

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

April 19, 2004

Supervisors' Chambers, Holbrook, Arizona - Time: 9:10 a.m.

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

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

CALL TO THE PUBLIC: Mr. Roy Patterson presented concerns regarding the road condition on Wildcat Trail, south of Forest Park Drive, in Overgaard. He requested assistance in the remediation of the problems, including dust, by the application of ABC gravel.

CONSENT AGENDA: Mr. Shumway made a motion to authorize the Chairman to sign the items in the Consent Folder; motion seconded by Mr. Thompson; vote unanimously carried. The following items were included in the Consent Agenda: 1) Voucher list for payment; 2) Assessment and Tax Roll Corrections; 3) Board Minutes: March 8, 2004; 4) Juvenile Justice System Report: March, 2004; 5) Constable Reports (March): Holbrook #1; Winslow #2; Snowflake #3; Show Low #5; 6) Development Services: **Resolution #35-04** approving Zone Change from RU-1 to I-2, on APN #107-22-003A & 107-22-021, Joseph City area; 7) County Attorney: **Resolution #36-04** proclaiming the week of April 18-24, 2004 as National Crime Victims' Rights Week; 8) Liquor License-Extension of Premises Permit: Chuck Wagon Steak House, Pinetop-Lakeside, Arizona; 9) Liquor License-New: Heber Chevron Food Mart, 1977 Highway 260, Heber, Arizona; 10) Public Works: Rename an existing road in the Pinetop-Lakeside area from "Dear Run Road" to "Grizzly Bear Road"; Rename an existing road in the Pinetop-Lakeside area from "Dear Run Road" to "Bear Hunter Road"; Name an existing road in the Heber area "Country View Lane"; Name an existing road in the Heber area "Summer View Lane"; Name an existing road in the Heber/Overgaard area "Backward C Lane"; Name an existing road in the Winslow area "Rockwood Drive"; Name an existing road in the Winslow area "Chicory Drive"; Name an existing road in the Winslow area "Sunview Drive"; Name an existing road in the Winslow area "Applegate Way"; Name an existing road in the Winslow area "Springfield Way"; Name an existing road in the Winslow area "Mallard Way"; Name an existing road in the Winslow area "Cisco Way"; Name an existing road in the Winslow area "Driftwood Way"; Name an existing road in the Winslow area "Hummingbird Way"; Name an existing road in the Winslow area "Fargo Way"; Name an existing road in the Winslow area "Rio Vista Way"; Name an existing road in the Winslow area "Sparrow Way"; Name an existing road in the Linden area "Outlaw Pass"; Name an existing road in the Linden area "Gardenia Lane"; Name an existing road in the Winslow area "Oak Ridge Drive"; **Resolution #37-04** extinguishing easement for drainage and maintenance recorded at Fee No. 1999-5744; **Resolution #38-04** extinguishing easement for drainage and maintenance recorded at Fee No. 1999-5742; 11) Board of Supervisors: Approval for funding from Special Project Funds to host Small Counties Forum on April 14, 2004; 12) Finance Department: Approval to expend \$75,000 from Administration Accounting/Auditing Services funds for preparation of financial statements for FY 01/02 & 02/03; and to expend up to \$25,000 for audit of health insurance.

APRIL MONTHLY ANNIVERSARY EMPLOYEE APPRECIATION: 15 Years: Laree Saline; **10 Years:** Erlene Plumb; Darlene Davis; **5 Years:** Jeffrey Purinton; Lois Hancock; Carrie Campa; Mickell Barney; Certificates were presented.

MOUNTAIN GLEN WATER SERVICE, INC. Beatrice Parker, Secretary/Treasurer: Accept Application for Franchise and publish Notice of Intention to Grant Non-Exclusive Franchise at Public Hearing on May 17, 2004 at 9:30 a.m.: (Ms. Parker was unable to be present) In response to a question from the Board, Mr. Payette explained that the franchise granted by the county would be for the entire county. The specific area for which the company would provide service is determined by the Corporation Commission. **Mr. Shumway made a motion** to Accept Application for Franchise and publish Notice of Intention to Grant Non-Exclusive Franchise at Public Hearing on May 17, 2004 at 9:30 a.m.; motion seconded by Mr. Thompson; vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Mary Tyler, Interim Director: **Board of Directors Session:** Approval of Amendment #1 to Contract #HG461037 with Arizona Department of Health Services for the County Prenatal Block Grant for the period from July 1, 2004 through June 30, 2005: **Mr. Shumway made a motion** to enter into a Board of Directors Session; motion seconded by Mr. Brownlow; vote unanimous approving the motion. Ms. Tyler advised this is an ongoing contract, with no changes from last year. **Mr. Thompson made a motion** to approve Amendment #1 to Contract #HG461037 with Arizona Department of Health Services for the County Prenatal Block Grant for the period from July 1, 2004 through June 30, 2005; motion seconded by Mr. Brownlow; vote unanimous approving the motion. **Mr. Shumway made a motion** to return to regular session; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

SHERIFF'S OFFICE: Gary Butler, Sheriff: **Resolution** and approval to enter into contract with the Governor's Office of Highway Safety for funding to purchase breath testers and mouthpieces: Sheriff Butler advised that this grant will provide funding to purchase 10 preliminary breath testers and 500 mouthpieces for screening of DUI suspects in the field. **Mr. Shumway made a motion** to adopt **Resolution #39-04**, to enter into contract with the Governor's Office of Highway Safety for funding to purchase breath testers and mouthpieces; motion seconded by Mr. Thompson; vote unanimous approving the motion.

