

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

October 17, 2005

Board of Supervisors Chambers, Holbrook, Arizona – Time: 9:05 a.m.

PRESENT: Jerry Brownlow, Chairman; Percy Deal, Vice-Chairman; David Tenney, Member; Jesse Thompson, Member; J.R. DeSpain, Member; James G. Jayne, County Manager; Mel Bowers, County Attorney; Darlene Fraley, Deputy Clerk of the Board.

Mr. Deal led the Pledge of Allegiance and the Invocation.

CALL TO THE PUBLIC: No Response

BOARD BUSINESS: Supervisors reviewed activities in their Districts.

CONSENT AGENDA: 1) Voucher list for payment; 2) Name an existing road in the Winslow area “Deer Field Boulevard”; 3) Name an existing road in the Taylor area “Ripley Lane”; 4) Name an existing road in the Pinetop/Lakeside area “Reed Lane”; 5) Appointment of Democratic Precinct Committee Person: Phillip B. Cobb; 6) Letter of appreciation to Navajo County Planning Commissioner Gary Nelson; 7) Letter of appreciation to Navajo County Board of Adjustment Member Arnold Scott; 8) Letters of appreciation to Dan Hinz, Steve Slade, Bob Durant, Bret Starns, Dave Hinz, Tim Otterbeck, Joel Johnston, Cayetano Costales Jr., Richard Garcia, Delton Jenkins and Leann Baker for their contribution to the success of the Kayenta Renovation Project; 9) Approve the re-appointment of Michala M. Ruechel, Ralph E. Hatch, Robert B. Van Wyck and Dale K. Patton as Superior Court Judges Pro Tempore effective January 1, 2006 through December 31, 2006: **Mr. DeSpain made a motion** to approve the Consent Agenda and authorize the chairman to sign those items; Mr. Tenney seconded the motion; vote unanimous approving the motion.

HUMAN RESOURCES: Gail Calisen: Discussion and possible approval of Personnel Actions: **Mr. Tenney made a motion** to approve the personnel actions as presented; motion seconded by Mr. Thompson. Ms. Calisen responded to questions regarding the personnel actions. The motion carried unanimously.

HEALTH DEPARTMENT/BIO-TERRORISM: Dr. Wade Kartchner, Kevin Neill, Tracy Letcher: **Board of Directors Session:** **Mr. Tenney made a motion** to convene the **Public Health Services Board of Directors Session**; Mr. Thompson seconded the motion; vote unanimous approving the motion with Mr. Deal absent for the vote.

1) Discussion and possible approval of Intergovernmental Agreement with Shonto Schools to provide the use of school facilities by Navajo County Public Health Services District during a public health emergency: Dr. Kartchner introduced Don Walker who discussed this IGA request. **Mr. Thompson made a motion** to approve the Intergovernmental Agreement with Shonto Schools to provide the use of school facilities by Navajo County Public Health Services District during a public health emergency; motion seconded by Mr. Tenney. Mr. Deal inquired if any other reservation schools want to enter into a similar agreement. Mr. Walker stated the County already has an IGA with Kayenta and Pinon, Polacca should be negotiated in the next couple of weeks, Cibecue is under study and he hopes to complete Shonto School during this meeting. The vote was unanimous approving the motion with

Mr. DeSpain absent for the vote.

- 2) Discussion and possible approval of amendment to Arizona Department of Health Services Contract #HG35220, Immunization Services Program, Amendment #5 replacing the Administration fee per child and completions section: Dr. Kartchner introduced Tracy Letcher who advised the Board that acceptance of amendment number 5 will result in a change in the way completions are reported and will result in additional funding. **Mr. DeSpain made a motion** to approve amendment #5 to Arizona Department of Health Services Contract #HG35220, Immunization Services Program replacing the Administration fee per child and completions section; motion seconded by Mr. Tenney; vote unanimous approving the motion.

Dr. Kartchner advised the board that for the past several months Bio Terrorism has been working closely with other agencies for a smallpox outbreak exercise. He said that on November 3, they will set up the exercise at Pinon school and instead of giving smallpox vaccinations they will facilitate giving 1,700 flu vaccines. He said it will be a hostage situation with representatives from several governmental entities present. Mr. Deal and Mr. Thompson advised they would both be in attendance and Mr. Walker requested they have their picture ID available. He stated that if anyone else wished to attend, they should make advance arrangements with him as no unauthorized personnel will be allowed on site.

