimously to approve all items on the Consent Agenda with the exception of items C9., C11., and C14. No comments from the public.

C – BOARD OF SUPERVISORS

- C1. Minutes of meeting of January 3, 2006.
- C2. Liquor license for which there are no protests, Series 12 Restaurant, The Ranch House Restaurant, Lake Montezuma area, Nicholas M. Vallario.
- C3. Appointment of precinct committeemen as recommended by the Yavapai County Democratic Party and also acknowledge removal of precinct committeemen, all as evidenced in Board Memorandum No. 2006-3.
- C4. Authorize payment of funds held by the County on account for the Estate of Christy Worsham, pursuant to A.R.S. §11-644(B).
- C5. Sponsorship of the Yavapai Cemetery Association's annual Memorial Day Observance at Citizens Cemetery, to be held May 29, 2006.
- C6. Request from Central Yavapai Hospital District for permission to conduct all future elections by mail ballot, pursuant to A.R.S. §16-225 and §16-558.
- C7. Resolution declaring the week of January 16 through 20, 2006, as "Homes for Arizonans Week" in Yavapai County. Resolution No. 1604.
- C8. Change Order #1 with Continental Flooring for a reduction in the bid amount by \$3,995 in order that all grant items can be completed within the grant amount funded for the Mayer Elders Club. CDBG grant funds.
- C9. Appoint Dale Hunter to the District 3 Board of Adjustment & Appeals, to replace Mike Emmett, with term to expire July 14, 2009. After introducing Mr. Hunter, Supervisor Davis moved to approve the appointment. Supervisor Springer seconded the motion, which carried by unanimous vote. No comments from the public.
- C10. Approve vouchers.

C – DEVELOPMENT SERVICES

- C11. Final plat, Beaver Creek Preserve, 405-23-019B, Rimrock area, Pender Engineering, #H5240. Consideration of a Final Plat consisting of 101 single-family residential lots in a PAD (Planned Area Development) zoning district on a total of 93.6 acres for the project known as the Beaver Creek Preserve. Located between the Thunder Ridge Subdivision and

Interstate 17 in the Rimrock area. S26 T15N R5E G&SRB&M. Development Services Director Ken Spedding (via video conference from Prescott), Assistant Development Services Director Enalo Lockard, and Deputy County Attorney Randy Schurr (via video conference from Prescott) participated in discussion of this item, as did applicant Reg Owens and applicant's agent Tom Pender. The following persons spoke in opposition to this item: Patricia Sexton, representing Concerned Citizens of Rimrock, McGuireville and Lake Montezuma, generally citing concerns about a 6-foot block fence, street lights, sewer treatment plant, drainage, conflicts with "western and rural heritage", and requesting that the developer post a \$10 million surety bond; Lance Morris, representing the Tri Community Association, generally citing concerns about limited water, the need for smart development, and the need to protect sacred Indian sites in the area, and he also read a letter of opposition from Rimrock resident Billy Dabbs; and Billy Dabbs, who expressed concern about open space, equestrian and hiking trails, sewer treatment plant and road improvements. Upon a motion by Supervisor Davis, seconded by Supervisor Springer, the Board voted unanimously to approve the final plat.

After hearing comments from Ms. Sexton and Mr. Morris, Mr. Schurr noted that the zoning for the property had already been approved and that the question before the Board on this day was whether or not the final plat met all the requirements of the Subdivision Regulations. He said that, according to staff, it did meet those requirements and that as a result the Board did not have much choice except to approve it. Chairman Thurman said that people downstream from the subdivision believed that flood control was a problem. Mr. Spedding said the applicant was required to meet the requirements of the Yavapai County Drainage Criteria Manual, and that if it was necessary detention ponds would be created on the property. Chairman Thurman asked about the 6-foot block fence. Mr. Lockard said that a 6-foot block fence was allowed as a matter of right in a residential area. In response to another question from Chairman Thurman, Mr. Schurr said that ADEQ would have jurisdiction with regard to the sewer treatment plant. Mr. Owens noted that the subdivision would not have any street lights. Mr. Pender said he was in the process of obtaining approval from ADEQ for the sewer treatment plant and that the effluent from the plant would be used for irrigation and recharge. He said that with regard to the 20-acre parcel of Forest Service land to the north of the subdivision, there was no other access to it but through Beaver Creek Preserve and that people were riding quads on that property and destroying it. Supervisor Davis asked Mr. Pender if a water improvement district had been created for the subdivision. Mr. Pender said it had been and that the district would purchase water from Arizona Water Company so there would be no need to drill wells. He noted that the developer was also going to make off-site improvements on Beaver Creek Road at JoAnn Drive and improvements on JoAnn Drive. Supervisor Davis asked about the process used for public outreach when the zoning map change was requested. Mr. Pender said that a mailer had been sent out to property owners and that public meetings were held. Chairman Thurman asked Mr. Schurr if the County could require a surety bond. Mr. Schurr responded that a bond would be required at the time the plat is recorded and that the purpose of the bond was to ensure that paving and other infrastructure in the subdivision was completed, but that the County could not require anything else. Supervisor Davis said there had been a comment about "unbridled development" and that this subdivision was just the opposite of that. He said the applicant had gone through the public process, and that a subdivision with a wastewater treatment plant was superior to lot splits with septic tanks. He said there were no guarantees when it came to drainage because the area was prone to microbursts but that every effort had been made to address drainage.

