

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

May 2, 2005

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

PRESENT: Jerry Brownlow, Chairman; Percy Deal, Vice Chairman; Jesse Thompson, Member; and J. R. DeSpain, Member; David Tenney, Member was not present. Lance Payette, Chief Deputy County Attorney; James G. Jayne, County Manager; June Foard, Acting Deputy Clerk of the Board. Mr. Deal led the Pledge of Allegiance and the Invocation.

CALL TO PUBLIC: Mr. Lem Cook stated that with all the issues being reported it seems that the board members, who are elected by the citizens, are not in control and he added it appears the tail is wagging the dog. Mr. Lewis Tenney read a statement in support of the staff and board members. Mr. John Otis, Mr. Joel Lawson, Mr. Pete Shumway and Ms. Tina Parham all expressed their support to the board.

CONSENT AGENDA: 1) Voucher List for Payment 2) Justice Court Reports: Snowflake #3 (February); Snowflake #3, Pinetop #6, Kayenta #4, Holbrook #1, (March) 3) Constable Reports: Pinetop #6, Holbrook #1, Show Low #5 (March) 4) Quarterly Report County Attorney Bad Check 5) Liquor License Interim Permit/Person Transfer requested by Ronald Williams for Pine Meadows Country Club; Overgaard area 6) Appointment of Democratic Precinct Committeemen: Loretta Pena, Lakeside; Bobette Martin, Pinetop 7) Tax Roll Correction 8) Approval to rent dishwasher for jail facility 9) Approve correction of naming an existing road in the Linden area originally named Bond Ranch Road in a portion of the road between APN #209-25-108D and APN #209-25-107L later named Kimball Trail and restore name back to Bond Ranch Road. **Mr. DeSpain made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Mr. Thompson; vote unanimous approving the motion.

HUMAN RESOURCES: 1) Confirm closure of job vacancy announcement for the Public Works Director position (April 30, 2005) and approve request to invite qualified applicants for interviews with Board on May 20, 2005: Gail Calisen reported she would like to confirm the closing of the job vacancy announcement for the Director Position and would like to request setting interviews for the qualified applicants on May 20, 2005. She reported there were 13 qualified applicants. Discussion was held on screening the applicants. It was suggested that the committee consist of Gail Calisen, James Jayne, Dan Hinz, and the Board. **Mr. Deal made a motion** to confirm closure of job vacancy announcements, to schedule the committee meeting to screen applications and then to report back to the board with recommendations of candidates for the interviews by the next board meeting; motion seconded by Mr. DeSpain; vote unanimous approving the motion. 2) **Personnel Actions:** Ms. Calisen presented the Personnel Actions to the Board. **Mr. Thompson made a motion** to approve the personnel actions; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

LEGAL DEFENDER: 1) Approve hiring of dog behavior expert: 1) Mr. Ben Cole, Legal Defender, presented information to the board regarding the need to hire a dog behavior expert for an upcoming case. **Mr. Thompson made a motion** to approve the expenditure; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Mr. Deal asked if there is an expert in the state that could be called upon to testify. Mr. Cole indicated there was not. 2) Approval expenditure of funds to hire investigator in amount of \$1500: Mr. Cole presented the information

to the board. **Mr. DeSpain made a motion** to approve the expenditure for an investigator; motion seconded by Mr. Thompson; vote unanimous approving the motion.

PUBLICWORKS/PLANNING & ZONING: Public Hearing: 1) Planning and Zoning Addenda and Additions to the International Building Code: Mr. Dave Ashton, Director addressed the board regarding the Building Codes. Mr. Deal asked if there has been any questions. Mr. Knight indicated there have been requests for information. Mr. DeSpain asked if the changes would cause expense to the contractors. Mr. Ashton said it would not. **Mr. DeSpain made a motion** to approve the Addenda and Additions to the International Building Code by **Resolution #34-05**; motion seconded by Mr. Thompson; vote unanimous approving the motion. 2) Approve the extension of the Waste Tire Agreement with Waste Management Inc.: Mr. Ashton explained the extension. Mr. DeSpain asked if the Joseph City site would take the tires. Mr. Ashton explained they would only take up to 5 tires. Mr. Thompson asked if there was a use for the old tires. Mr. Ashton explained there were several uses for the old tires, but none close. **Mr. DeSpain made a motion** to extend the agreement with Waste Management; motion seconded by Mr. Thompson; vote unanimous approving the motion.