Dr. Kartchner advised the health department is waiting for flu vaccines to arrive and there are 2,000 doses ordered for residents of the County. He stated employees will be offered the vaccination free of charge.

Mr. Tenney made a motion to reconvene the regular session; Mr. Thompson seconded the motion; vote unanimous approving the motion.

NAVAJO COUNTY FAIR BOARD PRESENTATION: Sam Pogue and Mina Henning presented the Board of Supervisors with a framed picture of the Board with the 2005 Navajo County Rodeo Queens as an expression of appreciation from the Fair Board. Mr. Pogue stated that since Mr. Jayne had become County Manager there had been some exceptionally good changes at the fairgrounds. As an expression of their appreciation, Ms. Henning presented Mr. Jayne with a sculpture entitled "In Synch". Mr. DeSpain expressed the Board's appreciation to Mr. Pogue and Ms. Henning for their dedication to the Navajo County fair.

NAVAJO COUNTY WIA: Gail Sadler

- 1) Discussion and possible approval of IGA with Maricopa County for \$50,000 to provide training, capacity building and business services in Navajo County WIA: Ms. Sadler reported that the funds from this IGA offset the impact of the allocation cuts this fiscal year. **Mr. Tenney made a motion** to approve the intergovernmental agreement with Maricopa County for \$50,000 to provide training, capacity building and business services in Navajo County WIA; motion seconded by Mr. DeSpain; vote unanimous approving the motion.
- 2) Discussion and possible approval of amendment to IGA with Apache County to provide training and capacity building to the scope of services provided by Navajo County WIA in the amount of \$50,000: Ms. Sadler advised the Board that Apache County also is entering into an IGA with Maricopa County and these training funds will be paid to Navajo County from that IGA. **Mr. Tenney made a motion** to approve an amendment to the IGA with Apache County to provide training and capacity building to the scope of services provided by Navajo County WIA in the amount of \$50,000; motion seconded by Mr. DeSpain; vote unanimous approving the motion.
- 3) Discussion and possible authorization of Navajo County WIA's response to DES Jobs Administration RFP to privatize Jobs Case Management and training Program in Navajo and Apache counties with

both applications to be administered by Navajo County WIA as a regional program with Navajo County as the fiscal agent: Ms. Sadler advised the Board that she is seeking approval to respond to this RFP and conducted an in-depth discussion of the benefits should Navajo County be granted an award. She stated that the final version of the RFP submittal is not available as amendments are still coming from the State. She reviewed the additional staffing that would be needed to support the grant and the funding that would be available through the grant. **Mr. DeSpain made a motion** to approve authorization of Navajo County WIA's response to DES Jobs Administration RFP to privatize Jobs Case Management and training Program in Navajo and Apache counties with both applications to be administered by Navajo County WIA as a regional program with Navajo County as the fiscal agent; motion seconded by Mr. Tenney; vote unanimous approving the motion with Mr. Deal absent for the vote.

- 4) Discussion and possible appointment of Bob Seymour to serve a two year term on the Navajo County Workforce Investment Board representing faith based organizations and private industry with review and possible renewal of appointment of existing Board to serve 1-2 year terms: Ms. Sadler updated the Board on the vacancies that exist on the WIB and advised additional Board member nominations will be forthcoming. **Mr. DeSpain made a motion** to appoint Bob Seymour to serve a two year term on the Navajo County Workforce Investment Board representing faith based organizations and private industry with review and possible renewal of appointment of existing Board to serve 1-2 year terms; motion seconded by Mr. Tenney; vote unanimous approving the motion.

