

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

June 5, 2006

The Board of Supervisors met in regular session on June 5, 2006, in Prescott, 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/Assistant County Administrator; Management Analyst Allison Dixon.

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 C2. and C22., all items were approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.

C – ADULT PROBATION

- C1. Permission to trade in 46 9-mm pistols on the purchase of 46 .40-Caliber Glock pistols. No cost to the County.
- C2. Permission to install necessary software for a new laptop purchased with state funds. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer.
- C3. Contract with Circle M Professional Cleaning for 2006-2007 in the total amount of \$5,880 for the Cottonwood Adult Probation building located at 154 S. Main Street. To be paid from Outside Services.

C – ASSESSOR

- C4. Permission to send Ron Gibbs to Idaho, April 25-27, 2006, to consider and judge new valuation method at a cost of \$740.06 to be paid from the Assessor's Surcharge Fund.

C – BOARD OF SUPERVISORS

- C5. Minutes of meeting of May 15, 2006, and of special meetings of May 9 and May 19, 2006.
- C6. Liquor license for which there are no protests, Original Series #10 Beer and Wine Store, Skyline Service, Yarnell area, Johnny Lee Bennett.
- C7. Renew contract with the Arizona State Board of Equalization for Board of Equalization hearing officer services for 2006-2007.
- C8. Consider reappointment of the following persons to the Yavapai County Cooperative Extension Board, each with a term to expire in May, 2008: Dan Black; Nora Graf; Andy Groseta; Gary Mortimer; and Jeanne Briggs.
- C9. Acknowledge receipt of official canvass for recall election held in Williamson Valley Fire District on May 16, 2006.
- C10. Approve vouchers.

C – COMMUNITY HEALTH SERVICES

- C11. Permission to purchase a fire-proof safe at a total cost of \$2,695.75 to be paid from the Health Fund.

C – DEVELOPMENT SERVICES

- C12. Zoning map change from RCU-2A to R1L-10A, Saddle Creek Ranch, 202-16-001 and 002; 202-18-001; 202-19-001, 002 and 006, Congress area, Deborah Onstott agent for Arizona Land and Ranches, Inc., #H6054. Consideration of a request for a zoning map change from RCU-2A (Residential; Rural; 2-acre minimum) zoning district to R1L-10A (Residential; Rural; 10-acre minimum) zoning district for 2,300 acres known as Saddle Creek Ranch. Located on both sides of the Date Creek Road, approximately 15 miles northwest of Congress in the Date Creek area. S1 T11N R7W; S19 & 30 T12N R6W; S15, 25 & 35 T12N R7W G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change.
- C13. Zoning map change from RCU-2A to R1L-35, 306-07-287A and 291U, Chino Valley area, Michael Haywood agent for Ridgeway Homes, #H6044. Consideration of a request for a zoning map change from RCU-2A (Residential; Rural; 2-acre minimum) zoning district to R1L-35 (Residential; Single Family Limited; 35,000 sq. ft. minimum) zoning district consisting of a total of two acres, located approximately 300 ft. north west of the Road 4 ½ North/Sunset Drive intersection and approximately ½ mile west of the Chino Valley Town limits. S5 T16N R2W G&SRB&M. The Planning and Zoning Commission recommended approval of the zoning map change with the following Stipulations: 1). Property to be split in keeping with the parcel plat, depicting two 1 acre parcels, submitted with the rezoning application; 2). Property to be developed in accordance with all applicable codes and ordinances.

- C14. Final plat, Bensch Ranch Unit 3, 500-25-021K, Mayer area, Larry Henley agent for Bensch Ranch Estates, LLC, #H6056. Consideration of a Final Plat for Unit 3 of the Bensch Ranch subdivision, consisting of 79 single family residential lots, on an approximate 111 acre portion of a 549-acre parcel in a Planned Area Development (PAD) zoning district known as Bensch Ranch. Located on the south side of SR 69, between Spring Valley and Mayer; S6 T11N R2E and S31 T12N R2E G&SRB&M.
- C15. Final plat, Antelope Creek Phase 1, 201-17-011 and 012, Congress area, Douglas Pike agent for Antelope Creek LLC, #H6066. Consideration of a Final Plat for Phase 1 of the Antelope Creek subdivision, consisting of 82 single family residential lots and 21 acres of open space, on an approximate 112 acre portion of a 329-acre parcel in a Planned Area Development (PAD) zoning district known as Antelope Creek. Located on the east side of SR 89, approximately 3.5 miles south of the SR89/71 intersection in the community of Congress; S24 T9N R6W G&SRB&M.
- C16. Use permit to allow for construction of a 170-foot self-supporting tower and prefabricated cast concrete structure for equipment in an RCU-2A zoning district, BNSF Crookton Microwave, 302-22-001R, Seligman area, BNSF Railway Company, #H6035. Consideration of a Use Permit to allow for the construction of a 170 foot self-supporting tower and a prefabricated cast concrete structure for equipment on BNSF Railway Company property used solely for BNSF Railway communications (non-commercial) essential to the operation of the railroad on an approximately 3.45 acre site in a RCU-2A (Residential; Rural; 2 acre minimum) zoning district. Located approximately 7 miles west of Seligman on the north side of Crookton Road (Old U.S. Highway 66). S7 T22N R4W G&SRB&M. The Planning and Zoning Commission recommended approval of the use permit, with the following stipulations: 1). Use Permit shall be granted on a permanent, transferable basis to another similar entity. Development shall be in conformance with the site plan dated 9/21/2005 and letter of intent dated 02/23/2006; 2). Tower shall be installed in keeping with current ordinance criteria for a telecommunication facility installation and all state and federal regulations; 3). Waiver of financial assurance per request letter dated February 16, 2006; 4). Waiver of fall zone requirement per request letters dated February 16, 2006; 5). Waiver of protective screening to allow just a six foot chain link fence; 6). Applicant shall obtain building permits/zoning clearance within one (1) year from the permit date and diligently pursue completion. Failure of such shall void the permit unless a longer time has been granted or an extension of time has been applied for with the Board of Supervisors prior to the expiration of the one (1) year period.
- C17. Permission to submit a grant application to the Arizona Department of Commerce for \$10,000 to be used for the Beaver Creek Community Plan and the Congress Community Plan, and commitment to provide a \$10,000 grant match if the grant is approved (\$5,000 "in-kind" and \$5,000 cash). To be paid from Outside Services, 2006-2007 budget.

