



Approval May 4, 2023

APACHE COUNTY COMMUNITY DEVELOPMENT

P. O. Box 238
St. Johns, Arizona 85936
Phone: (928) 337-7526

PLANNING AND ZONING COMMISSION

MINUTES FOR April 6, 2023

Technical issues. No Recording of work session or public meeting, system was down.

In Attendance:

Commissioners

Dan Muth, Chairman (Absent)
Oscar Miranda, Vice-Chairman
John Freeman
Kay Hauser
Carey Dobson
Bobby Fite (Absent)
Brad Peterson
Traegen Knight (Absent)
Brad Jarvis
Michael Bragiel

Staff

Matthew Fish, Director
Shanna Pearce, Plan Reviewer
Ruben Aranda, Code Enforcer
Roxanne Drye, Appraiser III

Working Lunch Session

Vice-Chairman Oscar Miranda called the work session to order at 12: 35 p.m.

No discussion

Work Session closed 12: 37 p.m.

Regular Meeting

Call to Order.

Vice-Chairman Oscar Miranda called the public meeting to order at 1:10 p.m.

Roll Call/Determination of a Quorum.

Vice-Chairman Oscar Miranda determined a quorum was present by roll call, seven (7) commissioners present as noted above.

Call to the Public

No public comment(s).

Approval of the minutes from the March 2, 2023, meeting.



Approval May 4, 2023

Vice-Chairman Oscar Miranda opened for a motion and discussion.

Mr. Miranda noted the date of the minutes should be March 2 not February 2 and recommended this be changed. Commissioners and staff agreed.

Vice-Chairman Oscar Miranda called the question.

Commissioner Kay Hauser motioned to approve the change of date to March 2, 2023. Commissioner Brad Peterson second the motion.

No Discussion

Vote, 4 ayes to 0 nays with 3 abstention, Vice-Chairman Oscar Miranda and Commissioners Carey Dobson and John Freeman were not present at the meeting.

Motion Carried

PUBLIC HEARING, consideration, and possible recommendation for approval of the Fourth Amended Plat of the Hidden Paradise Subdivision, allowing Becky Ivins to split her +/- 5-acre lot and create two (2) +/- 2.5-acre lots for residential use. Property is located at 54 CR 8405 in Vernon, AZ. A.P.N 106-25-004.

Vice-Chairman Oscar Miranda introduced the item.

Matt Fish provided a staff report and recommended approval with no conditions.

Commissioner John Freeman noted that not all items were checked off on the application under the Submittal Checklist.

Vice-Chairman Oscar Miranda opened the public meeting.

Applicant Becky Ivins 45 CR 8405 Concho, AZ advised the commission she planned to divide the property into 2.5 acre lots, place a small home on each lot and is working on getting septic systems on both property's.

No public comments.

Public meeting closed.

Vice-Chairman Oscar Miranda opened for a motion and discussion.

No Discussion

Vice-Chairman Oscar Miranda called the question.

Commissioner Brad Peterson motioned to approve as presented.



Commissioner John Freeman second the motion.

No further discussion.

Vice-Chairman Oscar Miranda called the question.
Vote unanimous, 7 ayes to 0 nays

Motion carries.

PUBLIC HEARING, consideration, and possible recommendation for approval of a conditional use permit allowing Commnet of Arizona, LLC to construct a 195' Telecommunications tower within a 100' x 100' fenced compound. The proposed tower will provide high-speed 5G broadband internet with fiber optic infrastructure to connect homes and businesses as well as fixed wireless solutions to the community. The proposed tower will also be designed to support additional commercial wireless carriers to provide enhanced coverage to the community. The proposed location is adjacent to the Vernon Fire Station at 1 CR N3115 in Vernon, AZ. A.P.N. 106-74-002F.

Vice-Chairman Oscar Miranda introduced the item.

Matt Fish provided a staff report and recommended approval with a condition(s) that work on the tower should start one (1) year from approval by the Apache County Board of Supervisors and be complete within one (1) year.

Applicant Representative Alexis Leidigh Director of Site Development presented the CUP she advised the commissioners they had an agreement with Verizon to co-locate and they will have the capacity to co-locate two (2) additional service providers. She confirmed that the tower will provide fiberoptic and broadband services and described the location to other towers in the area. Mr. Freeman asked what the service radius was. Mrs. Leidigh stated she could not confirm the coverage area, she did not have the information with her. Mr. Fish noted that the service radius would be approximately five (5) to 10 miles.