PUBLIC WORKS: Dusty Parsons, Leida Hatch, Bill Fraley

1) **Board of Directors Session: Public Hearing** Sutter Drive Improvement District:

- a. Hear and pass upon objections from property owners within the District regarding the assessment for improvement to be made in the District: Mr. Parsons reviewed the assessment map, explaining that the assessment is \$4,129.00 per lot and that one lot equals one unit of assessment, i.e. a parcel that is 1.5 lots would be assessed 1.5 units, two lots would be assessed two units, etc. He advised the Board that Public Works did receive an objection from LeVan and Margaret Webb on one parcel that was assessed at the equivalent of five lots with the objection based on a conversation Mrs. Webb had with a County employee who advised her that since her parcel was not part of the Pineview Subdivision it would not be assessed and based on the Webb's contention that their land is not within the Sutter Drive Improvement District. He reported Katherine Sutter submitted a letter of support for the Webb's position, stating she attended the meeting where Mrs. Webb posed her question regarding the assessment and witnessed the County employee advising Mrs. Webb that the parcel would not be assessed since it was not part of the Sutter Drive Improvement District. Mr. Parsons reviewed the original map circulated with the petition that included the Webb parcel within the Sutter Drive Improvement District explaining the same map had been used to show the District boundaries throughout the entire process and no maps were found in the files indicating any other configuration. All Board members discussed this issue, acknowledging that no one in the room was present during that meeting with the exception of Mrs. Webb and there are no minutes available for that meeting. In response to a question from Mr. DeSpain if it would be appropriate to assess only half of the parcels since they will only have paved road on the north and the west, Mr. Parsons stated that was taken into consideration when the assessments were made. Chairman Brownlow invited Margaret Webb to address the Board. Mrs. Webb advised the Board that during the County meeting for the proposal of the Sutter Drive Improvement District she was told that her parcels would not be part of the Sutter Drive Improvement District. She explained they have no plans to subdivide the property and advised the current use of the land is as one parcel. She advised the Board that when signing the petition for the District they gave 5' of property on each side to make the road wide enough to be dedicated as a County road. She stated

that they can not afford the assessment and did not believe they should be assessed anything as it is doubtful they would ever use the road. Mr. Tenney asked if the Board did not assess the Webbs for this large parcel and, at a later time, the property was subdivided if the parcels could then be assessed. Mr. Payette stated all assessments must be made now as it is done on a per-lot basis. In response to a question, Mr. Parsons stated the roads to be paved are: Sutter, Spruce, Crimson, Oak, Pinon Place, and Forest Avenue. He advised there are four or five residents that will receive the benefit of paving Forest Avenue and their property was not included in the original assessment diagram. Mrs. Webb stated the residents on Forest Avenue will have a paved road and they were not required to give the 5' to make the roads eligible for County acceptance. Mr. Tenney stated he could understand why the Webbs did not feel they were part of the District as they thought it went along the subdivision boundaries. Mr. Parsons advised that if the assessment for the Webb parcel was divided up among the other parcels, the cost would be an additional \$300 for each property owner. **Mr. DeSpain made a motion** to exclude the Webb parcel from the assessment. Leida Hatch advised that if the Webb parcel is not assessed, there are two options: the assessment could be recalculated on all other parcels or the County could agree to contribute the cost. Mr. Tenney asked Mrs. Webb if she considers the paving to be of any value to her property and Mrs. Webb stated she is opposed to any assessment and does not believe it will change the value to her property for their intended use of it. Mr. Payette advised the Board that if they exclude this parcel from the assessment they are finding there is no benefit at all to that parcel. Mr. DeSpain stated he is confused because Forest Avenue properties will benefit and Mr. Payette stated those properties were not included in the Improvement District. He said any questions regarding the District boundary would have to have been raised in the formation stage and following the 20 day period for objections, the district became final. Mr. Parsons inquired if the Webb property could now be removed from the District boundaries and Mr. Payette stated the District boundaries can not be changed. Mr. DeSpain withdrew his motion for lack of a second. Mr. Brownlow stated that in listening to Mr. Payette, the Board must determine if there is a benefit to that piece of property and if there is, he would propose an assessment of some type. Mrs. Webb protested, stating that Forest Avenue property owners should also then be assessed. Mr. Payette stated that short of dissolving the District, nothing can legally be done about Forest Avenue. Mrs. Webb said that Forest Avenue is not a County road and nothing was ever said about paving that road. Mr. Tenney clarified that if the Board left the Webb parcel out there are two options of either increasing everyone else's assessment or have the County pay the difference. **Mr. Tenney made a motion** to exclude the Webb parcel with the County to assume the financial responsibility; motion seconded by Mr. DeSpain. Mr. Thompson expressed concern that this same type of situation could occur in the future and inquired if the Board had done anything like this in the past. Mr. Payette stated the Board would be doing this for the first time. He stated that contributions by Counties for improvement district costs are specifically provided for in statute. Mr. Deal stated he did recall taking similar action in the past and Mr. Parsons stated it may have been Shore Lake Drive in the 90's. He stated that in the past some Districts have excluded cul-de-sacs. Mr. Deal inquired if the motion included having the County contribute the \$20,000 plus and Mr. Tenney stated it did. Mr. Tenney stated that he believed Mrs. Webb and that the County made a mistake regarding her property and the properties on Forest Drive. Mr. Deal stated the motion didn't identify the source for the funds and Mr. Tenney stated he assumed it would come from the Public Works budget. Mr. Payette stated he did speak to the former County Engineer and his recollection was not that the parcel would be excluded from the district or the assessment but that it would be treated as one parcel. He said the Board must be careful of the precedent that is set and that many things are said and/or people misunderstand things that are said during this difficult process. Mr. Payette stated he concurred with Mr. Bowers that it would not be proper for the Board to state that the value to the