C – FACILITIES

- C18. Permission to advertise for new custodial positions outlined in 2006-2007 budget proposal.
- C19. Amendment #1 to Intergovernmental Agreement with the Town of Chino Valley for management, operation and maintenance of Quail Ridge Park to extend agreement to June 30, 2007.
- C20. Amendment #1 to Management Agreement with Senior Citizens of Congress, Inc., for management and operation of the Congress Community Center to extend the agreement to June 30, 2010, and make other modifications.

C – FLEET MANAGEMENT

- C21. Consider approval of amended rate sheet for Towing Contract #6001.
- C22. Permission for County Attorney, Development Services, Fleet Management, Public Works and Sheriff's Office personnel to sign ADOT Vehicle Removal Written Authorization Form to authorize a salvage company or tow company to remove abandoned vehicles from the County right-of-way. Fleet Management Director David Gartner answered questions related to this request. Approved by unanimous vote. Motion by Chairman Thurman, second by Supervisor Davis.

C – JUVENILE PROBATION

- C23. Permission to trade in 15 9-mm pistols on the purchase of 15 .40-Caliber Glock pistols. No cost to the County.
- C24. Permission to trade in an obsolete/surplus Savin 9400D copier on the purchase of a new copier for the Prescott Valley office. Trade in amount offered is \$600.
- C24.A. Consider granting authority to Scott Mabery, Director of Juvenile Court Services, to enter into a contract with consultant Steve Logan to provide professional computer services to the Juvenile Probation Department at a cost of \$5,000 to be paid from State funds.

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. Reference: Library District minutes.

- C25. Renewal of lease agreement with Walden Meadows Community Co-op for library services for the community of Wilhoit, with lease to be effective July 1, 2006 through June 30, 2008. Cost of \$1,500 per year to be paid from Building/Land Rental.
- C26. Permission to receive and expend Gates Computer Replacement Grant funds in the amount of \$62,400 for the replacement of 52 computers in libraries throughout the County.

BOARD OF DIRECTORS
YAVAPAI COUNTY FREE LIBRARY DISTRICT

Minutes of Meeting

June 5, 2006

The Board of Supervisors resolved into the Board of Directors of the Yavapai County Free Library District.

Present: Thomas Thurman, Chairman; Chip Davis, Vice Chairman; Carol Springer, Member; Bev Staddon, Clerk.

Upon a motion by Director Davis, seconded by Director Springer, the Board voted unanimously to approve the following items:

1. Renewal of lease agreement with Walden Meadows Community Co-op for library services for the community of Wilhoit, with lease to be effective July 1, 2006 through June 30, 2008. Cost of \$1,500 per year to be paid from Building/Land Rental.
2. Permission to receive and expend Gates Computer Replacement Grant funds in the amount of \$62,400 for the replacement of 52 computers in libraries throughout the County.

C – MANAGEMENT INFORMATION SERVICES

- C27. Permission to purchase character recognition software for the Finance Department, at a cost of \$4,998 to be paid from Software account.

C – MEDICAL ASSISTANCE

- C28. Authorize issuance of Request for Proposals for Title 36 Mental Health Services.
- C29. Contract with Jani-King for office cleaning services for 2006-2007 for office located at 6717 E. 2nd Street, Prescott Valley, at a cost of \$973 per month, to be paid from Outside Services account in the Enterprise/Medical Assistance fund.

C – PUBLIC DEFENDER

- C30. Permission to purchase new copier for the Prescott office at a cost of \$6,557.84 to be paid from Contingency.