- C12. Zoning map change from R1-35 to R1L-70, Fennland, 407-09-104A, Cornville area, SEC, Inc./James H. Sullivan, #H5224. Consideration of a Zoning Map Change from R1-35 (Residential; Single Family; 35,000 sq. ft. minimum) zoning district to R1L-70 (Residential; Single Family Limited; 70,000 sq. ft. minimum) zoning district on approximately 40% of the 16.62 acre parcel so the entire parcel will be zoned R1L-70. Located approximately 5 miles east of 89A on Cornville Road on the corner of Cornville Road and Solair Drive. S11 T15N R4E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change.
- C13. Use permit to allow for placement of a permanent off-premise sign, Beaver Creek Preserve Sign, 405-24-003B, Rimrock area, Pender Engineering agent for Rollan and Rene Ralston, owners, #H5229. Consideration of a Use Permit in an R1-35 (Residential; Single Family; 35,000 sq. ft. minimum) zoning district to allow for placement of a permanent, off-premise sign for the Beaver Creek Preserve Subdivision. Located at the southeast corner of the intersection of Beaver Creek Road and JoAnn Dr. in Rimrock. S35 T15N R05E G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit, with the following stipulations: 1). That the sign be constructed in conformance with the Letter of Intent received October 31, 2005 and the site plan dated November 28, 2005; 2). That the Use Permit be granted for a period of 3 ½ years; 3). Prior to construction of the sign, the applicant's engineer will submit a letter stating that the proposed sign will not impact traffic safety at the intersection of JoAnn Drive and Beaver Creek Road as specified in Section 601.A.10 of the Yavapai County Planning and Zoning Ordinance; 4). That a certificate of compliance be issued within six months.
- C14. Final plat amendment, Bella Terra on Oak Creek, 408-30-246, Sedona area, Shephard-Wesnitzer, Inc., agent for Bysynergy, LLC, #H5260. Consideration of a Final Plat Amendment for Bella Terra on Oak Creek, a 106-residential single family lot subdivision in a PAD (Planned Area Development) zoning district on approximately 53.13 acres. The Amendment

makes three changes to the approved Final Plat, including the realignment of the road named Via San Michelle, redesign of Tract B, and relocation and redesign of Tract C. Located along the south side of Upper Red Rock Loop Road, approximately 0.30 miles south of Chavez Ranch Road and approximately 1.8 miles south of Highway 89A in the Sedona area. S26 & 27 T17N R05E G&SRB&M. On March 21, 2005, the Board of Supervisors voted to approve the final plat for Bella Terra on Oak Creek. Assistant Development Services Director Enalo Lockard and Deputy County Attorney Randy Schurr participated in discussion of this item, as did applicant Michael Zito and Arizona Water Company representative Lee Hetrick. The following persons spoke in opposition to the application, all of the citing concerns about the applicant's plan to drill wells and the effect it would have on other wells in the area: Denise Turner, Judith Ryan, Celinas Ruth, Michael White, Roger Moe, Sam Braun, and Robert Plucinski. Harry Easton, representing the Responsible Residents of the Red Rocks, said that organization's board had passed a motion to ask Bysynergy to adhere to its original plan of bringing a water line into the area. Supervisor Davis moved to require the applicant to comply with the original stipulations except for the amendment regarding moving a road. His motion died for lack of a second. Supervisor Springer then moved to approve the amendment. Chairman Thurman seconded the motion, but said he did not like it. The motion carried by a 2-to-1 vote, with Chairman Thurman and Supervisor Springer voting "yes" and Supervisor Davis voting "no."