parcel is \$20,000 and the County will pay it as that would be considered a gift to the Webbs. He said if the Board is actually finding that the property doesn't benefit to the tune of \$20,000, then the County is picking up the difference between the benefit and the assessment. Mr. Parsons advised a 10% contingency exists between \$24,000 to \$25,000 and it appears it will not be needed.

Mr. Deal asked for clarification of Mr. Payette's last statement, asking if the Webbs must report this as a gift. Mr. Payette stated that if the Board found that the Webb's assessment should be \$20,000 and then paid it, that would be making a gift of public funds. He advised the Board should determine the benefit to the lot and to the extent it is found less than \$20,000, that amount should be spread over the other lots and then the County can contribute that amount rather than increasing the assessments. Mr. Bowers advised the Board that it is implicit in the motion on the floor that there is no benefit at all to the Webbs from this District. Chairman Brownlow called for the vote and it was unanimous approving the motion. Ms. Hatch stated she will contact Fred Rosenfeld to revise the resolution approving the assessment. **Mr. Tenney made a motion** to recess the Sutter Drive Improvement District, seconded by Mr. DeSpain; vote unanimous approving the motion.

- b. Discussion and possible approval by **Resolution ___ - 05**, the assessment as recorded or with modifications based on objections: **Addressed later in these minutes.**

Mr. Tenney made a motion to reconvene into regular session, seconded by Mr. DeSpain; vote unanimous approving the motion. Mr. Brownlow recognized Kathy Hieb, former deputy Clerk of the Board.

- 2) **Public Hearing: Discussion and possible approval by Resolution No. ___ - 05, with the stipulations as stated, the proposed Special Use Permit request by Pearl Maurine Adams for parcel 208-12-022 in the Clay Springs area for temporary placement of a metal crusher to eliminate approximately 50 unwanted vehicles from this property and other surrounding properties:** Mr. Fraley reported that this began as a zoning enforcement problem and was turned into a neighborhood clean-up. He stated he applauds Mrs. Adams for not only cleaning up her own property but offering neighboring property owners this opportunity. He stated staff is pleased to recommend this action with the stipulations imposed by the Planning and Zoning Commission: 1) The Special Use Permit shall be valid for a period of nine months from the date of approval by the Board of Supervisors; 2) the hours of operation shall be restricted to daylight hours only; 3) Upon the completion of the crushing process, the site shall be cleaned of any remaining debris from the operation. Mr. Fraley explained the process takes about nine months and Motor Vehicle Division will have to take care of the title issues. Mr. Brownlow stated this is a public hearing and invited anyone to speak against the issue. There was no response. When he invited anyone to speak in favor of the issue, Michael Adams addressed the Board stating he is overseeing this operation and it is getting larger as more people request to have their vehicles crushed. He said approximately 56 vehicles are coming out of the Linden area and anyone else is welcome to contact him for their vehicles. **Mr. Tenney commended Mr. Adams for this operation and made a motion** to approve by **Resolution No. 72 - 05**, with the stipulations as stated, the proposed Special Use Permit request by Pearl Maurine Adams for parcel 208-12-022 in the Clay Springs area for temporary placement of a metal crusher to eliminate unwanted vehicles from this property and other surrounding properties; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Mr. Fraley stated that as this operation grows, Mr. Adams may find he needs an extension on the time and encouraged him to make contact to request the extension.
- 3) **Discussion and possible approval by Resolution No. ___ - 05 the Final Plat with the Financial Assurances for the Stone Pine Estates Unit 2 subdivision:** Mr. Fraley displayed a map showing the location of Stone Pine Estates Unit 2 subdivision and introduced Mr. Ironside of Ironside Engineering who is available to speak to the subdivision. He stated that all requirements have been met, the Deputy Clerk of the Board is holding the financial assurances, and staff recommends approval with the standard stipulation that improvements must commence within 24 months. Mr. Brownlow stated that the engineering report indicates the drainage and driveways will be privately maintained and Mr.

