

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

October 14, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:00 a.m.

PRESENT: Pete Shumway, Chairman; J.R. DeSpain, Vice-Chairman; Percy Deal, Member; Jesse Thompson, Member; Jerry Brownlow, Member; Lance Payette, Deputy County Attorney; Jimmy Jayne, County Manager; and Judy Jones, Clerk of the Board.

Mr. Thompson led the Pledge of Allegiance and offered the Invocation.

CALL TO THE PUBLIC: There were no comments or concerns presented.

CONSENT AGENDA: **Mr. Thompson made a motion** to authorize the Chairman to sign the items in the Consent Folder, with the exception of item #5 (see note below *); motion seconded by Mr. DeSpain; vote unanimously carried. The following items were included in the Consent Agenda: 1) Voucher List for Payment: 2) Justice Court Reports: Pinetop/Lakeside (July & August); 3) Back Tax Land Deeds:203-08-014, 015; 203-08-017; 105-58-082, 105-58-059, 105-08-074A, 105-29-005, 105-19-053; 103-21-232, 105-38-122, 106-75-009C, 109-26-002;105-04-041B,105-05-006B,105-19-011,016,105-23-040,105-24-068B,105-31-029,105-52-113, 114,115,116,117,118,119,252,253,444,445,105-54-300,105-55-340,105-56-175,176,189,190,230,231,410, 105-58-057,058,083,084,428,429,439,440,441,105-59-154,294,295,296,297,105-60-029,53,54,181,105-61-012,105-62-034,035,050,62-051,340,105-63-134,144,105-64-383,105-65-108,184,185 &250; 4) Public Works: Rename existing portion of "Buckskin Circle" to "Buckskin Court" (Linden area); 5) University of Arizona College of Agriculture & Life Sciences, Cooperative Extension: Appropriation of County Funds for Fiscal Year 2003-2004 (*at the request of the Chairman, item #5 was pulled from the consent agenda, and will be placed on the regular agenda at a future date)

COUNTY ATTORNEY: Lance Payette, Deputy County Attorney: Authorization to use Southwest Border Prosecution-Initiative grant funds for five days of on-site training by their LegalEdge representative: Mr. Payette explained that the office uses LegalEdge for its case tracking software. The company has encouraged the department to obtain additional training in the use of the software, but in the past, there was not enough funding to do this. Now, with the Department of Justice (DOJ) award of \$1,056,250, the training can be obtained. (these funds can be used "for any legal purpose", although the DOJ encourages their use for prosecution purposes) The most economical way was to have the trainers come to the county for five days to train all the employees at once. The cost for this training session will be \$11,500, which is a significant discount from the company's usual fees. **Mr. Deal made a motion** to authorize use of Southwest Border Prosecution-Initiative grant funds for five days of on-site training by LegalEdge representative; motion seconded by Mr. Brownlow; vote unanimous approving the motion. (Mr. Deal asked for a copy of the guidelines for use of the DOJ funds)

BOARD OF SUPERVISORS: Jerry Brownlow, District V: Funding assistance from V Special Project Funds to send employee to Firewise Workshop on November 5 -7, 2003: Mr. Brownlow said that Lissa Davis, Planner in Development Services, will be attending this workshop. **Mr. Shumway made a motion** to approve funding assistance in the amount of \$250, from District V Special Project Funds to send an employee to Firewise Workshop on November 5-7, 2003; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

EMERGENCY SERVICES: Paul Jaster, Director: Approval to advertise for RFP for Planning Consultant to develop a County-wide Homeland Security/Domestic Terrorism Response & Mitigation Plan : Mr. Jaster

explained that the funding is in the form of a FEMA grant (\$65,815). The RFP was approved by the Homeland Security Task Force at its meeting on September 23rd. The Task Force will review the proposals and make a recommendation to the Board. Mr. Jaster noted that they have identified about 10 planning consultants in Arizona who are familiar with this kind of project. Mr. Deal requested that tribal representatives be present when the proposals are reviewed. Mr. Jaster advised he has a meeting scheduled in Window Rock to make the tribe aware of everything going on with the Task Force. Mr. Deal expressed concern that the communications issues appear to no longer be a priority. Dusty Parsons advised that the Task Force did look at sending an RFP for the communications consultant, but the State has already done the exact same thing. The Task Force felt that instead of using our limited funding to duplicate that effort, we should allow ADOT continue with that project on a state-wide basis. We can still utilize the information. **Mr. DeSpain made a motion** to approve advertisement for RFP for Planning Consultant to develop a County-Wide Homeland Security/Domestic Terrorism Response and Mitigation Plan; motion seconded by Mr. Thompson; vote unanimous approving the motion.