Chairman Thurman asked Mr. Schurr to explain the Board's choices in this matter. Mr. Schurr said that the final plat was already approved. He said the developer had determined that some requirements of the County could not be satisfied and as a result he was requesting alterations to the final plat, and that the Board did have some discretion with regard to this matter. Chairman Thurman asked Mr. Schurr what rights the Board had to deny a subdivision on the basis of water concerns. Mr. Schurr responded that it was difficult to say but that the courts had indicated that counties do not have the authority to deny a subdivision on that basis. He said the County had no factual information that the proposed wells would affect other wells in the area. Mr. Zito said his original plan was to have water provided by Arizona Water Company. He said that in 2002, before he purchased the subject property, he had a survey done on groundwater and that the report came back that there was sufficient water to serve 200 homes. He said that once he got into the PAD zoning process water became a big issue and he agreed to bring water in from Arizona Water Company in order to avoid drilling wells and possibly depleting other wells in the area. Mr. Zito said he had also agreed to extend the water line to the end of Keller Lane so that people outside the subdivision could tap into it. He said he had paid for engineering for the water line and that he had met with Ken Anderson and Judy Adams of the Forest Service and that Mr. Anderson had stated that the subdivision had a viable water source under it. Mr. Zito told the Board that Arizona Water Company had submitted an application to the Forest Service in December of 2004 for permission to install the water line. He said he was not proposing abandonment of the water line but instead was proposing wells in order to get his project going. He asked what would happen to his project if Arizona Water Company could not get a permit to cross Forest Service land. Mr. Zito said he still had money in his budget for the water line and that the water line was the solution for water problems in the area. He said he was not asking for change the stipulation regarding the water line but that he was asking to add to the stipulations the ability to have his own wells. Chairman Thurman asked Mr. Zito if bringing in the water line would still be at the top of his list if he had his own wells. Mr. Zito said he had done everything he was supposed to do to get to this point. Chairman Thurman asked Mr. Zito if he would create a water company large enough to supply water to other property owners in the area. Mr. Zito responded that Arizona Water Company would drill the wells and provide the infrastructure and that although he was paying for it the system would belong to Arizona Water Company. Chairman Thurman asked Mr. Hetrick if he had done any testing in the area. Mr. Hetrick said he had not and at this point Arizona Water Company did not have an agreement with Bella Terra but that there had been discussions about the developer paying for some wells. He said that Arizona Water Company would not take ownership of the wells unless it knew there was enough water. Supervisor Springer said she thought a basic issue had been forgotten and that was that the County does not have the authority to control water. She said that groundwater could be used for any beneficial use and that a recent court ruling on a case in southern Arizona had held that even if a well is drilled to the detriment of neighboring wells as long as the water is being put to beneficial use it is okay. Supervisor Springer said she thought the only thing other property owners in the area could do would be to drill their wells deeper. She said that if the owner of the Bella Terra subdivision wanted to drill a well on his property he had the right to do so. Chairman Thurman said the Board had no power to deny the applicant's request on the basis of water. Mr. Hetrick said that if Arizona Water Company saw wells in the area that it did not think were reliable it could not be involved in providing service, and that it would like to have both the wells and the water line. Supervisor Davis said the subdivision was approved based on one of the stipulations being that the developer would bring a water line into the area. He asked if the Board was willing to reconsider what was approved a long time ago, saying that at that time there had been a great deal of negotiation. Supervisor Davis said the existing zoning was for 225 homes and that the developer cut the density by more than half, but that a big part of the original approval was related to bringing in the water line. He said he had not seen

anything from the Forest Service one way or the other and that it concerned him. He asked Mr. Schurr if it would be possible for the developer to provide water for 26 homes on the existing Sherman Trailer Park water system. Mr. Schurr said that was within the certificated area for Arizona Water Company and that he did not believe the developer could do that. Mr. Zito said that was correct. He said his intent was for the new wells to be used only until the water line comes in and then the wells would be capped, but that Arizona Water Company had said it would like the wells available for redundancy. Supervisor Davis said that when this issue went before the Arizona Corporation Commission the findings said that other than a 12-inch line Arizona Water Company did not plan to drill any wells in the area and that it appeared to him that the approval from the Corporation Commission was only for the water line and not for any new wells. Mr. Schurr said that if the Corporation Commission did not make that an exclusive condition then the water company was not locked in. Mr. Zito said he wanted to be part of the solution and that he was paying for the whole thing; both the wells and the water line. Chairman Thurman asked whether, by right, the developer could just drill a well on each lot if the subdivision was not in place. Mr. Schurr said he was not certain about that, but believed that if it met the requirements of the Arizona Department of Water Resources and if lots had the necessary setbacks it could be done. Chairman Thurman asked if the developer had to have a 100-year water supply. Mr. Schurr said yes, and that the developer had provided that. Chairman Thurman asked if someone could do a subdivision and just opt out of providing water, i.e., a "dry lot" subdivision. Mr. Lockard said the subject property was outside of an active management area and the only thing required was a letter of adequacy with regard to water. Chairman Thurman asked what recourse the developer would have if the Board denied the request for amendment. Mr. Schurr said the developer could go back to the Forest Service and say that he could not drill wells and that there is no other option for water other than bringing in the water line, or he could take the issue up with the courts. He told the Board he felt there was a good chance it would lose if the case went to court.