C – PUBLIC WORKS

- C31. Award or reject bids received to Supply or Supply and Deliver Concrete Sand Material in Yavapai County, AZ, Contract #2616522. Bids opened May 16, 2006, with bids received from the following vendors: Charter Materials, LLC; Rinker Materials; Weston Concrete & Materials, Inc.; and Yavapai-Apaches Sand & Rock. Recommend awarding to all vendors at various unit prices. To be paid from HURF, Road Materials.
- C32. Extensions for completion of services for the following Authorizations of Services: Lima & Associates, CYMPO Plan Update, AOS #2413422, extend to October 1, 2006; Civiltec Engineering, Inc., Williamson Valley Road (Pioneer Parkway to Outer Loop – 4 Lanes), AOS #2515195, extend to June 30, 2007; and Lima & Associates, Verde Valley Multimodal Transportation Study, AOS #23889, extend to July 31, 2007. No funds required.

C – RECORDER

- C33. Reject sole bid received from Tyler Technologies for upgrade to Recorder software system. Bids opened March 7, 2006.
- C34. Award or reject bids received for Records Management Software system and extend install date to June 30, 2006. Bids opened April 25, 2006, with bids received from the following vendors: OmniRim, \$52,900; Salone Consulting, \$21,613; Records Management Software, \$20,599.10; and Hummingbird, non-responsive bid. Recommend awarding to Salone Consulting in the amount of \$21,613 to be paid from Software account.
- C35. Award or reject bids received for 35mm archive writer. Bids opened March 21, 2006, with bids received from the following vendors: Information Imaging, non-responsive bid; The Crowley Company, \$113,380. Recommend awarding to The Crowley Company in the amount of \$113,380 plus \$8,500 in tax, to be paid from Recorder's Storage & Retrieval fund.

C – SHERIFF

- C36. Renewal of intergovernmental agreement with the Town of Dewey-Humboldt for Law Enforcement Services for the 2006-2007 fiscal year.
- C37. Permission for Lt. David Starin to take a County vehicle out of state to Chino, California, in conjunction with attendance at weapons training, July 28-30, 2006.

- C38. Permission to purchase a new upgraded radio system at a cost of \$33,500 to be paid from Equipment (\$5,000 and over) account

C – TREASURER

- C39. Permission to promote Office Manager Sara Von Urban to Chief Deputy Treasurer at Range 65, Step 19, to be effective upon the retirement of current Chief Deputy Treasurer Charles Messing.

ACTION ITEMS

A – BOARD OF SUPERVISORS

- A1. Request from Prescott Chamber of Commerce for a \$10,000 donation for Courthouse Lighting. Dave Mauer, Prescott Chamber of Commerce Executive Director. The Board took no action on this item.

Mr. Maurer provided brief background information on the Courthouse Lighting program, saying he realized that the County was already making a contribution by paying for the electricity for the lighting but that he wanted to ask for an additional contribution of \$10,000 for the program and adding that the Chamber was asking numerous organizations and entities for contributions. Supervisor Davis said he wanted to applaud the efforts for the Courthouse Lighting, and that he was fine with the County participating by providing the site and paying for the electricity but that he did not really want to go any further than that. He said that to make an additional contribution would set a precedent and make it difficult for the Board to say "no" to other such requests. Chairman Thurman said it was hard to determine the value of County employee time for the project and electricity costs, and that he would consider making a \$5,000 contribution but taking out the County's costs. Supervisor Springer said she thought the costs for in-kind contributions were far in excess of \$20,000 for this project. Chairman Thurman told Mr. Maurer he would try to get a better handle on what the County's current contribution is and that perhaps this request could be discussed again next year.

A – HUMAN RESOURCES

- A2. Consider making appointment for Community Health Services Director position. Julie Ayers, Human Resources Director. This item was withdrawn from the agenda.

A – POQUITO VALLEY ROAD IMPROVEMENT DISTRICT The Board of Supervisors resolved into the Board of Directors of Poquito Valley Road Improvement District and following consideration of the item listed below reconvened as the Board of Supervisors. Reference: Poquito Valley Road Improvement District minutes.

- A3. Discussion and possible direction regarding assessment methodology. Phil Bourdon, Public Works Director.

BOARD OF DIRECTORS

POQUITO VALLEY ROAD IMPROVEMENT DISTRICT

Minutes of Meeting

June 5, 2006

The Board of Supervisors resolved into the Board of Directors of Poquito Valley Road Improvement District.

Present: Thomas Thurman, Chairman; Chip Davis, Vice Chairman; Carol Springer, Member; Bev Staddon, Clerk.

Also present: Phil Bourdon, Public Works Director.

The agenda item for this meeting was discussion and possible direction regarding assessment methodology. Mr. Bourdon told the Board there were several different methods of assessment but that in Coyote Springs Road Improvement District II the Board had chosen to use a per acre basis, specifically in that district a base unit of ten acres based on the CC&Rs. He said the zoning in Poquito Valley was RCU-2A and that it would be appropriate to use two acres as the base unit assessment for the District. Mr. Bourdon noted that staff would be meeting with residents on June 20 and that it would be helpful to be able to let the residents know how properties would be assessed. Chairman Thurman said he had no problem with using a two-acre base unit. Director Springer moved to approve a two-acre base unit as the assessment methodology. Director Davis seconded the motion, which carried by unanimous vote.