ADMINISTRATION/FINANCE: Public Hearing: Approval of **Resolution** to establish Scott's Pine Tract A Improvement District: Leida Hatch reported that the required number of signatures have been obtained. She reported she has received no letters in opposition and 4 letters in favor of the district. It was reported that last year there were 51 percent of the property owners in favor of the project and more have been added this year. Several members of the community addressed the Board. Mr. Carl Davis reported he was anxious for the drainage issues to be addressed. Ms. Yvonne Coelet also expressed a desire to see drainage issues addressed and was looking forward to seeing pavement in the area. Engineering of the project was discussed and it was questioned as to whether the area to the north had been engineered. Mr. Parsons indicated the primitive areas would receive routine maintenance. It was suggested that there should be some coordination with the district that lies to the north of this improvement district once it is established. **Mr. Thompson made a motion** to approve the establishment of Scott's Pine Tract A Improvement District by **Resolution #35-05**; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

PUBLIC WORKS/PLANNING & ZONING: **Mr. DeSpain made a motion** to enter into **Navajo County Flood Control District** session; motion seconded by Mr. Thompson; motion unanimous approving the motion. 1) Approve IGA with Silver Creek Flood Prevention District for the engineering of the remediation of the Safety and structural deficiencies of the Millet Swale Dam: Mr. Young presented information requesting the approval of the IGA with the Silver Creek Flood Prevention District for engineering. **Mr. DeSpain made a motion** to approve the IGA; motion seconded by Mr. Thompson; vote unanimous approving the motion. Mr. Deal was not present for the vote. 2) Approve NACOG Traffic Counter MOU; **Mr. DeSpain made a motion** to approve the MOU for the NACOG Traffic Counter; motion seconded by Mr. Thompson; vote unanimous approving the motion. 3) Approve Resolution authorizing the temporary closure of a portion of Shumway Road during daylight hours beginning May 2, 2005; Mr. Young reported the closure needs to happen because of safety issues and work on the road. He explained there is an alternative route to use. **Mr. Deal made a motion** to approve **Resolution #36-05** authorizing the temporary closure of a portion of Shumway road; motion seconded by Mr. Thompson; vote unanimous approving the motion. 4) Award Contract #B05-04054, Supply and Delivery of Culverts and Bands; Mr. Young requested the contract for culvert be awarded to two suppliers with Big R as the primary supplier and Contech Construction as the secondary supplier. **Mr. DeSpain made a motion** to approve the award of contract #B05-04054 as presented; motion seconded by Mr. Thompson; vote unanimous approving the motion. 5) Award Contract #B05-

04053, Supply of Various Roadway Material; It was explained that this would be awarded to multiple contractors as some would be supplying different materials to various locations. **Mr. DeSpain made a motion** to approve the award to multiple contractors; Mr. Thompson seconded the motion; vote unanimous approving the motion. 6) Award Contract #B05-04052, Supply of Aggregate of Cover Material; It was reported there was only one bidder for this contract – Hatch Construction. Mr. Deal questioned why there were no more bidders. Mr. Young and Mr. Parsons reported they did not have an explanation. **Mr. Thompson made a motion** to approve awarding Contract #B05-0452 to Hatch Construction; motion seconded by Mr. DeSpain; vote unanimous approving the motion. 7) Award Contract #B05-04051, Supply and Delivery of Liquid Asphalt Products; It was reported there was one bidder for this contract also. **Mr. DeSpain made a motion** to approve award of Contract #B05-04051 to Ergon Chip Seal; motion seconded by Mr. Thompson; vote unanimous approving the motion.