C – LIBRARY DISTRICT (The Board of Supervisors resolved into the Board of Directors of the Yavapai County Free Library District and following consideration of the items listed below reconvened as the Board of Supervisors.)

- C15. Authorize purchase of three computers and one additional 19" LCD monitor for the District office at a total cost of \$5,500 to be paid from the District's Contingency funds.
- C16. Permission to accept and expend State Grant-In-Aid funds of \$23,000 and transfer \$20,000 grant match from the District's budget.

C – MANAGEMENT INFORMATION SYSTEMS

- C17. Donate up to 40 computers slated for auction to the Library District.
- C18. Donate 15 computers slated for auction to non-profit "New Technology 4 Arizona Kids."

C – RECORDER

- C19. Purchase four work stations from Corporate Express in the amount of \$4,000 for Records Management area and a new scanner at an amount not to exceed \$5,000 to help facilitate scanning of County records, to be paid for from Recorder's Storage and Retrieval Fund (Equipment account).

C – SHERIFF

- C20. Permission to sell Sheriff's Office K-9 "Marco" to former YCSO Deputy/K-9 Officer Gary Cunningham for the amount of \$1.00.
- C21. Agreement with AutoComm Concepts in the amount of \$6,200 to provide services that include but are not limited to communication system recommendations for design, frequency changes and equipment needs, with design implementation project management and interface actions as necessary. To be paid from Support Services.

HEARINGS

H – BOARD OF SUPERVISORS

- H1. Impact Statement for establishment of proposed Clarkdale Fire District and, if approved, authorize circulation of petitions for establishment. Bev Staddon, Clerk of the Board/Special Districts Coordinator. Upon a motion by Supervisor Davis, seconded by Supervisor Springer, the Board voted unanimously to approve the impact statement with the following corrections and to authorize circulation of petitions for establishment: (1) Replace organizing board member Dan Guernsey with Seth Murphy, and note that organizing board member Jim Elmer will replace Mr. Guernsey as chairman for the organizing board; and (2) change the estimated assessed valuation in paragraph 2 of the impact statement to reflect that the estimated net assessed valuation is \$28,094,426 for the 2006 tax year. There were no comments from the public.

H – DEVELOPMENT SERVICES Planning & Zoning Commission member Joan McClelland was present to represent the Commission.