A – PUBLIC WORKS

- A4. Consider approval of Intergovernmental Agreement JPA 06-036 with the State of Arizona for the State Route 89A/State Route 89 Traffic Interchange Project, Prescott area, at a cost of \$500,000 to be paid from Regional Road Fund. Phil Bourdon, Public Works Director. Approved by unanimous vote. Motion by Supervisor Springer, second by Supervisor Davis. No comments from the public.
- A5. Discussion and possible action on variances from Resolution No. 1036 (Yavapai County Road Standards) and a financial contribution through the Regional Road Construction Program for Poquito Valley Road Improvement District. Phil Bourdon, Public Works Director. Deputy County Attorney Randy Schurr participated in discussion. Poquito Valley residents Sue Ferguson and Shelly Damshroder expressed support for approval of the variances and the contribution, although Ms. Damshroder expressed concern over the variance for the low water crossing. Supervisor Springer moved to approve the three requests for waivers and to approve a 15% contribution. Supervisor Davis seconded the motion, which carried by unanimous vote.

Mr. Bourdon said there would be another public meeting with residents of Poquito Valley on June 20 and that there were some questions related to the proposed road improvement that he would like to have answered prior to that meeting. He said one question had to do with the right-of-way and that while the County road standard was for a 68-foot right-of-way there was an existing 66-foot right-of-way on Poquito Valley Road and that he was asking for a waiver of the road standard to allow the road to be built with a 66-foot right-of-way. Mr. Bourdon said that a typical residential collector has 28 feet of payment but that he believed it would be appropriate to build Poquito Valley Road with a total of 24 feet, that is, with 12-foot travel lanes and that he was also requesting this variance. He told the Board that there were several drainage areas along the road, with one of them being a very large FEMA floodplain. He said he was proposing that the engineer design at-grade crossings at the drainage locations. Mr. Bourdon said that in the case of the large FEMA floodplain this would require the County to close the road down during certain flood events and then inspect the crossing before reopening it. He noted that this would also require a variance to the County road standard. Mr. Bourdon said that, last, he would like to ask the Board whether it would be willing to make a contribution to the District from the Regional Road Fund. He noted that the Board had made a contribution of 15% of the total project cost in the case of Coyote Springs Road Improvement District. He said this was not a requirement under the Regional Road Program but instead was optional and up to the Board of Supervisors. Mr. Bourdon said that if Poquito Valley Road is improved it will lend itself to being used by people who do not reside within the District. He added that based on current cost estimates, a 15% contribution would amount to \$524,052 and that the Board had previously made a reimbursable contribution of \$237,000 to the District in order to pay for engineering so that the balance of the 15% contribution would be approximately \$300,000. Chairman Thurman noted that the money would have to come out of Districts 1 and 2 Regional Road funds. Supervisor Springer said that at one of the public meetings regarding this improvement project one of the residents had made a comment that he did not feel it was fair that residents of the District should pay the entire cost of a collector road since residents are not the only ones who would use the road. She said she agreed with that sentiment, and that there was a great deal of undeveloped land just to the north of Poquito Valley and that there was a good chance the road would be used by people to the north of the District. She said she thought it was in the County's best interest to give a little bit on this issue. Supervisor Springer said she thought the width variances and the drainage variance were reasonable and that it was also reasonable to ask the County to put up some money for the project. Chairman Thurman asked if the variances would create any kind of liability for the County. Mr. Schurr said he was not concerned about the width requirements but that he was concerned about the drainage issue. He said there could be four feet of water on the road, that people tend to drive fast on this type of straight-away road, and that he had serious concerns about someone driving fast and hitting four feet of water. Mr. Schurr said that floods can happen quickly and that there might not be time for the County to get an employee to the other side of the drainage area in order to barricade it. He said if there were adequate signs and barricades it would constitute a warning to people, but that something like "do not cross" signs were not enough. He said he believed that in cases of flooding people would be isolated for some period of time and that he also believed that eventually residents in the area would demand that the County make an all-weather crossing. Mr. Schurr said he just wanted the Board to be aware of the consequences of granting a variance for drainage crossings. Supervisor Springer said that perhaps the County should have a stupid motorist law. Mr. Schurr said there was already a state law to that effect. Supervisor Davis asked if there was anyway to dead-end the road to the north. Mr. Schurr said he did not think so, and Supervisor Springer asked why one would want to do that. Supervisor Davis said it was like a big cancer in that area, that it started as a lot split area and just continues to grow. Supervisor Springer said the area is within the Prescott Active Management Area and that it was going to develop through lot splits. Supervisor Davis asked if it would be possible to get the people who eventually develop to the north to pay back the people in the District. Supervisor Springer said that land is currently unsubdivided. Chairman Thurman said if the Board agreed to contribute 15% of the project costs and there