Deputy Chief Nick Perrone, CR 3140 Vernon, AZ explained the benefits to the fire department and the community and their on-going negotiations with AT&T and FirstNet to provide First Responders with priority access to all highspeed internet to provide coverage between Apache and Navajo County and the State. He added that they have also requested space for a repeater for the county.

Commissioner John Freeman asked if the agreement included take down and/or disposal procedures should the tower become obsolete. Mr. Perrone stated yes. Mr. Miranda asked if he was familiar with the wind structure of the tower. He advised the commission he was assured that they had skilled construction workers knowledgeable of the area.



Approval May 4, 2023

Mr. Miranda and Mr. Perrone discussed the contract between AT&T and the Fed's to start 5G imbursements with Motorola. Mr. Perrone added that the state was in the process of rebuilding their mutual aid system and the issue with the lack of towers, he noted that this would be the third tower including Greens Peak, St. Johns, and Summit and would help solidify the coverage and gap north in the fire district and on the other side of highway 61.

No Further Discussion.

Public session opened.

Will Rabel 125 ACR 3148 addressed the commission with concerns of EMP's and asked if there would be a backup generator to keep the tower operational if needed.

Mrs. Leidigh explained they would be installing a 1,000-gallon tank. She advised that all their towers follow FCC regulations and offered to provide the county with a certification of compliance. She offered to send out a professional engineer to determine frequency, power output, maximum emissions, and where they fell within the FCC allowances and also provide a copy of their report to the commission and to Mr. Rabel.

Mrs. Hauser asked Mr. Rabel how close he was to the proposed tower. He stated within 300 feet. Mrs. Leidigh offered to send out an RF engineer to take measurements around the tower and his home to see actual onsite emissions and provide him with a copy of the report. Mr. Freeman asked how many watts would be generated. Mrs. Leidigh did not know off hand and stated that generally the emissions were significantly lower than what was allowed.

No further questions or comments.

Public meeting closed.

Vice-Chairman Oscar Miranda opened for commission discussion.

No further discussion.

Vice-Chairman Oscar Miranda opened for a motion.

Commissioner Kay Hauser motioned to approve.
Commissioner Brad Peterson second the motion.

Vice-Chairman Oscar Miranda called the question.
Vote unanimous, 7 ayes to 0 nays

Motion carries.

Report from Staff to the Commission.



Approval May 4, 2023

Vice-Chairman Oscar Miranda thanked Commissioner Kay Hauser for stepping in as Chair for last months meeting.

Mr. Fish advised that it had been suggested to hold the work session after the public meeting, he explained this could eliminate any possible issues that the publics may have with debating agenda items and deciding votes being made before getting to the public meeting, it would also allow for discussion on agenda items for following month's agenda. He also noted that in discussions it was felt that there would be more public participation.

Commissioners discussed the pros and cons of moving the work session and felt that by having the work session before the public meeting allowed them to get questions answered and to be better prepared to address comments and concerns in the public meeting. Mrs. Hauser noted that at past meetings some items were over discussed, and the commission had spent double time during the work session and then re-discuss in the public meeting and felt they would need to consider the structure and flow. Mr. Fish clarified that the discussion would take place during the public meeting.

Mrs. Hauser suggested that they consider how they are going to structure and operate the work session.

Commission discussed the pros and cons of moving the meeting time.

Mr. Miranda stated he would like to keep the meeting time at 1pm because of travel time. Matt explained that it was felt the later time would be more public friendly and provide better public participation.

Mr. Jarvis stated that he had not seen people that needed to attend the meetings not attend and noted that accommodation could be made via ZOOM or other means.

Mr. Miranda recommended adding these items to the to work session to discuss further.

Mr. Fish noted that staff were still working on getting some continuing education on the work session for the commission. Mr. Freeman didn't understand why management didn't support staff in getting continuing education and advised that Jeremy Dye from Yavapai County was very competent, experienced, knowledgeable, and skilled and would be a good third-party resource if needed.

No further comments or discussion.

Adjournment.

Vice-Chairman Oscar Miranda opened for a motion to adjourn.
Commissioner Brad Peterson motioned to adjourn.
Commissioner Kay Hauser second the motion.

Adjournment 1:50 p.m.