- H2. Use permit to allow parking two commercial vehicles on private property in an RCU-2A zoning district, 404-14-033A, Camp Verde area, Robert and Marilyn Poeppel, #H5204. Enalo Lockard, Assistant Development Services Director. Consideration of a Use Permit in an RCU-2A (Residential; Rural, 2 acre minimum) zoning district to allow for the parking of two commercial vehicles on private property in a residential neighborhood on .95 acres. Located in the River Bend Ranches subdivision south of the Town of Camp Verde. S34 T13 R05E G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit, with the following stipulations: 1). That the use permit be operated in conformance with the Letter of Intent received September 26, 2005 and be permanent and non-transferable; 2). No operation of commercial vehicles prior to 6:00 a.m; 3). Idling of vehicles to be done at the front of the site; 4). The current light be replaced by a motion sensing lighting fixture within six month of approval of the Use Permit; 5). Certificate of Compliance to be issued within six months of approval. Supervisor Davis moved to approve the recommendation of the Planning & Zoning Commission with the exception of stipulation #2. Supervisor Springer seconded the motion, which carried by unanimous vote. No comments from the public other than from the applicant, Mr. Poeppel, who spoke in favor of the application.
- H3. Zoning map change from RCU-2A to M1-2A, 405-23-006K, McGuireville area, Bob Witt applicant/agent for Clyde and Sona McDonald, owners, #H5225. Enalo Lockard, Assistant Development Services Director. Consideration of a Zoning Map Change from RCU-2A (Residential, Rural, 2-acre minimum) zoning district to a M1-2A (Industrial; General Limited; 2 acre minimum) zoning district on 29.12 acres. Located approximately one mile west of the McGuireville Interchange on Interstate 17. S33 T15N R5E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change with the following stipulations: 1). That the parcel be developed in accordance to the Letter of Intent received October 27, 2005 and in conformance with all State and County regulations and a pre-code application will be required prior to the issuance of any building permits; 2). That applicant record that portion of Cornville Road that crosses parcel 405-23-006K as dedicated public right-of-way within one year of Zoning Map Change approval; 3). That applicant obtains an updated Floodplain Unit Development permit within one year of the zoning change; 4). That an engineered drainage and grading plan be submitted for review and approval to the Yavapai County Flood Control Unit prior to the submittal of any building permits; 5). No additional road cuts to Cornville Road will be made to access this property. Applicant's agent Bob Witt, applicant C.A. McDonald and John Ray all spoke in favor of the application, citing the need for M1 zoning in the Verde Valley. Georgene Lockwood spoke in opposition, saying there should be a plan so the public would know what would be done with the property following the zoning map change. Upon a motion by Supervisor Davis, seconded by Supervisor Springer, the Board voted unanimously to deny the recommendation of the Planning & Zoning Commission.

Supervisor Springer said she was reluctant to approve rezoning without a plan. Mr. Witt said the property was really suited for construction service type yards. He said the property had a great deal of flood area and that the plan was to just continue with the type of uses that are currently on the property. He said there was a significant need for M1 zoning in the Verde Valley. Supervisor Davis said he had been fighting this for more than a year, and that he just did not believe in approving zoning map changes without plans because without a plan the Board could not know what the impact of the property on things like transportation or adjacent properties would be. Mr. Witt said that the current RCU-2A zoning was really not an appropriate use for the area of the subject property anymore because of the uses that already existed. He said there was no opposition from the adjacent property owners. Mr. Witt said that Cornville Road crossed Mr. McDonald's property and that the County had no right-of-way for it, but that as part of the zoning map change 2.8 acres of right-of-way with a value of \$168,000 would be donated to the County. Supervisor Davis said he still wanted to see a plan. He said that Mr. Witt had stated that the Board had set a precedent with similar rezoning in the same area and that it was true, but he asked where one shuts the gate when something like that happens. Supervisor Springer said she agreed with Supervisor Davis and that she did not believe in speculative zoning. She said she would not support a rezoning request without a plan and that while she had not previously opposed a recommendation from the Planning & Zoning Commission because she held those recommendations in high regard, she felt this was a bad precedent. Mr. Witt said he was hearing that the Board was going to change the precedent it had established even though the adjacent property owners were not opposed, and that it was going to use him as the example. Supervisor Davis said the Board needed to see a plan, and that without knowing what was going to come into the area the Board would not know what the impact would be to surrounding property owners, roadways and the like. Mr. Witt said the Board had already impacted the property by the prior decisions it had made and that its choice now to not keep going in that direction was making him feel that he was being treated selectively. He said the subject property was in between properties that had already been rezoned. Supervisor Davis said he had always been opposed to the rezoning in that area and that this day's hearing was the first time the issue had come before Chairman Thurman and Supervisor Springer. Mr. McDonald said that Beaver Creek had washed away about four acres of his property and that the property was only good for industrial uses. He said he objected to what the Board was trying to do, and that when the County had widened Cornville Road it had not contacted him about it. Mr. Witt asked the Board to table the matter for a month so that he could meet with Supervisor Davis and put together a plan that would satisfy him. Supervisor Davis asked whether

it was the role of staff to obtain a plan from the applicant when the rezoning process began. Mr. Lockard said the applicant was made aware that the Board would want to see a plan and that the applicant had chosen to pursue the rezoning without a plan. Supervisor Springer asked that Public Works look into the comments made about right-of-way on Cornville Road.

