

**BOARD OF SUPERVISORS
NAVAJO COUNTY**

APRIL 18, 2005

Board of Supervisors Chambers, Holbrook Arizona – Time: 9:00 a.m.

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

CALL TO THE PUBLIC: Mrs. Janet Johnson requested the County address drainage issues regarding her road in Lakeside. Public Works staff will address the issue.

CONSENT AGENDA: 1) Voucher list for payment 2) Justice Court Reports: Pinetop #6; Holbrook #1 (February); Winslow #2; Snowflake #3; (March) 3) Constable Reports: Winslow #2; Snowflake #3 (March) 4) Juvenile Justice System Report (March) 5) ~~Contract for LETPP grant #2004-GE-T4-0051 for Electrical Engineering for backup power system for Sheriff Office Facility~~ 6) Special Event Liquor License: Blue Ridge Scholarship Fund; Country Club Drive, Pinetop area 7) Approve APS to relocate electric power lines to accommodate new jail complex in Holbrook and grant easements to install and maintain facilities 8) Approve APS to locate electric power lines to accommodate the South County Road Yard in Show Low and grant easements to APS to install and maintain facilities 9) Approve APS to locate electric power lines in property owned by Navajo County in Blue Ridge 69kv Transmission Line Project in the Winslow area and grant easements to APS to install and maintain facilities 10) Tax Roll Corrections. **Mr. DeSpain made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Mr. Tenney; Mr. Brownlow declared a conflict on item #6; vote unanimous approving the motion with the conflict noted.

HUMAN RESOURCES: Gail Calisen, Director; Approval of Personnel Actions; Ms. Calisen explained the personnel changes. **Mr. Tenney made a motion** to approve the personnel actions as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Wade Kartchner M.D., Director, Tracy Letcher R.N., Public Health Nursing Supervisor: **Board of Directors Session; Mr. Tenney made a motion** to enter in to a Board of Directors Session; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

- 1) Approve Amendment #2 of Contract #HG354250 with Arizona Department of Health Services for STD Services; Mr. DeSpain made a motion to approve Amendment #2 of Contract #HG354250; motion seconded by Mr. Tenney; vote unanimous approving the motion.
- 2) Approve Amendment #3 of Contract #HG354250 with the Arizona Department of Health Services for STD Services; Mr. DeSpain made a motion to approve Amendment #2 of Contract #HG354250; motion seconded by Mr. Tenney; vote unanimous approving the motion.

CLERK OF SUPERIOR COURT: Juanita Mann, Clerk of Superior Court; Approve purchase of Electronic Imaging System; Ms. Mann explained the purchase and indicated the funding source would be from the Local JCEF Funds. **Mr. DeSpain made a motion** to approve purchase of Electronic Imaging System by the Clerk's office; motion seconded by Mr. Tenney; vote unanimous approving the motion.

SPECIAL DISTRICTS/PUBLIC WORKS/DEVELOPMENT SERVICES: Dick Young, Leida Hatch, Dusty Parsons, Presenters, Sutter Drive Improvement District **Board of Directors Session; 1) Open Bids Contract # B04-03233 , Recess ; no bids were received. 2) Approve award of Contract/Rejection of all bids and re-advertise. Mr. Deal made a motion** to re-advertise for Contract #B04-03233; motion seconded by Mr. Thompson; vote unanimous approving the motion. **Mr. DeSpain made a motion** to return to regular session; motion was seconded; vote unanimous approving the motion.

SPECIAL DISTRICTS: Leida Hatch, Special Districts Accountant; **Public Hearing** to approve **Resolution** establishing the Mogollon Domestic Wastewater Improvement District: Mr. Tenney declared a conflict regarding this item. Ms. Hatch and Mr. Lewis Tenney explained the boundaries of the proposed district. Mr. Lewis Tenney also introduced the board members for the district. Mr. Harman, Earl Baker, Neil LaBarge, Laren Porter, and Branden Marteneau. Boundaries were further discussed and explanations on how they might be expanded at a later time. **Mr. Deal made a motion** and Mr. DeSpain seconded the motion to approve by **Resolution #30-05** the establishment of the Mogollon Domestic Wastewater Improvement District. Motion unanimously approved with Mr. Tenney abstaining.