PUBLIC WORKS: Bill Cox, Director: Approval to extend three seasonal temporary positions (budgeted): Mr. Cox explained that two of these positions are needed to complete the traffic counting of the highway system. This information will be used in the Pavement Management System and the Level of Development Proposal. The other position will be used in the Show Low Road Yard to help in the shop and highways as needed, due to several vacancies in the department. These positions were budgeted in the FY 03/04 budget. **Mr. DeSpain made a motion** to approve the extension of three seasonal temporary positions as presented; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

NAVAJO COUNTY FLOOD CONTROL DISTRICT: Bill Cox, Floodplain Administrator: **Board of Directors:** Approve contract with J.E. Fuller, Inc. to provide services for the review of the Little Colorado River Floodplain Delineation Study: **Mr. Shumway made a motion** enter into a Board of Directors' session; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Mr. Cox explained that the Little Colorado River Floodplain Delineation Study, approved by the Board in October, 2000. The purpose of the study was to develop detailed flood hazard assessments and revise the floodplain maps if need be. The study is now complete, indicates that the Winslow Levee does not meet the FEMA standards for 100-year flood protection. At budget time, it was determined that the Flood Control District would pursue the option of improving the levee to meet the FEMA standards, if possible. Before beginning any design work, however, the District would like to have an independent review of the study results. The review is not being requested because of any concerns about the quality of the study, but because the estimated levee improvement costs could be more than \$2 million, we want to make sure there were no technical oversights in any of the analyses. A written report will be presented when the review has been completed. Mr. Deal expressed concerns that Navajo County Flood Control District funds are being used for this review, when the area studied is well within the Little Colorado Flood Control District. Tom Hieb, Deputy Director-Flood Control, explained that funds were set aside when the original study was done, with an extra amount to be used for unforeseen expenses. The funding for this review is still part of that original funding. Deputy County Attorney Lance Payette advised that the statutes provide for a county-wide flood control district that may have separate zone districts within it. Mr. Deal requested Mr. Hieb provide him with information as to which district was created first, and when. **Mr. DeSpain made a motion** to approve contract with J.E. Fuller, Inc. to provide services for the review of the Little Colorado River Floodplain Delineation Study; motion seconded by Mr. Thompson; vote unanimous approving the motion. **Mr. Shumway made a motion** to return to regular session; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

JAIL & JUVENILE RESTORATION FACILITIES COMMITTEE: Jerry Brownlow, Chairman: 1) Update regarding schedule of disbursements from Administrative Offices of the Courts (AOC) Funds; and 2) Possible funding requests from Navajo County for completion of the Jail and Juvenile Restoration Facilities: Presiding Juvenile Judge Tom Wing explained that the original plans for the Juvenile Restoration Center called for a multi-purpose, program building, which was to be completed by 12/31/02. Due to unforeseen circumstances, that date was not met, and a new completion date of April, 2003 was scheduled. When the Administrative Office of the Courts (AOC) came to look at the building, they found a long list of things they were not satisfied with. The AOC then froze the remaining funds (approximately \$108,000) and required us to prepare a plan to be approved for completion. We did this, but the AOC then advised that no reimbursements would be made until the building was completed and approved. Judge Wing spoke with the AOC, and the result was that certain projects will be reimbursed, but will still hold back a substantial amount until the building is completed. The projects which must be done before winter sets in are: 1) fire suppression system-\$20,000; and 2) paving of the parking lot-\$25,000 (original estimate). AOC will therefore reimburse us \$45,000, but the balance of \$63,000 (approximate) will be held. Judge Wing requested that the Board authorize him to move ahead with the project. He noted that part of the completion project includes tying in the computer and security systems with the existing systems. There have been problems with the company contracted to do this work. They have yet to complete the contract, and we have turned to the County Attorney's office for help in this matter. Judge Wing said these issues were not discussed at budget time because it was not anticipated that the AOC would withhold the funding. Mr. Brownlow noted that we will be reimbursed by the AOC once the building has been completed and approved. He has spoken with the County Attorney's office, who has offered to let use their DOJ award funds (3100 fund) to complete the project, as long as the fund is reimbursed. **Mr. Brownlow made a motion** to authorize the County Manager to sign off on the agreement; and to authorize the completion of the project, utilizing the County Attorney's 3100 funds as presented, with the understanding that those funds must be repaid when the AOC reimburses us; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

BOARD OF SUPERVISORS: Jimmy Jayne, County Manager: **Resolution of Support and Congratulations to Hardrock Community for being selected by the University of Arizona as an EXPORT (*Excellence in Partnerships for Community Outreach, Research on Health Disparities and Training*) Center:** Mr. Jayne said he is pleased to be accompanying Mr. Deal to Hardrock tomorrow to attend the meeting with the University of Arizona regarding the EXPORT project. Mr. Deal advised that the community is very excited, not only to have received this recognition, but to begin the task of bringing resources for the health concerns in the community. **Mr. Shumway made a motion** to adopt **Resolution #67-03**, Support and Congratulations to Hardrock Community for being selected by the University of Arizona as an EXPORT Center; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Dr. Raymond Nejerer, Bioterrorism Defense Manager: **Board of Directors Session:** 1) Approval to purchase Skycaster Mobile Satellite System for the Bioterrorism Defense Management Department: **Mr. Shumway made a motion** to enter into a Board of Directors Session; motion seconded by Mr. Brownlow; vote unanimous approving the motion. (Mr. DeSpain and Mr. Thompson absent for the vote) Dr. Nejerer advised this is a mobile system because a wireless satellite system is needed. Funding will come from last year's grant funds set aside by ADHS for a redundant internet system.

