

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

APRIL 4, 2005

Board of Supervisors Chambers, Holbrook, Arizona – Time 9:02 a.m.

PRESENT: Jerry Brownlow, Chairman; Percy Deal, Vice-Chairman; Jesse Thompson, Member; J. R. DeSpain, Member; David Tenney, Member; Mel Bowers, County Attorney; James G. Jayne, County Manager; June Foard, Secretary. Mr. Deal led the Pledge of Allegiance and gave the Invocations.

CALL TO THE PUBLIC: No comments were presented.

CONSENT AGENDA: 1)Board Minutes: January 3, January 4, January 18, February 22, 2005 2)Clerk of Superior Court Report: (February) 3) Juvenile Justice Report: (February) 4) Justice Court Reports: (January) Holbrook, (February) Winslow, Kayenta, Show Low 5)Constable Reports: (February) Holbrook, Winslow, Snowflake, Show Low, Pinetop 6)Back Tax Deeds 7)Public Works: Rename existing road in the Show Low area from “Wades Way” to “Bonita Valle” 8) **Resolution #25-05** Special Use Permit by Midway Mini Storage, LLC for parcel 212-07-024B in the Wagon Wheel area. 9)**Resolution #26-05** designating week of April 10 – 16 as County Government Week 10) Agreement between Arizona State Land Department and Navajo County Board of Supervisors regarding Environmental Program assistance. **Mr. DeSpain made a motion** to authorize the Chairman to sign the items in the consent agenda, motion seconded by Mr. Tenney. Mr. Deal expressed concerns regarding the Resolutions being passed through on the consent agenda. Mr. Deal indicated those items should be placed on the regular agenda. Motion unanimously approved.

HUMAN RESOURCES: **Mr. Deal made a motion** to approve personnel actions as presented, motion seconded by Mr. Tenney, vote unanimously approved the motion. Mr. Deal requested an update on the Public Works Director position. It was reported there have been several applications received and that the ads would run for several more weeks. Ms. Calisen updated the board as to where the ads were being run.

FINANCE/SPECIAL DISTRICTS: Leida Hatch, Special Districts Accountant: Approval of Resolution to acknowledge receipt of petition from property owners who propose the formation of the Scott’s Pine Tract A Improvement District of Navajo County; set bond; set hearing May 2 at 10:00 a.m.; order to be mailed and published. **Mr. Tenney made a motion** to approve **Resolution #27-05** acknowledging receipt of petitions for the formation of Scott’s Pine Tract A Improvement District, setting bond at \$3000, and setting hearing for May 2, 2005 at 10:00 a.m.; motion seconded by Mr. DeSpain; vote unanimously carried.

ASSESSER/RECORDER: Cammy Darris, Assessor, Laurette Justman, Recorder: Approve purchase of new copier for use in both offices. **Mr. DeSpain made a motion** to approve the purchase of a new copier; motion seconded by Mr. Tenney; vote unanimously approved.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Wade Kartchner, M.D. Director/Kevin Neill, Bioterrorism Program Manager: Board of Directors Session: **Mr. DeSpain made a motion** to enter into **Board of Directors Session**; motion seconded by Mr. Tenney; vote unanimously approved. Approve Contract between Northern Arizona Council of Governments Head Start Program and the Navajo County Public Health Services District to provide tuberculin skin and hemoglobin tests to Head Start children. **Mr. DeSpain made a motion** to approve renewal of the contract; motion seconded by Mr. Tenney; vote unanimously approved. Approval of State approved funds for the purchase of GPS units for both Bio Terrorism Vehicles; Mr. Neill presented information on funds for the GPS units for the Bio Terrorism Vehicles. **Mr. DeSpain made a motion** to approve purchase of the units; motion seconded by Mr. Tenney; vote unanimously approved. Mr. Deal inquired about the units and questioned whether all routes would be on the system. Mr. Dunagan indicated that the main routes would be included. Mr. Neill invited board members to ride in the vehicles and test the equipment. **Mr. DeSpain made a motion** to return to regular session, motion seconded by Mr. Thompson; vote unanimously approved.

PUBLIC WORKS/PLANNING & ZONING: Dusty Parsons, Interim Director; Approve Public Works hiring of summer help. Mr. Parsons indicated the department would be hiring 6 persons for summer help. **Mr. Tenney made a motion** to approve the hiring of the additional summer help; motion seconded by Mr. DeSpain; vote unanimously approved. Approve Resolution accepting Mogollon Rim Drive, Pine View Court, Meadow Lane and Page Drive in Pine Meadows Subdivision No. 2 in the Heber/Overgaard area to the County road maintenance system as primitive roads. **Mr. Tenney made a motion** to approve **Resolution #28-05** accepting Mogollon Rim Drive, Pine View Court, Meadow Lane and Page Drive in Pine Meadows Subdivision No. 2 in the Heber/Overgaard area to the County road maintenance system as primitive roads; motion seconded by Mr. DeSpain; vote unanimously approved. Approve Resolution accepting Brook Trout Drive in Silver Lake Estates No. 2 into the County road maintenance system as primitive roads; **Mr. DeSpain made a motion** to approve **Resolution #29-05** to accept Brook Trout Drive in Silver Lake Estates No. 2 into the County Road maintenance system as a primitive road; motion seconded by Mr. Tenney; vote unanimously approved. Approve LTAF II fund from District III for public transit purposes; **Mr. DeSpain made a motion** to approve use of LTAF II funds from District III for use by Bread of Life Mission and First Step in the amount of \$1000 for each entity for the purpose of maintenance of their vans; motion seconded by Mr. Tenney; vote unanimously approved. Approve funding to complete necessary repairs for D6 dozer; Discussion was held regarding estimated cost of the repairs. Mr. Parsons reported that Empire Cat will do the repairs. **Mr. DeSpain made a motion** to approve repairs as falls into the guidelines of the County with repairs not to exceed \$30,000 and included that Empire Cat is the sole source entity in the area that can do the repairs; motion seconded by Mr. Tenney; vote unanimously approved.