Fraley stated the Home Owners' Association will be responsible for enforcing this. **Mr. DeSpain made a motion** to approve by **Resolution No. 73 - 05** the Final Plat with the Financial Assurances for the Stone Pine Estates Unit 2 subdivision; motion seconded by Mr. Tenney; vote unanimous approving the motion.

- 4) Discussion and possible approval by **Resolution No. _____ - 05** the Master Plan and the Final Plat with the Financial Assurances for the Canyon Vista Estates subdivision: Mr. Fraley displayed a location map and future phase map, reviewed the staff report and Planning and Zoning Commission action, and stated that the recommendation is for approval. He stated all plans have been submitted and the Deputy Clerk of the Board is holding the financial assurances. He introduced John Otis, a partner in the development. **Mr. DeSpain made a motion** to approve by **Resolution No. 74 - 05** the Master Plan and the Final Plat with the Financial Assurances for the Canyon Vista Estates subdivision; motion seconded by Mr. Tenney; vote unanimous approving the motion.
- 5) Discussion and possible approval of extension of two temporary positions (CDL operator and part-time temporary employee in administrative area) in the Public Works Department for a three month period: **Mr. DeSpain made a motion** to approve the extension of two temporary positions (CDL operator and part-time temporary employee in administrative area) in the Public Works Department for a three month period; motion seconded by Mr. Tenney; vote unanimous approving the motion.
- 6) Discussion and possible approval of award of Contract # B05-09271 Shumway Road Asphalt Concrete pavement be awarded to overall low bidder: Mr. Parsons reported that the evaluation of the bids received from Hatch Construction and Paving and Surface Contracting, Inc., determined Surface Contracting, Inc. to be the low bidder with a bid not to exceed \$69,498.75. **Mr. DeSpain made a motion** to approve the award of Contract # B05-09271 Shumway Road Asphalt Concrete pavement to Surface Contracting, Inc. with the project not to exceed \$69,498.75; vote unanimous approving the motion.
- 7) Update on Bureau of Indian Affairs projects with direction to be given by Board related to task order signatures: Mr. Parsons reviewed the progress on hauling material from Peabody coal and safeguards that have been put in place for audit processes. He advised the Board that signing of task orders has become an issue and it is currently the Navajo County procedure to send an unsigned task order since in the past there has been difficulty getting signed task orders returned. He said the Contracting Officer in Gallup refuses to sign a task order without Navajo County signatures. Mr. Bowers stated that in the legal field that usually the person funding the contract decides how the contract is to be executed. Mr. Parsons stated that the repercussions are not on the Contracting Officer but falls on the staff in the field. He assured the Board that if they give the direction to send signed task orders, the BIA will not receive any funds until the contract is returned fully executed. After some discussion of this issue, the Board agreed it is acceptable to send out signed task orders with careful monitoring of the return of the executed contract prior to funding.

BOARD OF SUPERVISORS: Supervisor Jesse Thompson: Discussion and possible approval of financial contribution to Dilkon Veterans' organization to come from District II special project funds: **Mr. Thompson made a motion** to approve a financial contribution of \$400.00 to the Dilkon Veterans' organization to come from District II special project funds; motion seconded by Mr. Tenney; vote unanimous approving the motion. Mr. DeSpain was absent for the vote. Mr. Thompson requested a manual warrant to be issued for these funds.