PUBLIC WORKS/PLANNING & ZONING: Dusty Parsons/David Ashton, Presenters

- 1) **Public Hearing: Approve Resolution** accepting the proposed amendments to the Navajo County Zoning Ordinance to include the addition of uses to Article 3, Section 302, Article 4, Section 402, Article 15, Section 1502, Article 18, Section 1802, Article 19, Section 1902, Article 20, Section 2002 and Article 30, Section 3002 and renumber each paragraph thereafter accordingly to make them compatible with the ordinance: Dave Ashton addressed the board regarding the proposed amendments. Lengthy discussion was held in regards to the changes to the Contractors' yard portion of the changes. There were various members of the audience that were uncomfortable with the wording. **Mr. Les Parham** expressed his concerns stating the fence around the equipment could not be high enough to obscure the view of the equipment. **Sylvia Allen** spoke regarding property rights. Several members questioned the county's motives on the proposed amendment and asked if the county was trying to push the contractors out. The audience was assured the county was not trying to push them out. Mr. Ashton explained the county was simply trying to make the ordinances uniform. Mr. Brownlow asked if these amendments had the blessing of the Planning and Zoning Commission. Mr. Ashton reported the Commission had approved the amendments. **Mr. Tenney made a motion** and Mr. Thompson seconded to approve by **Resolution #31-05** the proposed amendments to the Navajo County Zoning Ordinances with the exception of the Contractors yards and to table that portion to a later date. Motion unanimously approved.
- 2) **Public Hearing: Approve Resolution** accepting the Master Development Site Plan Update No. 8 for Bison Ranch on APN 206-49-980 in the Overgaard area: Mr. Ashton presented the board with the information regarding the Master Development Site Plan. The Developer was present to answer any questions. There were no questions. **Mr. Tenney made a motion** and Mr. Thompson seconded to approve by **Resolution #32-05** to accept the Master Development Site Plan Update No. 8 for Bison Ranch. Motion unanimously approved.
- 3) **Approve letters to the White Mountain Apache Tribe and US Forest Service regarding the Rim Road Corridor:** Mr. Young requested approval of letters from the board regarding the Rim Road Corridor. **Mr. Tenney made a motion** and Mr. DeSpain seconded the motion to approve the Chairman to sign the letters. Motion unanimously approved.
- 4) **Approve up to \$35,000 for Traffic Signal modifications at the Woodland Road/SR 260 intersection as part of the Woodland Road project:** **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve the traffic signal modifications. Motion unanimously approved.
- 5) **Approve contract as presented to Gannet Fleming for the Chevelon Creek Rehabilitation Project:** **Mr. Tenney made a motion** and Mr. DeSpain seconded the motion to approve the contract to Gannet Fleming. Motion unanimously approved.

FINANCE: James Menlove, Joan Mickle, Dennis Miller: Update on Financial Reports and schedule for preparation of County's un-audited financial statements: Mr. Menlove gave an update on the financial reports. Mr. Dennis Miller reported he met with the Auditor General and they are working on getting caught up. The county is numerous years behind in their audits. He reported that the cash has not been reconciled in a very long time. Mr. Miller added there is not enough staff to get the job done. Joan Mickle reported on the new software program and indicated there is a schedule for training on the New World System. James Menlove reported that after the new system is working, they should be able to reconcile on a daily basis. James Jayne thanked staff for their efforts. No action was taken.

BOARD OF SUPERVISORS

- 1) **EXECUTIVE SESSION pursuant to ARS § 38-431.03(A)(1):** Discussion and possible action concerning the County Manager and personnel issues raised by members of the Public Works Department in a letter dated March 30, 2005. **Mr. Thompson made a motion** and Mr. Tenney seconded the motion to enter into Executive Session. Motion unanimously approved. **Mr. Thompson made a motion** and Mr. DeSpain seconded the motion to return to regular session. It was announced there will be a special meeting on April 25, 2005 at 10:00 a.m.

- 2) **BOARD OF SUPERVISORS**
EXECUTIVE SESSION pursuant to ARS§ 38-431.03(A)(1): Discussion and possible action concerning the Interim Public Works Director regarding personnel issues raised by members of the Public Works Department in a letter dated March 30, 2005. This item was continued until April 25, 2005 at 10:00 a.m.

CASA: Kirk Grugel, CASA Coordinator: Presentation of information regarding Child Abuse Prevention Month: Mr. Grugel presented a film regarding Child Abuse. The board thanked Mr. Grugel for the information.

NAVAJO COUNTY FLOOD CONTROL DISTRICT: Dusty Parsons, Presenter

Board of Directors Session: **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to enter into a Navajo County Flood Control District **Board of Directors Session**. Motion unanimously approved.

- 1) Status update for the Winslow Levy and approval for County Engineer to sign the Overview and Concurrence form with Delph Engineering, Inc. to be submitted to the Corps of Engineers after consultation with the City of Winslow: Mr. Parsons gave the board an update on the levy and requested that the County Engineer be approved to sign the overview and concurrence form. **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve the County Engineer to sign the form with Delph Engineering, Inc. Motion unanimously approved.