EMERGENCY SERVICES: Commander Larry Dunagan, Director; Gary Butler, Sheriff: 1) Approval to designate Applicant's Agent for Arizona Division of Emergency Management Haz-Mat filing and reimbursement: Commander Dunagan explained that there must be a designated agent and alternate in order to be reimbursed for haz-mat costs. The agent of record at this time is no longer employed by the county. **Mr. Shumway made a motion** to approve the designation for Applicant's Agent for Arizona Division of Emergency Management Haz-Mat filing and reimbursement as Commander Larry Dunagan, and Alternate as County Manager Jimmy Jayne; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

2) Emergency Services update, including current fire danger, reverse 911 system demonstration and meeting with the Governor: Commander Dunagan began by advising that the expected higher temperatures and lower precipitation will result in an above normal fire season this year. Fire departments are training for wildland fire, and evacuation plans and procedures are up to date. Bark beetles and drought have killed more trees than all of the previous year's fires put together. The beetles will soon start swarming, and will infect even more trees. There are certain insecticides which are

effective, but these treatments are very expensive. The Forest Service has let out a few small-diameter contracts, but these solutions are not enough to avert disaster this year. There is a critical danger to our communities as well as the forests. Commander Dunagan noted that if a fire started at Carrizo/Forestdale Canyon, and the Forest Service and BIA could not stop it, homes could be burning in Show Low, Pinetop and Lakeside within 3 hours. Sheriff Butler presented his concerns regarding evacuation. He said he is afraid that if people do not leave when told, there could be deaths. In some cases, emergency response vehicles may not be able to get to them. The Sheriff advised that if people choose to stay when an evacuation has been ordered, they will be "locked down" on their property; they will not be allowed to roam around anywhere except their own property. If there are children present, law enforcement will take them to safety, or parents could be charged with endangerment. The Sheriff noted that law enforcement is ready for the fires should they happen. Heavy equipment and fire teams are all in the area, and all BIA fire teams and local fire departments have been trained for wildfires. Commander Dunagan advised the Board that a test of the Emergency Alert Communicator System will be conducted on May 5, 2004 from 8:00-9:00 p.m. The area where the test will be conducted includes just over 1000 residences in the south county with telephone exchanges 532, 537, 367, 368 & 369. A report will be generated indicating who was contacted, the phone number and the address. It will also indicate if there was no answer or if an answering machine picked up the call. Commander Dunagan noted that this system can eventually be county-wide, but for now it only includes those areas on the Frontier telephone system. **No action taken; informational only.**

NAVAJO COUNTY HASHKNIFE SHERIFF'S POSSE: Mark Reynolds, Captain: Request for funding assistance to allow the Posse to participate in the "Fraser Valley Pony Express" ride in Canada from May 21-23, 2004: Mr. Reynolds explained that this is an honor for the Hashknife Posse to participate in the Canadian pony express ride. They have raised approximately \$1100 of the \$3500 needed for six (6) posse members to attend this event. They are hoping to raffle off a gas grill and they are selling bandanas. He noted that the Holbrook Chamber of Commerce has donated \$500, and are putting together a packet to promote Holbrook. Mr. Reynolds said that any help the Board can provide would be greatly appreciated. Mr. DeSpain acknowledged that there is very little Special Project monies left, and what is there has been earmarked for specific projects such as forest issues. Mr. DeSpain added that he would personally be glad to help with a raffle or any other fundraiser the posse undertake. **No action taken.**

MANAGEMENT INFORMATION SYSTEMS (MIS): Robert Heming, Director: Approval and authorization for Intergovernmental Agreements with Gila County for sale and technical support of the Active Data Tax Software: Mr. Heming advised that Navajo County created a tax system in 1998, and has been able to sell it to four other counties (Apache, Greenlee, Graham and La Paz). Gila County is now looking to replace their 30 year old system and would like to purchase Navajo County's package. This would represent \$40,000 in revenue to Navajo County. We would provide the maintenance, for which Gila County would pay a fee each year. (This fee is determined by our total annual cost to maintain the software, divided by the number of counties using it) **Mr. Brownlow made a motion** to approve and authorize the Intergovernmental Agreement with Gila County for sale and technical support of the Active Data Tax Software; motion seconded by Mr. Thompson; vote unanimous approving the motion.