is growth to the north of the District the County would get its money back in taxes. He asked if the road could be closed off if it was improved as a private road. Mr. Schurr said yes, but that in the petition for establishment of the District the property owners asked for the road to be built to County standard. Supervisor Springer said she thought that the possibility of improving the road as a private road was something that needed to be discussed at the next meeting with residents. Chairman Thurman said if it was a private road and closed off at the north it would create a landlocked property at that end of the road. He asked if people in Poquito Valley could do that. Mr. Schurr said yes. Supervisor Davis asked if it would be possible to improve the road to just short of the north end, saying that if the Board had an opportunity here to deal with further lot splits it should do so. In response to comments from Ms. Damshroder, Supervisor Springer said that everyone had concerns about the proposed low water crossing at what is known as "Poquito Lake" but that it was a question of continuing to live with a dirt road that turns into mud or getting something better than that. Mr. Bourdon said that costs for a mid-range type of crossing would add about \$400,000 or \$500,000 to the project cost and that even with a mid-range type of crossing there could be problems with raising the base flood level and impacting properties both upstream and downstream. He said the alternatives were just not that good. Supervisor Davis suggested the Board look at approving the variances with the exception of the low water crossing, allowing staff to meet with residents and then have staff get back with the Board regarding what the residents want. Mr. Bourdon said that regardless there would have to be a variance to the County road standard with regard to the floodplain. He said that even the \$1 million option for the floodplain was not going to meet County standard. He reminded the Board that the estimated costs available at this point were just for construction and did not include costs for right-of-way and channelization. Chairman Thurman asked what kind of time frame the County would have in a flood situation to get barricades up and then take them down. Mr. Bourdon responded that the Flood Control District was currently engaged in studies that would provide information about the duration of different types of flood events. Chairman Thurman said he was okay with contributing 15% on the low water crossing or on the mid-level crossing but that if residents wanted the \$1million option the Board would need to discuss it some more.

- A6. Award or reject sole bid received from Argen Environmental in the amount of \$88,920 for Gas Vent Installation at the Prescott Valley Landfill in Yavapai County, AZ, Project #2616524. Bids opened May 23, 2006. Recommend awarding to Argen in amount of \$88,920 to be paid from Solid Waste Landfill Post Closure account. Phil Bourdon, Public Works Director. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.
- A7. Consider approval/adoption of the County National Incident Management System (NIMS) Compliance Annex. Phil Bourdon, Public Works Director and Nick Angiolillo, Emergency Management Coordinator. Approved by unanimous vote. Motion by Supervisor Davis, second by Supervisor Springer. No comments from the public.

A – SHERIFF

- A8. Accept and sign Arizona Peace Officer Standards and Training Board Grant funding in the amount of \$750,000. No County match required. Steve Waugh, Sheriff. Commander Andy Bacon participated in discussion. Supervisor Springer moved to approve subject to having an agreement with regard to the land needed for the training facilities. Supervisor Davis seconded the motion. No comments from the public.

Sheriff Waugh explained that currently law enforcement personnel must go to Phoenix in order to receive driver training and that this grant would make it possible to have a local training facility. He said the grant was a bit time sensitive and that it would also be necessary to identify a piece of land on which to put the facility. The Sheriff said he had talked with individual Board members about the possibility of using County-owned property at the Yavapai County Fairgrounds and that in order to keep the grant money it would be necessary to start construction on the facility within one year. There was brief discussion about the land issue not being listed on this day's agenda during which Mr. Hunt said the Board could approve this item on this day and deal with the issue of identifying a piece of property for the facility at the Board's next regular meeting or it could hold this item and deal with both issues at the next meeting. In response to questions from Supervisor Davis, Commander Bacon said there was an expectation that the training facility would be used for ten years. Supervisor Davis said he had no problem with the proposal and was just concerned that the County not accept a grant that it might have to pay back. Sheriff Waugh said his understanding was that once the County has used the facility for that specific period of time everything would be turned over to the County. Supervisor Davis suggested that the Sheriff call on Public Works and Facilities for assistance with regard to designing the facility, adding that he wanted to thank the Sheriff and staff for bringing in such a large grant. Supervisor Springer said she did not know the zoning on the County's property at the fairgrounds and that there might be requirements for a public hearing. Sheriff Waugh said the training would be done during the daytime.

HEARINGS

H – DEVELOPMENT SERVICES

- H1. Zoning Ordinance Amendment, Section 440 (Planned Area Development), Development Services Staff, #H5193. Consideration of an Amendment to the Yavapai County Zoning Ordinance, Section 440 (Planned Area Development). The Planning and Zoning Commission recommended approval of the Zoning Ordinance Amendment, Section 440. Elise Link, Planning Manager. Ms. Link noted that Planning & Zoning Commission member Jon Barnert was present to represent the Commission. After Ms. Link provided a very brief staff report, and in the absence of comments from the public, the Board voted unanimously to approve the recommendation of the Planning & Zoning Commission. Motion by Supervisor Davis, second by Supervisor Springer.

STUDY SESSIONS

S – BOARD OF SUPERVISORS

- S1. Discussion regarding abatement of right-of-way issues such as abandoned vehicles and debris left in the County right-of-way. Chairman Thurman. Deputy County Attorney Randy Schurr, Development Services Director Ken Spedding, and Development Services Land Use Manager Steven Mauk participated in discussion.