ADMINISTRATION: James Jayne, Darlene Fraley, Jessica Pacheco:

- 1) Approve assignment of County vehicles, including for commuting purposes, to those employees specifically designated: Mr. Jayne stated that in the process of developing recommendations and revisions in the personnel policy, it came to light that there is no approved list of employees who have

been assigned a take-home vehicle. He said he is requesting approval of the submitted list with the addition of the County Attorney investigator until December 31 and he will come back with a recommended policy and reporting structure prior to that time. **Mr. Tenney made a motion** to approve the assignment of County vehicles, including for commuting purposes, to those employees specifically designated and to also include the County Attorney investigator; motion seconded by Mr. Deal. Ms. Derris inquired if the maintenance and gas would come out of department budgets or the general fund and Mr. Jayne stated that the expenses for each vehicle assigned to an individual would come out of that department's budget. Ms. Justman inquired if any of the new cars in the pool will be assigned to the listed people and Mr. Jayne stated they would not be. Mr. Jayne reviewed the assignment list of Public Works Director, road yard supervisors, the County Engineer when hired, the Deputy Director of Flood Control, Director of Buildings and Grounds, IT Director, Parks and Recreation Director, County Manager, County Attorney Investigator, WIA Director and Risk Manager. Mr. Bowers asked for the criteria for take-home vehicles, pointing out that this has been an on-going problem in the County for many years and stating that the current cover sheet exempts elected officials and sheriff's department. He said that he believed some elected officials are just as on-call as some on this list. He stated he did not believe this is a comprehensive list, that there should be criteria approved by the Board before the Board starts sending cars home with staff. He said that in looking at the list, he does not know why some people would be on it and others not. Mr. Jayne stated this is a first-step in developing the criteria and assignment for take-home vehicles and it will expire December 31 when a policy is in place. Mr. Bowers stated that he has attorneys that are on-call on the weekend and they do not have assigned vehicles. Mr. Parsons stated that in Public Works the criteria for an assigned take-home vehicle is 24 hours on call. Mr. Bowers inquired if employees are on the list because of their on-call status or if this is a perk of the position. Mr. Jayne stated that employees are on call but it would also be considered a perk. There was some discussion of postponing this decision and concern was raised that all cars would then have to be parked until approval is given. Chairman Brownlow stated that he wants to look at the criteria and all who may have legitimate reasons to be on the list for a take-home vehicle. He called for the vote and the vote was unanimous approving the motion. Mr. DeSpain stated that at one time the Board did require all the vehicles to be parked and slowly but surely that changed. He said that one question has always been raised has been the Sheriff's department and he does commend the Sheriff on how he runs his department. He said the list does not disappoint him as these people are on call. Mr. Thompson requested that every individual who participates in the managers' meeting be provided a copy of the policy, critique it and make comments.

- 2) **Public Hearing:** Discussion and possible approval by **Resolution # _____ - 05** the 25-year renewal of the Arizona Public Service Franchise: Ms. Fraley advised the Board that legal counsel reviewed and approved Arizona Public Service franchise and Public Works reviewed it and made some modifications to the original APS submittal that were incorporated into the proposed document. She stated this is a County-wide franchise and it has been advertised the required three times. **Mr. DeSpain made a motion** to approve by **Resolution # 75 - 05** the 25-year renewal of the Arizona Public Service Franchise; motion seconded by Mr. Tenney. Jessica Pacheco responded to questions regarding the cost of energy and also advised this franchise does not address energy delivery costs stating that this franchise only addresses doing business in the public right of way. In response to a question from Mr. Deal, Ms. Pacheco stated that a franchise on the Navajo reservation would be a different matter. Mr. DeSpain stated that he had just realized that since his wife works at an APS plant he should officially declare a conflict of interest and withdraw his motion. Mr. Tenney withdrew his second. **Mr. Tenney made a motion** to approve by **Resolution # 75 - 05** the 25-year renewal of the Arizona Public Service Franchise; motion seconded by Mr. Thompson. Chairman Brownlow called for any public comment during this hearing and there was no response. The motion carried 4-0 with Mr. DeSpain abstaining.