Mr. Shumway made a motion to approve the purchase of Skycaster Mobile Satellite System, in the amount

of \$10,849.05, for the Bioterrorism Defense Management Department; motion seconded by Mr. Deal; vote unanimous approving the motion.

2) Approval to purchase Darcomm Network Solutions (Transceiver) for the Bioterrorism Defense Management Department: Dr. Nejeres explained that funds were allocated for either a radio or a transceiver. He chose the transceiver to allow the MIS Department to use it also. **Mr. DeSpain made a motion** to approve the purchase of Darcomm Network Solutions (transceiver), in the amount of \$16,832.38, for the Bioterrorism Defense Management Department; motion seconded by Mr. Deal; vote unanimous approving the motion. **Mr. Brownlow made a motion** to return to regular session; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

ADMINISTRATION: Bob Howell, Accountant: **Resolution** determining the validity of the Petition for

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BOARD OF SUPERVISORS: WORKSESSION:1) Bioterrorism update on surveillance and epidemiology situation for Navajo County in collaboration with the Navajo Nation and the University of Arizona School of Public Health : Dr. Nejeles presented an update on various activities his department is

involved in across the county, including a proposed Epidemiology and Surveillance program in cooperation with the University of Arizona. **No action taken.**

2) Board discussion regarding reorganization concepts (Organizational Chart): Administration (Finance - Human Resources); Clerk of the Board; Building & Grounds; Development Services; Health Services District (Bioterrorism); Legal Defender; Library District; MIS; Parks & Emergency Services; Public Fiduciary; Public Works (Flood Control); Public Defender: Mr. Jayne presented an organizational chart, department by department, including proposed changes. These proposed changes are as follows: 1) Combine Clerk of Board and Admin staff and budgets. This will help assure that Admin is taking the full 15% reduction. 2) Building & Grounds Department will now take charge of the maintenance of the recreation center. 3) Emergency Services/Parks & Rec: Mr. Jayne said these departments don't necessarily belong together. He proposes that Emergency Services be placed under the direction of Sheriff Butler. Parks & Rec would then be combined with the Fair and a separate full time director would be hired for this department. This scenario would save the county approximately \$650, but would not require any additional employees. 4) Public Works-Mr. Cox explained that his recommended changes would result in a \$1700 reduction in the salary line item, and would not require any new employees. Mr. Jayne commented that, from a management perspective, this proposed re-organization makes good sense.

3) Authorization to proceed with assignments and responsibilities: Mr. DeSpain made a motion to proceed with assignments and responsibilities as presented; motion seconded by Mr. Brownlow; vote unanimous approving the motion. (Mr. Deal absent for the vote)

4) Board Meeting Date: Review of House/Senate Standing Committee dates & times; Discussion regarding possible revised Board meeting schedule: Mr. Jayne presented a schedule of the standing legislative committees: Tuesday mornings-House Government & Retirement and House Public Institutions & Counties; Tuesday afternoons-Senate Government and Senate Natural Resources & Transportation; Wednesday mornings-House Natural Resources, Agriculture, Water & Native American Affairs. Mr. Jayne presented a proposal to change the Board's meeting day from Monday to Thursday. Meetings would then be on the 1st & 2nd Thursdays of the month; the 3rd Thursday would be free for the CSA meetings; and the 4th Thursday would be a worksession or a regular meeting, if necessary. Mr. Jayne noted that with the legislative committee schedules on Tuesdays and Wednesdays, the Supervisors could attend more of those sessions if our Board meeting was on Thursdays. If the meeting day were to change, agenda items would be due by Thursday at 5:00 p.m. and the agenda would be posted by Friday at noon. This would give the Supervisors almost a full week to review the information prior to the meeting. Noting that Mr. Deal is absent, Mr. Thompson requested this matter be placed on the agenda for a vote on Monday. **No action taken at this time.**

5) Legislative issues (Agenda for 04 Session): Mr. Jayne commented on the financial concerns that affect us as well as the other counties that cannot increase their revenues. The Legislature is talking about a substantial shortfall in the State budget: \$600 million to \$1.5 billion. We need to stay on top of what the legislature is doing, so they do not try and transfer their problems to the counties. There should be no more unfunded mandates. We need to know what avenues are available to us under the existing statutes. If we don't propose something, we will end up just reacting to what the legislature does.