Supervisor Springer said that as she had traveled around the state she had become distressed at the amount of litter in the right-of-way and that she felt the Board needed to do everything it could to curb the problem. She said what she was looking at was a Yavapai County Litter Ordinance that would provide that loads have to be covered and which differentiates between private and commercial vehicles. Supervisor Springer said she would like to get to the point where it would be possible to deal with refuse trucks in order to require those kinds of trucks to cover their loads. She said this would also apply to County vehicles that are transporting things like gravel, and that she had made sure that the proposed ordinance included not only public property but also private property and waterways. Supervisor Springer said she would like to turn the proposed ordinance over to Development Services so it could be taken to the Planning & Zoning Commission for consideration rather than having the Board debate it on this day. There was brief discussion about the recent community clean-up in Paulden, during which Supervisor Springer mentioned the amount of old tires, appliances and the like and said that much of the material collected at the clean-up had not come from people's yards but instead had been removed from public lands. Supervisor Davis asked Supervisor Springer if her draft ordinance included a fine. Supervisor Springer said that state law provides for maximum fines, which she said she felt were too low. Mr. Schurr said staff was still looking at what could be drafted. He said there were two existing state laws dealing with litter on highways and in public places so some of the issues were already covered by state law. He said there were also provisions in the Yavapai County Weed and Trash Ordinance that would address some of the concerns related to litter. Mr. Schurr said that as far as litter on public lands was concerned, the Board was aware that could happen when tipping fees were adopted for the landfills and transfer stations. He said if the litter was in the public right-of-way there was a mechanism to address it, and that while the County does have ordinance authority the Board would need to look at how it wants to address the issue of litter as part of that authority. He said, for example, anything that the Board might adopt would only be effective for the unincorporated areas of the County. Mr. Schurr said perhaps it would be possible to take the existing ordinance and beef it up a little, or maybe to look at legislative changes for next year. He said that most of the litter issues were covered by state law or by the existing County ordinance but that he did not know how to address the covered load issue. Chairman Thurman and Supervisor Springer said they thought the Planning & Zoning Commission would be a good forum for this issue. Mr. Spedding gave brief information about the areas already being addressed, saying that his staff does provide inspection services for refuse haulers as part of the delegation agreement with ADEQ and that he would have to check into the delegation agreement to see how extensive the County's authority might be with regard to refuse haulers. Mr. Spedding said that the Zoning Ordinance deals with uses on private property but that once someone leaves their property with an uncovered load he did not know how staff could pull that person over. He said he felt the County's Weed and Trash Ordinance was comprehensive, and that while he thought requiring loads to be covered would go a long way toward protecting the public on the highways it was something that might require a legislative change. Supervisor Springer said the hardest thing would be enforcement and that what she was really looking for was a way to prevent things from flying out of trucks. Supervisor Davis said he could see the dilemma with regard to enforcement and that staff could not pull people over on the road. He asked Mr. Spedding to be sure to include trucking companies and contractors in any outreach efforts related to this proposal.

S – PUBLIC WORKS

- S2. Discussion regarding the Regional Road Budget and Five-Year Regional Road Capital Improvement Plan. Phil Bourdon, Public Works Director and Jim Holst, County Administrator. Prescott area resident Ken Mino participated in discussion, asking questions about certain amounts included in the plan and about impact fees.

Mr. Bourdon presented the five-year plan, noting that it was calculated at 50% of half-cent sales tax revenues. Supervisor Davis said it appeared that money would be borrowed out of the fifth year of the plan in order to pay for the first four years of projects and that in order to avoid ending up with a deficit the Board needed to increase funding for Regional Roads. He asked what the ending balance would look like if it was funded at more than 50%. Mr. Holst said the projected deficit would be eliminated by funding the program and 60%. In response to a question from Supervisor Springer regarding revenue projects, Mr. Holst said the plan reflected an 8% increase and that the actual increase for the current fiscal year was about 21%. Supervisor Springer said she thought it was difficult to project years out and that if things could go a year or two in the black why change policy unless the Board knew there would be a problem. Supervisor Davis said he thought the purpose of projections was to avoid problems. Supervisor Springer said she did not like the idea of changing the distribution back just yet. Supervisor Davis said he would rather make that change now, when things are good. Supervisor Springer said there was a great need for buildings as well as for roads and that the Board was between a rock and a hard spot. She said that if the Board agreed to use revenue bonding for capital improvements then she would have no problem increasing the percentage of half-cent sales tax going to the Regional Road Program but absent that she would rather just leave things alone. Supervisor Davis said he thought the share should go back to 60% in order to stay on top of an aggressive schedule for roads. Chairman Thurman said the County needed new buildings and that there was not enough money available to pay for both buildings and roads, and that the County might have to go into debt in order to take care of things. Supervisor Springer said it would be possible to go to bond for buildings without having to increase taxes and that the County was in a good position to do revenue bonding based on existing revenues. She said she would not be interested in general obligation bonds because that would require a new tax, and that if it would be possible to meet the County's capital improvements needs by paying for them over 15 years then she would be okay with changing the percentage of half-cent sales tax revenue going to Regional Roads to whatever the Board wanted.

S – COUNTY ADMINISTRATOR

- S3. Review of the 2006-2007 fiscal year County budget, including special districts. Jim Holst, County Administrator. Sheriff Steve Waugh, Human Resources Director Julie Ayers, Public Works Director Phil Bourdon, and Community Health Services Director Marcia Jacobson participated in discussion.