- H4. Zoning map change/minor plan amendment, Sanctuary at Sedona Retreat Center, 407-07-540A and B, Cornville area, Pender Engineering applicant/agent for Dean Taraborelli, owner, #H5230. Enalo Lockard, Assistant Development Services Director. Consideration of a Minor Plan Amendment to the Cornville Community Plan and a Zoning Map Change from R1L-70 (Residential; Single Family Limited; 70,000 sq. ft. minimum) zoning district to a PAD (Planned Area Development) zoning district to allow for a healing retreat center on 21.14 acres. Located east of the Lower Oak Creek Estates subdivision in Cornville. S14 T15N R04E G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change/minor plan amendment, with the following stipulations: 1). Approval of rezoning to Planned Area Development in conformance with the letter of intent dated September 23, 2005 and the preliminary site plan dated October 18, 2005; 2). Applicant to schedule a pre-code hearing within six months of ZMC approval; 3). As-builts for all existing buildings to be submitted to the Building Safety Unit prior to the pre-code hearing; 4). As-builts for the existing septic system is submitted to Environmental Services prior to the pre-code hearing; 5). Approval from the Flood Control of existing structures prior to the pre-code hearing; 6). Agreement with Forest Service to use Forest Road 119D as access to be submitted prior to initiation of use; 7). That applicant improves the Forest Service Road/Cornville Road intersection to standards determined by Public Works within six months of ZMC approval; 8). That applicant contacts the Verde Valley Fire District to arrange for a site inspection within three months of ZMC approval; 9). That the requirement for screening between a commercial and residential area as outlined in Section 567 of the Yavapai County Planning & Zoning Ordinance be waived due to the location and natural topography of the site; 10). A Health Department Review will be required as part of the pre-code review process; 11). Certificate of Compliance within one year of Board approval or rezoning becomes null and void. Connie Dedrick and Tom Pender of Pender Engineering participated in discussion of this item. Supervisor Davis moved to the recommendation of the Planning & Zoning Commission, asking the applicant to work on traffic issues. Supervisor Springer seconded the motion, which carried by unanimous vote.

Supervisor Davis said the minutes of the Commission meeting said there would be no new buildings but the map showed about 3,000 square feet of new buildings. Ms. Dedrick said that there were some future buildings proposed. Supervisor Davis asked if the PAD would be restricted to the build-out and would require the property to remain as a retreat center. Ms. Dedrick said yes. Supervisor Davis asked if this change would restrict any lot splits. Mr. Lockard said yes, that the property would have to remain as shown on the site plan. There was brief discussion about traffic, during which Ms. Dedrick said a company van would be used to bring people to the retreat. Mr. Pender said there would be about 35 to 40 trips per day over the Forest Service road and that he would work with the Forest Service on how best to manage the traffic. He said the only cars on the property would be those for employees and the property owner.

ACTION ITEMS

A – ASSESSOR

- A1. Resolution to amend Resolution No. 1311 to Extend Authorization of County Assessor's Property Information Storage and Retrieval Conversion and Maintenance Fund and to Extend Authorization for, and Collection of, a Special Recording Surcharge for Documents Filed with the County Recorder. Victor Hambrick, County Assessor. Resolution No. 1605 was approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.

A – BOARD OF SUPERVISORS

- A2. Preliminary identification of Projects to be funded from 2005-2006 Forest Projects Funds. Dave Hunt, Board Attorney. Following brief discussion, the Board voted unanimously to identify the following Projects and amounts to be funded: Arizona Wildfire Academy, \$10,000; COCOPAI, \$5,000; Dead Horse Ranch Trails Coalition, \$7,352; Highlands Center for Natural History, \$10,000; Prescott Area Wildland/Urban Interface Commission, \$12,460; U of A Cooperative Extension, \$20,000; Yavapai County Adult Probation, \$7,315; and Yavapai County Sheriff's Office Forest Patrol, \$66,794. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.
- A3. Compile list of five priorities pertaining to federal legislation or appropriations in 2006. Chairman Thurman. Supervisor Davis moved to send a letter to Congressman Rick Renzi listing the following two priorities: (1) Allocation of \$2.6 million for the Forest Service to purchase the endangered Arizona Cliffrose property that the County was required to purchase as part of the Mingus Avenue Extension project, and (2) appropriate funding for fire abatement on federal lands in Yavapai County. Supervisor Springer seconded the motion, which carried by unanimous vote. No comments from the public.

Supervisor Springer suggested asking for \$2.6 million to provide the Forest Service with the funds

necessary to purchase the 360-acre Arizona Cliffrose property along Mingus Avenue that the County had been required to purchase from the State Land Department in conjunction with the Mingus Avenue Extension project. Supervisor Davis suggested asking for funding for Title II of the Ruskin land exchange. Supervisor Springer said the Board should try to determine how much money that would cost, adding that she did not know how much to ask for and that this was something that Congressman Renzi could probably handle through persuasion. There was brief discussion about whether to request funding for jail space for illegal immigrants and about whether to ask for funding for improvements to S.R. 260 and S.R. 89 between Prescott and Chino Valley. Mr. Hunt suggested asking for acceleration of clearing downed trees on the forest.