BLACK MESA (KITS?LLI) COMMUNITY SCHOOL: Ben Johnson, Maintenance Supervisor: Report regarding upgrades made to school bus routes 8066, 8065, 8068, 8034 & 8028 in Black Mesa, utilizing

Navajo County TEA-21 funds: Mr. Johnson presented a report regarding funding previously provided by Navajo County for school bus route maintenance. He advised that this funding allowed for the improvement of 10 miles of bus routes within the Black Mesa Community School area. He also noted that the gravel for these improvements was provided by Peabody Coal Company. **No action taken; report only.**

RECORDER/ELECTIONS: Laurie Justman, Navajo County Recorder: 1) Termination of agreement between Board of Supervisors and Recorder regarding Elections Services Department: **This item will be continued to a later date.**

2) Status of Elections Services Department: **This item will be continued to a later date.**

PUBLIC WORKS: Bill Cox, Director: 1) Approval to release the remaining Financial Assurances from Summer Place North Unit #2, less the amount recommended by the Developer's Engineer: The developer's engineer, Paul Cleaveland, from JMA Engineering, explained that most of the work has been completed. What remains to be done is some additional grading along Tenney Lane, and replacement of approximately two square yards of asphalt pavement. Mr. Cleaveland requested that all of the remaining financial assurances be released, except for \$6,250, which will be used to complete the above work. Mr. Cox agreed and requested that the remaining financial assurances, less the reserve amount of \$6250, be released. **Mr. Shumway made a motion** to approve the release of the remaining Financial Assurances from Summer Place North Unit #2, less the reserve amount of \$6250, as presented; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

2) **Resolution** Establishing the Navajo County Road Maintenance policy (continued from 4/5/04): This matter was discussed at the last meeting, but was tabled at that time with no action taken. Mr. Cox advised that the only change made from the draft presented at the last meeting is that the paragraph stating that all dirt roads in the county would be designated as primitive roads, and signed as such, has been eliminated. All other portions of the draft policy remain the same. Mr. Deal requested an amendment to the policy which states that it does not cover reservation roads, and that these roads will be dealt with separately with reservation road funds. It was suggested that the policy be adopted as is, and have the amendment be considered by the Board at their next meeting. **Mr. Shumway made a motion** to adopt **Resolution #40-04**, establishing the Navajo County Road Maintenance Policy as presented, and directing Mr. Payette to prepare a draft amendment pursuant to the request of Mr. Deal; motion seconded by Mr. Deal; vote unanimous approving the motion. (The draft amendment will be presented to the Board at their next meeting)

BOARD OF SUPERVISORS: Resolution urging Senator Jon Kyl and Senator John McCain to support the reauthorization of the Transportation Equity Act for the 21st Century (TEA-21): Mr. Deal expressed concerns about the status of the TEA-21 Reauthorization bill in Congress, and requested the resolution to urge our Senators to support it. Mr. Jayne explained that the House and the Senate passed different versions of the bill: the Senate's language excepts Arizona in the funding; and the House version includes no funding at all. It is expected that a conference committee will be named sometime in May and both versions will be discussed. **Mr. Deal made a motion** to adopt **Resolution #41-04**, urging Senators Jon Kyl and John McCain to support the reauthorization of the Transportation Equity Act for the 21st Century

(TEA-21); motion seconded by Mr. Thompson; vote unanimous approving the motion.

FINANCE DEPARTMENT: James Menlove, Director: 1) Finance Report: Mr. Menlove presented the operating statement with budget for the period 7/1/03 through 3//31/04. Noting that we are 75% through the budget year, he advised that our revenues are at 65.9% and expenditures are 64.5%. He also advised that budget meeting with himself, Mr. Jayne and the individual departments are scheduled through the next two weeks, and we should be ready for the budget hearings which are scheduled for May 17-19, 2004. **No action taken.**

2) General discussion re: Arizona Department of Commerce and Regional Economic Development opportunities in Navajo County: Mr. Menlove explained that there are grants available to promote commerce in rural areas. Applications will be available after May 1st, and will be due no later than June 30th. **No action taken; informational only.**

HUMAN RESOURCES: Gail Calisen, Director: Personnel Actions: **Mr. Thompson made a motion** to approve the personnel actions as submitted; motion seconded by Mr. Brownlow; vote unanimous approving the motion. (Mr. DeSpain not present for vote)

BOARD BUSINESS: **Mr. Shumway** advised that he will not be present at the May 3rd BOS meeting, due to a scheduled family trip. **Mr. Thompson** advised that the Dilkon School is having a "Rick Renzi Day" today. He also advised of the Birdsprings Bridge dedication, which will take place on April 30th. **Mr. Deal** thanked everyone who participated in the Substance Abuse Seminar at Rocky Ridge School. He said it was well attended and urged the panel to take their program to other schools in the county. **Mr. Brownlow** said he was honored to have been able to see the soldiers return to Show Low. He said the streets were lined with people to welcome the soldiers' home.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, May 3, 2004, upon a **motion made by Mr. Thompson;** motion seconded by Mr. Brownlow; vote unanimously carried. The meeting adjourned at 12:10 p.m.

APPROVED:

J. R. DeSpain, Chairman

DATE:

ATTEST:

Kathy Hieb, Deputy Clerk of the Board