- 2) Approve amendment No. 2 to Cooperative Agreement No. 68-9457-4-441 between the United States Department of Agriculture NRCS and the Navajo County Flood Control District and approve additional \$12,400 be added to the project budget from Flood Control Contingency to be added to the County's Contribution for the Buckskin and Black Canyon Watershed Protection Project: Wording was presented for the amendment to the Cooperative Agreement between the NRCS and the Navajo County Flood Control District. **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve the amendment and to approve the additional \$12,400 to be added to the project budget from Flood Control Contingency to be added to the contribution for the Buckskin and Black Canyon Watershed Protection Project. Motion unanimously approved. **Mr. Thompson made a motion** and Mr. Tenney seconded the motion to return to regular session. Motion unanimously approved.

ELECTIONS: Kelly Dastrup, Elections Coordinator

Approval to advertise and schedule Public Hearing for May 16, 2005 for setting a Fee Schedule for

Election Services: Ms. Dastrup requested approval to set a Public Hearing for setting a Fee Schedule for Election Services. She indicated this would then be the guidelines for fees for elections to use. **Mr. Tenney made a motion** and Mr. DeSpain seconded the motion to approve advertising and scheduling a Public Hearing for May 16, 2005 to set a fee schedule for election service. Motion unanimously approved.

MANAGEMENT INFORMATION SYSTEMS: Robert Heming, Director

Approve authorization for the MIS Director to sign technical agreements relating to the core switch replacement, implementation of VPN, and internet access filtering software/equipment upon review by County Attorney and County Manager: Mr. Heming explained the request for the authorization to sign the technical agreements. **Mr. Tenney made a motion** and Mr. DeSpain seconded the motion to authorize the MIS Director to sign the technical agreements upon review by the County Attorney and the County Manager. Motion unanimously approved.

EMERGENCY MANAGEMENT/SHERIFF: Gary Butler/Larry Dunagan, presenters

- 1) Approval to allow Sheriff Butler to enter into a contract with Wright Engineering for electrical engineering plan for back-up power system for the Sheriff's Office and Emergency Operations Center: The contract was presented to the board regarding the back-up power system for the Sheriff's Office and Emergency Operations Center. **Mr. Tenney made a motion** and Mr. Thompson seconded the motion to approve the contract as presented. Motion unanimously approved.
- 2) Approval of Intergovernmental Agreement between the Arizona Division of Emergency Management and Navajo County Sheriff's Office and Emergency Management for FFY 05 Homeland Security Funds, under grant #2004-GE-T4-0051: Information was presented regarding the IGA. **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve the IGA with the Arizona Division of Emergency Management as presented. Motion unanimously approved.
- 3) Approve an intergovernmental agreement (IGA) between the Arizona Health Care Cost Containment System Administration (AHCCCS) and Navajo County: The intergovernmental agreement was presented to the board. **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve an intergovernmental agreement between the Arizona Health Care Cost Containment System and Navajo County. Motion unanimously approved.

PUBLIC DEFENDER: Emery La Barge, Public Defender: Approve expert witness fees in the matter of State v. Torrence Hawley, Superior Court Cause No.: CR2004-727: Ms. La Barge provided the board with information regarding the need for an expert witness in the case. **Mr. DeSpain made a motion** and Mr. Tenney seconded the motion to approve the expenditures for the expert witness. Motion unanimously approved.

BUILDING & GROUNDS: Dan Hinz, Director: Approve vendor selection for replacing Contel roof: Mr. Hinz reported that his recommendation would be to hire Quality Roofing for the project. **Mr. DeSpain made a motion** and was seconded by Mr. Tenney to approve selecting Quality Roofing for the Contel Building roofing project. Motion unanimously approved.

BOARD OF SUPERVISORS

- 1) Approve appointment of Mr. Christopher Claw as Kayenta Constable: It was reported this item was approved at the January 3, 2005 Board of Supervisors meeting.
- 2) Request by Constable Reinhold for deputy constable position: Constable Reinhold reported that in his area, he would like to have the board consider letting him have a backup person. He indicated there are times when it would be good to have two persons present when serving papers. Mr. Reinhold introduced Mr. Irwin. He reported that Mr. Irwin would be willing to work without pay, but would act as an assistant. Discussion was held regarding liability on the part of the County and questions were raised regarding insurance. It was suggested this item be discussed at a later date. No action was taken.

- 3) Approval of **Resolution** opposing Strengthening America's Communities Initiative-President Bush's proposal to consolidate 18 Federal Programs: Discussion was held regarding the wording on the resolution and Mr. Deal requested that wording be added to include the Reservations in Northern Arizona. **Mr. DeSpain made a motion** and Mr. Thompson seconded the motion to approve **Resolution #33-05**. Motion unanimously approved.

BOARD BUSINESS: None reported.

APPROVED:

Jerry Brownlow, Chairman

DATE: _____

ATTEST:

Darlene Fraley, Deputy Clerk of the Board