A – FLEET MANAGEMENT

- A4. Administrative light duty vehicle replacements for fiscal year 2005-2006. David Gartner, Fleet Management Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.

A – PUBLIC WORKS

- A5. Agreement to allow the Arizona Department of Water Resources access to the Mingus Avenue nature preserve parcel to continue groundwater monitoring activities. Phil Bourdon, Public Works Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.
- A6. Bids received for the purchase and delivery of one 10-Wheel Dump Truck, contract #2516030. Bids opened December 20, 2005, with bids received from the following vendors: Inland Kenworth, Inc., \$140,499; and Freightliner, Sterling, \$141,464. Recommend awarding to Inland Kenworth in the amount of \$140,499 to be paid from budgeted funds and fund savings within the capital equipment line. HURF, Heavy Equipment over \$5,000. Phil Bourdon, Public Works Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.
- A7. Bids received for the purchase and delivery of one 25-Ton Slide Axle Trailer, contract #2516007. Bids opened December 20, 2005, with sole bid received from Utility Trailer Sales of Arizona in the amount of \$46,297.41. Recommend awarding to Utility Trailer Sales of Arizona in the amount of \$46,297.41 to be paid from budgeted funds and fund savings within the capital equipment line. HURF, Heavy Equipment over \$5,000. Phil Bourdon, Public Works Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.

S – STUDY SESSION

S – BOARD OF SUPERVISORS

- S1. Discussion only regarding 2006-2007 fiscal year budget. Jim Holst, County Administrator, and Allison Dixon, Management Analyst. Fleet Management Director David Gartner participated in discussion.

Ms. Dixon gave a PowerPoint presentation covering a comparison of major fund balances as of December 2004 and December 2005, revenue forecasts comparing the 2005-2006 actual and estimated revenues to the revenue forecast for 2006-2007, and a comparison of certain General Fund expenses for 2005-2006 and those anticipated for 2006-2007. Ms. Dixon noted that sales tax revenues were expected to increase but that there were also anticipated increases in the three retirement systems and health insurance, as well as anticipated increases in range adjustments and line item increases. She said a major increase that had just come to light was the potential for an additional payment to the ALTCS program of nearly \$3 million. In response to a question from Supervisor Springer, Mr. Gartner said he anticipated needing to replace about 50 standard vehicles and 20 to 30 specialized vehicles in 2006-2007. There was brief discussion about the potential additional payment to ALTCS, during which Mr. Holst said that the County Supervisors Association was working for passage of H.B. 2573, which would reduce that payment for the County from \$2.9 million to about \$900,000. Supervisor Davis said that a big piece of what the Board was not seeing on this day was costs for facilities.

EXECUTIVE SESSIONS: ACTION ITEMS RELATED TO EXECUTIVE SESSION

E – BOARD OF SUPERVISORS AND HUMAN RESOURCES

- E1. Pursuant to A.R.S. §38-431.03(A)(1) to discuss application of County policies and directives to contract indigent defense attorneys and oversight/supervision of contract defense attorneys, and to discuss employee personnel matters; and pursuant to A.R.S. §38-431.03(A)(3) for discussion or consultation for legal advice related to such matters. Approved by unanimous vote. Motion by Supervisor Springer, second by Supervisor Davis.

EA – BOARD OF SUPERVISORS AND HUMAN RESOURCES

- EA1. Action as may be appropriate regarding the application of County policies and directives to contract indigent defense attorneys and oversight/supervision of contract defense attorneys, and employee personnel matters. Board of Supervisors;

Julie Ayers, Human Resources Director. The Board did not discuss or take any action on this item.