ADMINISTRATION: James G. Jayne, County Manager; Approval of Board/Administration Organizational Chart; Mr. Jayne explained the Board/ Administration Chart that reflected the changes in Elections Department. **Mr. Tenney made a motion** to approve the new organizational chart; motion seconded by Mr. DeSpain. Mr. Deal questioned if that were the only change. Mr. Jayne explained there was a slight change in the Payroll department structure. The vote was unanimously approved. Update on South County Expansion and possible action regarding appraisal of alternative site; Mr. Jayne requested permission from the board to have a commercial appraisal done on a building in south county area for possible purchase by the county. Mr. Deal questioned whether there were funds available for such expenditures. Mr. Deal indicated he would like to see where the funds are coming from and see an accounting of the funds. Mr. Jayne indicated that Mr. James Menlove would be able to provide a financial update at the April 18, 2005

board meeting. **Mr. Tenney made a motion** to approve up to \$4,000 for an appraisal of the property; motion seconded by Mr. DeSpain; Mr. Deal stated that in the past there has been lots of effort to make a one stop location for county services and this appears that services will be scattered if this purchase is made by the county. It was explained this would actually consolidate facilities. Motion unanimously approved, Mr. DeSpain was not present for the vote.

EMERGENCY MANAGEMENT: Larry Dunagan, Emergency Services Director; Approve Intergovernmental Agreement between the Arizona Division of Emergency Management and Navajo County Emergency Management to receive a State Interoperable Communications Van. Larry Dunagan explained the features on the Communications van. He reported the new van should be here within a month. It was moved and seconded that the IGA be approved between the Arizona Division of Emergency Management and Navajo County Emergency Management. Motion unanimously approved. Approve Contract for Professional Services with Bridgette R. Grieves, as a Planning Consultant for Homeland Security and Emergency Management. Mr. Dunagan requested hiring of a planning consultant. Mr. Dunagan reported that Ms. Grieves has the qualifications for the position. **Mr. Tenney made a motion** to approve the contract, motion seconded by Mr. Thompson; motion unanimously approved.

NATURAL RESOURCES WORKING GROUP: Lloyd Wilmes, Presenter; Approval for Board to proceed with preparing and adopting a countywide Fire Restriction Ordinance; Mr. Wilmes reported that work has been done to try to make a countywide uniform code. He explained the current policy and reported that the National Weather Service issues the “Red Flag” warnings. Discussion was held on the effectiveness of warnings and enforcement of restrictions. No action was taken and it was suggested that additional issues be addressed before adopting a countywide ordinance. Mr. Wilmes will bring the ordinance back to the board at a later date.

FINANCE: James Menlove, Finance Director: Approval for staff to be authorized to reinstitute the Navajo County Industrial Development Authority (IDA) : Mr. Menlove explained what the IDA is and what their role is. He reported that the IDA has been inactive for several years and requested permission to reactivate the IDA. He indicated that recommendations would be needed from the board for appointment of board members. Mr. Tenney asked if Mr. Menlove could explain how the IDA would be funded and what the role of the board members would be. Mr. Menlove explained that the IDA is a financing mechanism and would find funding for economic development projects. He indicated that they could be involved in the purchase or lease of properties for economic development projects. **Mr. Tenney made a motion** to approve authorizing the reinstitution of the Navajo County Industrial Development Authority, motion seconded by Mr. DeSpain, motion unanimously approved. Mr. Deal asked if recommendations of potential members and policies would be discussed at a future meeting. Mr. Menlove indicated that at this time he would just be requesting reactivation and possible list of potential members

COUNTY ATTORNEY: Mel Bowers, Navajo County Attorney; EXECUTIVE SESSION pursuant to ARS § 38-431.03(A)(3): Discussion and consultation with the Board’s attorneys for legal advice relating to second complaint filed with the Arizona Attorney General and the Navajo County Attorney’s office under the Arizona Whistleblower Protection Act by employees of the Public Works Department : **Mr. Tenney made a motion** to enter into Executive Session; motion was seconded by Mr. DeSpain; motion unanimously approved. **Mr. Thompson made a motion** to return to regular session; motion seconded by Mr. DeSpain; motion unanimously approved. Mr. Bowers, County Attorney, made the following statement for the record: “The Board of Supervisors has reviewed the second whistleblower letter submitted by certain employees of the Public Works

Department; that letter dated March 30, 2005 and they looked at the allegations. The Board has asked my office, specifically me, to approach the two principals – Mr. Jayne and Mr. Parsons and asked if they would be willing to provide a written response that the board could take a look at its next board meeting. At that time the board will determine what further actions are warranted.”

BOARD BUSINESS: Mr. Tenney commented on the Public Works recruitment and decision that stated the County Manager was to be excluded. Mr. Tenney suggested that Mr. Jayne, Ms. Calisen, and Mr. Menlove should be included in the screening process. Mr. Bowers indicated that board business should be limited to matters that are not going to come before the board where the public has not been noticed. Board business should be more general in nature. Discussion was held on how to place an item on the board agenda.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, April 18, 2005, upon a **motion made by Mr. Jesse Thompson;** motion seconded by Mr. DeSpain; vote unanimously approving the motion. The meeting was adjourned at 3:30 p.m.

APPROVED:

Chairman

Date

ATTEST:

June Foard, Secretary