Mr. Holst said he had been waiting on action by the state legislature that would have an impact on the Board's ability to develop a budget. He said that as of last Friday the legislature was still working to try to reach agreement on a budget. He told the Board there was a great deal of information that would be needed from the state in order to move forward with the development of the budget, and he briefly reviewed the issues involving the Truth in Taxation (TNT) issue, the ALTCS issue, and the Restoration to Competency issue. Mr. Holst noted that with regard to the TNT issue, in addition to a bill there were also House and Senate concurrent resolutions to place the issue on the ballot. He reviewed a chart showing the available revenues for 2006-2007 and the proposed expenditures items for the same period and the difference between the two. Supervisor Davis said he thought the Board needed to have a real discussion about its priorities so that it could give staff direction. He asked if anyone knew what the percentage of new construction value would be with regard to property tax revenue projections. Mr. Holst said he believed it would amount to 8% to 10%. Supervisor Davis asked if the General Fund would be stuck at 2% if the economy was flat and the TNT proposal passed. Mr. Holst said yes. Supervisor Davis said that meant that if TNT passed the County would not even be able to budget enough money to meet mandated service requirements. Mr. Holst said that was correct. Supervisor Springer said she thought it was interesting that the legislature was proposing a 19% increase in the state's budget and the Governor was proposing a 22% increase in the state's budget and yet they were proposing that counties be allowed to increase their budgets no more than 2%. Mr. Holst noted that the County's current tax rate is \$1.70 and with the TNT proposal it would be lowered to \$1.66. In response to a question from Sheriff Waugh, Mr. Holst said that the growth in value for the County, with the same tax rate, would have generated \$4 million in additional revenue. Discussion turned to personnel issues, with Ms. Ayers providing information about employee salary increases being proposed by other some other counties and by cities and towns in Yavapai County, which ranged from a low of 4.5% for the Town of Chino Valley to as much as 11% for the Town of Prescott Valley. She said the Consumer Price Index average was 3.6% and that she was recommending that the Board grant a 3.7% range adjustment. Supervisor Davis asked if there was any way to have a sliding scale,

saying that a 3.7% increase for something making \$100,000 per year would amount to a lot more than a 3.7% increase for someone making \$20,000 per year. Ms. Ayers said that was possible, but that it could create a problem with regard to marketability because it would make it more difficult to hire people at higher ranges. Chairman Thurman said the only reason the CIP was not higher was because food prices had not yet gone up. He said he felt there should be a combined total increase of at least 6%, and that this was a way to tell existing employees that the Board appreciates them. Ms. Ayers briefly reviewed the reclassification requests, noting that 33 requests had been made and that she and her staff had reviewed them and recommended approval of 21 of the requests. Chairman Thurman and Supervisor Davis indicated that they were fine with Ms. Ayers' recommendations with regard to reclassifications. Discussion turned to line item reductions, with Supervisor Davis saying he had reviewed Ms. Dixon's recommendations for line item reductions in the departmental budgets and that he felt she had done a good job. Ms. Dixon said she had looked at line items that could be controlled by department heads. Chairman Thurman asked Ms. Dixon if she had contacted the department heads about the recommended reductions. Ms. Dixon said she had in some cases but not in most cases. There was general agreement that Ms. Dixon's reductions were appropriate. Mr. Holst noted that it might be necessary to call a special Board meeting prior to the July 3 meeting, at which tentative adoption of the budget had been scheduled, in order to deal with budget issues as information from the state legislature becomes available. Discussion moved on to requests for contributions from outside organizations. There appeared to be general agreement to grant funding requests for Youth County, Yavapai Family Advocacy, Prescott Downtown Partnership (for Courthouse Plaza management), NACOG, the University of Arizona Cooperative Extension (not all funding being requested) and Cottonwood Area Transit System (CATS). There was brief discussion about the possibility of using either HURF or Regional Road funds to pay for the difference between what was being requested by CATS and the amount of available LTAF funding for District 3. Mr. Holst said he believed the Board could use Regional Road funds for that purpose. There was also discussion about moving the NACOG payment to a line item for dues and subscriptions because that is essentially what it is, and about moving the CATS item to the transportation area of the budget. The Board did not discuss program changes on this day, preferring instead to wait until information is available regarding the state legislature's budget. Supervisor Springer expressed concern that the Board was running out of time with regard to the fiscal year and she asked what would happen if the legislature and the Governor do not agree on a budget by July 1. She asked if it was necessary to pass some sort of resolution to allow departments to continue spending after July 1. Mr. Holst said the Board had not taken specific action in prior years when similar situations existed because the final adoption of the budget does not take place until the first week of August. There was no discussion regarding special district budgets.