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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	2,000,065.82	Jail District	588,104.88
District 3 Park Fund	1,680.00	Sycamore Comm. Park	839.87
WMD Planner	1,831.84	HS 2003 Supplement	3,828.01
Improve of Education	725.97	Enhance Ed thru Tech	2,394.88
Reading Special. H&S	1,320.23	Adult Prob Fees – 40	1,196.01
Dewey Humboldt Agree	7,427.19	St. Crime Suppress.	837.00
Public Health Reserve	7,757.57	Environmental Health	10,048.44
Susan Komen Breast H	452.52	Medical Reserve Corps	997.59
Resep Radiation Exp.	480.49	Comm. Health Center	15,885.00
AMPPHI	1,388.31	Family Planning	3,741.69
MCH Programs	5,462.75	Breast Feed. Couns.	2,790.02
Health Promotion	2,637.31	Cost Allocation	6,608.08
Nutrition	529.49	TB Control	1,602.50
WIC Program	16,783.40	Title X Family Plann.	1,750.76
Jail Enhancement	152.50	Juvenile Delinq. Reduct	13,991.16
Juvenile IPS	17,539.50	Family Counseling	1,523.00
Juvenile Food Prog	1,709.23	Probation Serv	48,103.08
Adult IPS	37,113.23	Adult Probation Fees	14,058.16
Prob Enhance	48,103.08	Recorder's Surcharge	10,830.95
Indigent Def/Dg	4,098.36	Misc Small Grants	82.47
Crim Just/Atty	4,961.69	Bad Check Prog	2,919.85
Juv Prob Svs	2,032.17	Commodity Fd	914.19
Sexual Trans Disease	82.76	Hi Risk Chld HI	7,371.92
Clerk's Storage	1,540.39	HIV Counsel & Test	1,537.60
Atty Anti-Racket	23,009.73	PANT	8,596.30
Law Library	1,281.00	CASA	3,645.02
Case Processing	6,384.95	Prim. Care – V.V.	8,371.49
DARE	408.22	Victim Witness Prog	10,474.16
Court Enhancement	350.00	Conciliations Court	3,246.25
Enhance Drug Court	3,304.57	Inmate Health Svs	143.55
Drug Enforce. Fund	1,662.85	Probate Fund	1,320.31
Primary Care Services	14,052.40	PC Fees VV	547.57
Local ADR	246.39	FTG Indigent Def.	22,165.27
Victims Rights Impl	3,318.11	JAIBG Juv Acct P 7	1,840.39
Dietetic Intern	312.06	Immuniz Service	3,216.21
Personal Care Svs	3,675.46	Idea-Preschool	1,178.84
Subs Abuse/DARE	334.08	Chem Abuse	445.39
Family Drug Court	1,619.19	Juv Det/PACE	5,986.44
Collab. Comp Rev Gr	927.63	Special Program	15,566.65
Sm Schools Ecia	610.54	Sm Schools Beha	22,567.38
Walmart Shop w/ Cop	350.00	Fill the Gap – Courts	12,345.25
Hurf Road Funds	643,399.06	Assessor Surcharge	12,261.86
Assessor App Dev	7,555.79	Health Fund	75,038.16
Jail Commissary	19,634.08	Landfill Administ.	35,261.78
Judge Pro Tem Div B	10,978.52	Water Advisory Comm.	4,159.64
Tire Recycle	6,216.86	Safe School Pro	8,998.88
Adhs-Svs Coord	796.74	Local Incentive Awards	418.13
Fill the Gap – Attorney	5,588.34	Family Law Commiss.	8,427.42
Comm Punish Pro	6,237.53	Juven. Detent Ed Pro	1,501.87
Regnl Road Project	11,423.60	Library Auto Consor	484.50
Health Start	2,829.12	Interstate Compact Prog	2,056.52
Ryan White II	3,225.89	Prepared. Bioterror	11,914.90
Primary Care Fees	40,206.34	Perinatal Block	2,704.36
Well Woman Health	4,195.43	Tobacco Educ	10,885.49

Victim Assist. ACJC	185.25	St Implement Grant	5,013.99
School Reso. – Mayer	1,008.99	Az Region. Support	76.49
Direct Treatment Fund	12,551.33	Mental HealthRWJF	3,270.39
Mental Health Part.	3,270.37	Field Trainer	2,495.98
Attendant Care	22,505.37	HIV WYGC	193.09
Access & Visitation	140.00	Childrens Justice	2,861.34
Child Sup & Vis	914.98	Domestic Relations Ed	1,121.94
Self Service	34.99	VOCA	10,135.46
JTSF Treatment	5,497.70	Diversion Conseq.	1,254.32
Tobacco Donation Fund	400.00	ALTCS	1,935,818.57
Help Debt Svs Loans	189,609.38		

In addition, payroll was issued on January 6 for the pay period ending December 31; warrant numbers 2458418 through 2458743, in the amount of \$282,414.17. Jury certificates issued during this time; 6874084 through 6874232. Warrants issued for January 17 Board day, 4256828 through 4257140; 4257141 through 4257652.

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

ATTEST:

_____ Clerk _____ Chairman