6) Federal funding for potential transportation projects - Bill Cox, Public Works: Rural Transportation Advocacy Council Meeting (Rural Consultation Forum), Little America, Flagstaff October 24, 2003

@10:00 - 1:00 pm; Development of proposal to be submitted to Congress re: TEA21 and other Federal Funds: Mr. Cox reported that Federal monies are currently distributed to the 13 smaller counties through the state, without any local input. ADOT is in the process of putting together a 20 year transportation plan and the meeting planned for October 24th is to get local input. Mr. Cox said he will be there and he asked that the elected officials also attend if at all possible. The Counties are not getting their fair share of federal monies and we need to make our voices heard. Mr. Shumway asked that Mr. Cox prepare a memo regarding this information so that the Board can review it prior to the meeting.

7) Proposed salary increase for County Elected Officials: Laurette Justman, Navajo County Recorder: Ms. Justman wanted to let the Board know that many of the Elected Officials' organizations are going to propose salary increases to the legislature. She wanted to run it by the Board to see if they would oppose, support or stay neutral regarding the issue. The issue may be on the CSA agenda next week.

COUNTY MANAGER REPORT: Jimmy Jayne, County Manager: 1) Current Events: Mr. Jayne announced there will be Risk Awareness Training on Wednesday, 10/15/03 for all employees. There will be two sessions scheduled: 9-10 a.m. and 2-3 p.m. The training is voluntary.

2) County Fair Board Appreciation Dinner - Saturday, November 1, 2003: This appreciation dinner is for all of the volunteers and sponsors who worked so hard to make the fair a successful event this year. The festivities begin at 7:00 p.m.

3) County Employees Appreciation Day: County Complex - Monday, October 20 @11:00 - 1:00 p.m.; and South County Road Yard: Tuesday, October 21, @1:00 p.m.: Mr. Jayne advised the Board of these dates and times. He also noted that there will now be a regular county newsletter, published once a month, commencing in November. (First issue due November 1st)

PAYROLL ACTIONS: Gail Sandoval, Human Resource Director, presented a list of payroll actions. **Mr. DeSpain made a motion** to approve the payroll actions as submitted; motion seconded by Mr. Brownlow; vote unanimous approving the motion. (Mr. Deal and Mr. Thompson not present for the vote)

BOARD BUSINESS: Ms. Jones advised that the Back Tax Auction held on October 6, 2003 brought in \$36,670. Of the 100 parcels on the auction list, 75 were purchased. The remaining 25 parcels will be added to our ongoing list.

THE BOARD RESERVES THE RIGHT TO ADJOURN INTO AN EXECUTIVE SESSION WHEN NEEDED, ARS §38-431.03 (A)(3) FOR LEGAL ADVICE ON THE ABOVE AGENDA ITEMS.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, October 20, 2003, upon a **motion made by Mr. DeSpain**; motion seconded by Mr. Brownlow; vote unanimously carried. The meeting adjourned at 2:55 p.m.

APPROVED:

Pete Shumway, Chairman

DATE: _____

ATTEST:

Judy Jones, Clerk of the Board

The following Navajo County demands were audited, approved and ordered paid by the Board: APS\$18220.61;BIA\$8769.35;BrimhallSnd&Rck\$4655.03;Chevron\$1008.18;ChollaRdyMX\$16637.50;CW agner\$3120;CtyHlbrk\$3092.25;Compucom\$3397.65;Contech\$4225;CopperstateBattery\$1106.65;CrtRprtnS rvc\$1848.40;DJones\$2065;DGoldberg\$1332.05;DMartin\$1446.50;DiamondPharmacy\$6934.95;EmpireMac h\$2817.94;ErgonAsphalt\$29559.30;Fester&Chapman\$2556.93;FrontierComm\$1505.36;GFabok\$1307.70; HAtchCnstrctn\$18697.11;JBoggs\$1648;LRInvestigations\$1892.50;LindenPearce\$18671.09;NCRF\$5087.8 3;NCSRF\$1054.71;NewAvenueInd\$3869.52;NWPump&Eqpt\$1408.43;PortenierEnt\$1252.38;RSCRentalSr vc\$2636.77;SHareCorp\$2678.74;Speedie&Assoc\$14000;SummitSurg&Recvry\$1199.31;TwnPntpLksd\$10 037.61;Unisource\$2724.46;VikingOfcPrd\$2408.10;Walmart\$1950.24;WstrnTech\$3569;WhtMtnCnsIng\$23 85;WoodLawOfc\$8134;Xerox\$1596.54;YoungsFutTr\$4107.96;ZumarInd\$5740