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CLAIMS AGAINST YAVAPAI COUNTY

<u>ACCOUNT</u>	<u>AMOUNT</u>	<u>ACCOUNT</u>	<u>AMOUNT</u>
General Fund	2,550,132.24	Forest Projects	130.79
Jail District	409,856.01	District 2 Park Fund	735.46
Local Region. & St Park	1,140.86	Hazmat Equip Grant	3,065.00
WMD Planner	2,727.14	HS 2003 Supplemental	1,571.08
HS 2004	24,101.66	Improve of Education	13,013.44
Enhance Ed thru Tech	3,571.17	Reading Special. H&S	1,635.51
Adult Prob Fees over 40	1,065.23	Dewey Humboldt Agree	6,990.60
Public Health Reserve	8,315.43	Environmental Health	20,945.30
Susan Komen Breast H	471.11	Medical Reserve Corps	1,998.43
Resep Radiation Exp.	484.34	Comm. Health Center	19,211.79
AMPPHI	1,555.29	Family Planning	5,599.80
MCH Programs	6,564.75	Breast Feed. Couns.	2,910.47
Health Promotion	2,764.58	Cost Allocation	6,786.60
Nutrition	659.69	TB Control	1,286.02
WIC Program	17,741.02	Title X Family Plann.	5,167.70
Jail Enhancement	4,288.85	Juvenile Delinq. Reduct	14,880.61
Juvenile IPS	21,812.60	Juvenile Food Prog	2,172.58
Comm. Advisory Bd	1,270.38	Probation Serv	5,792.74
Adult IPS	37,952.55	Adult Probation Fees	13,161.00
Teenage Preg. Prevent	1,092.10	Prob Enhance	50,007.13
Recorder's Surcharge	10,502.19	Indigent Def/Dg	4,098.35

Misc Small Grants	629.52	Crim Just/Atty	5,395.50
Bad Check Prog	3,138.70	CDBG Grant	32,545.00
Juv Prob Svs	2,189.92	Commodity Fd	1,159.93
Hi Risk Chld HI	6,375.62	Clerk's Storage	1,452.50
HIV Counsel & Test	350.03	Atty Anti-Racket	12,117.72
PANT	10,235.63	Law Library	5,215.35
CASA	5,431.61	Case Processing	6,392.68
Prim. Care – V.V.	6,629.75	Victim Witness Prog	9,881.76
Conciliations Court	3,928.75	Enhance Drug Court	3,362.09
Inmate Health Svs	372.98	Drug Enforce. Fund	3,437.91
Probate Fund	1,030.07	Primary Care Services	14,052.43
PC Fees VV	340.84	Local ADR	998.90
FTG Indigent Def.	79.58	Victims Rights Impl	3,318.06
JAIBG Juv Acct P 7	1,912.89	Yavapai Indian Agree	1,938.94
Dietetic Intern	312.07	Immuniz Service	2,800.20
Personal Care Svs	4,077.72	Idea-Preschool	1,266.99
Subs Abuse/DARE	334.07	Chem Abuse	445.38
Family Drug Court	1,253.40	Juv Det/PACE	4,516.49
Collab. Comp Rev Gr	1,581.22	Special Program	18,505.74
Sm Schools BEHA	20,713.31	Mobile Command Cent.	8,014.89
Fill the Gap – Courts	8,948.65	Hurf Road Funds	435,413.21
Assessor Surcharge	12,590.77	Health Fund	68,844.94
Jail Commissary	16,571.45	Landfill Administ.	86,922.17
Judge Pro Tem Div B	9,304.50	Water Advisory Comm.	4,314.26
Tire Recycle	19,204.90	Safe School Pro	6,247.60
Adhs-Svs Coord	881.16	Local Incentive Awards	1,094.79
War Memorial Trust	847.06	EII Consortium 03 NCLB	1,129.06
Fill the Gap – Attorney	3,807.41	Family Law Commiss.	9,710.16
Comm Punish Pro	2,947.23	Juven. Detent Ed Pro	9,985.67
Regnl Road Project	37,535.16	Library Auto Consor	468.00
Health Start	2,186.98	Victim Compens. ACJC	16,889.18
Interstate Compact Pro	2,056.51	Ryan White II	3,414.78
Prepared. Bioterror	13,548.87	Primary Care Fees	48,121.19
Perinatal Block	3,395.39	Well Woman Health	9,966.66
Tobacco Educ	14,596.53	Victim Assist. ACJC	1,173.22
St Implement Grant	701.52	School Reso. – Mayer	990.22
St Grant in Aid	3,086.60	Az Region. Support	5,518.11
Direct Treatment Fund	2,981.33	Mental HealthRWJF	1,743.92
Mental Health Part.	1,743.93	Field Trainer	2,495.96
Attendant Care	22,397.50	HIV WYGC	231.53
Childrens Justice	3,039.97	Child Sup & Vis	949.62
Domestic Relations Ed	615.94	Self Service	793.43
VOCA	10,303.79	JTSF Treatment	6,517.91
Diversion Conseq.	1,422.16	Tobacco Donation Fund	148.89
Bagdad Airport	2,085.00	Sedona Airport	16,252.50
ALTCS	701,717.21	Help Debt Svs Loans	187,851.56

In addition, payroll was issued on May 26 for the pay period ending May 20; warrant numbers 2461712 through 2462037, in the amount of \$284,107.35. Jury certificates issued during this time; 6876220 through 6876640. Warrants issued for June 5 Board day, 4264942 through 4265372; 4265373 through 4265819; 4265820 through 4266150.

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

ATTEST:

____Clerk____Chairman