BIOTERRORISM: Wade Kartchner, MD, Director/Kevin Neill, Director; **Mr. DeSpain made a motion** to enter into **Public Health District** session; motion seconded by Mr. Thompson; vote unanimous approving the motion. Approve purchase of a three year lease extension on the Bioterrorism’s Ford Explorer using State approved funds. Kevin Neill presented the information regarding the lease extension. Discussion was held on whether the funds not expended would be returned at the end of the lease. Mr. Payette indicated his opinion was that the lease has some problems. **Mr. DeSpain made a motion** to continue the item to the next meeting; Mr. Thompson seconded the motion; vote unanimous approving the motion. **Mr. Thompson made a motion** to return to regular session; motion seconded by Mr. DeSpain; motion unanimous approving the motion.

EMERGENCY MANAGEMENT: Approve Resolution adopting the National Incident Management System (NIMS) as the management system for all major disasters, natural or man-made Mr. Dunagan presented the information to the board regarding the adoption of NIMS and he explained this would be the system for handling all disasters. **Mr. DeSpain made a motion** to approve by **Resolution #37-05** the adoption of the National Incident Management System; motion seconded by Mr. Thompson; vote unanimous approving the motion.

BOARD OF SUPERVISORS: 1) Approve request to go out to bid for Annual Contract for Advertising and Printing County Newspaper Bid #BO5-0502 which expires June 30, 2005; **Mr. DeSpain made a motion** to approve to go out to bid for the Annual Contract for Advertising and Printing County Newspaper Bid #B05-0502; motion seconded by Mr. Thompson; vote unanimous approving the motion. 2) Approve Resolution establishing first week in May as “Youth Week “; **Mr. Thompson made a motion** to approve by **Resolution #38-05** establishing the first week in May as Youth Week; motion seconded by Mr. DeSpain; vote unanimous approving the motion. 3) NACO Committee appointments” No action taken.

BOARD OF SUPERVISORS: Discussion and possible action re: Update on gravel processing activity in Peabody Lease area and related reaction from local communities and chapters. Mr. Deal reported during the winter months Peabody Coal has made cinders available. The BIA has agreed to haul gravel and has agreed to divide the available materials up. Mr. Deal reported that the materials were very much appreciated. He reported, however, that 10,000 cubic yards might not be enough. He suggested that there may need to be a larger contribution and if the board agrees, the contract will need to be amended and the county would become a pass through account. Mr. Parsons said that the contract would have to be extended. No action was taken.

BOARD OF SUPERVISORS: Approve funding in an amount not to exceed \$850.00 for the

repairs of the senior van at the Low Mountain Senior Center from District II LTAF funds Mr. Parsons explained funding was available from District II LTAF funds for this expenditure. **Mr. Thompson made a motion** to approve expending up to \$850.00 for the repairs of the senior van for the Low Mountain Senior Center; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Mr. Deal was not present for the vote.

WORKFORCE INVESTMENT ACT: Approve contract with DES for WIA Services PY2005-2006: Gail Sadler, Director, presented the contract with DES for WIA services. **Mr. DeSpain made a motion** to approve the contract; motion seconded by Mr. Thompson; vote unanimous approving the motion. Mr. Brownlow stated this is a good program and the board appreciated Ms. Sadler and her staff. Mr. Thompson indicated he knew a young man who had completed the program and was doing very well.

BOARD BUSINESS: Mr. DeSpain reported he was working with some wolf issues. Mr. Thompson reported he would be attending a meeting at the La Posada in Winslow regarding land uses and the need to apply for funding. Mr. Brownlow reported the Governor will be in Show Low on May 10, 2005 and asked that a quorum notice be posted. Mr. Jayne reminded everyone that Budget hearings will take place on May 16th and 17th.

ADJOURN: There being no further business, the meeting was adjourned at 12:25p.m.

APPROVED:

Chairman

Date

ATTEST:

Deputy Clerk of the Board