FINANCE: James Menlove, Mary Springer, Dennis Miller

- 1) Discussion and possible authorization for Finance/Purchasing to close RFP B05-07-0182 Organizational Development Specialist with no award: Ms. Springer advised the Board that only one proposal was submitted for this award and it did not respond to all areas. She stated she had already advised the firm of this. **Mr. Tenney made a motion** to authorize Finance/Purchasing to close RFP B05-07-0182 Organizational Development Specialist with no award; motion seconded by Mr. DeSpain; vote unanimous approving the motion.
- 2) Discussion and possible authorization to enter into a contract with John Perkins, SPHR, Human Resource Partners, LLC to conduct focus group meetings with employees and provide results and recommendations for problem resolution with contract value not to exceed \$5,250.00: Ms. Springer advised the Board that this contract is presented to address the directive of the Board to provide professional development in the Public Works department. **Mr. Tenney made a motion** to authorize entering into a contract with John Perkins, SPHR, Human Resource Partners, LLC to conduct focus group meetings with employees and provide results and recommendations for problem resolution with contract value not to exceed \$5,250.00; motion seconded by Mr. DeSpain; vote unanimous approving the motion. In response to a question from Mr. Deal as to whether other employees could participate in a focus group, Mr. Jayne stated that the contract specifically addresses Public Works employees as directed by the Board
- 3) Discussion and possible authorization for Finance/Purchasing to solicit request for proposal (RFP) for Intercom and access control upgrade for jail to DisCorp who is regional distributor and service provider for Montgomery Technologies intercom and access control components: Ms. Springer advised the Board that this request is to issue the request for proposal to DisCorp because many existing items are in disrepair and are malfunctioning due to the installation of substandard equipment when the new jail was built. She advised that it is the intent to upgrade the equipment to be compatible with existing Montgomery Technology. She reported that when she brings the proposal back for an award it will be as a sole-source provider. **Mr. Tenney made a motion** to authorize Finance/Purchasing to solicit a request for proposal (RFP) for Intercom and access control upgrade for the jail from DisCorp who is regional distributor and service provider for Montgomery Technologies intercom and access control components; motion seconded by Mr. DeSpain; vote unanimous approving the motion.
- 4) Discussion and possible authorization to submit a new signature card for the CDBG Housing Rehab Contract #142-04 that will allow NACOG staff to prepare and submit necessary ADOH reports and billings on behalf of Navajo County: Mr. Menlove reported that the new CDBG signature card includes James Menlove and Joan Mickle. **Mr. Deal made a motion** to authorize the submittal of a new signature card for the CDBG Housing Rehab Contract #142-04 that will allow NACOG staff to prepare and submit necessary ADOH reports and billings on behalf of Navajo County; motion seconded by Mr. Thompson; vote unanimous approving the motion with Mr. Tenney absent for the vote.
- 5) Audit update and financial status report: Mr. Menlove submitted the 2002 expenditure limitation report to the Board of Supervisors. He reviewed audit findings for subsequent years, responding to questions from Board members. He advised of the current status of expenditures in the 2005-2006 budget year, stating the County is approximately 25% through the year with most departments having expended that amount or less of their budget. Board members complimented Mr. Menlove and his staff for the progress that has been made and Mr. Menlove expressed appreciation to his staff for their dedication. Mr. Thompson requested that NACOG funding on the reservation as it relates to replacement of damaged homes come back to the Board as part of a future finance report.

PUBLIC WORKS: Dusty Parsons, Leida Hatch, Bill Fraley: Board of Directors Session: Public

Hearing Sutter Drive Improvement District: **Mr. Thompson made a motion** to reconvene the Sutter Drive Improvement District Board of Directors Session; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

Discussion and possible approval by Resolution # - 05, the assessment as recorded or with modifications based on objections: Ms. Hatch reviewed the changes approved by Fred Rosenfeld, legal counsel, to the resolution based on earlier Board action. **Mr. Tenney made a motion** to approve by **Resolution 76 – 05** the Sutter Drive Improvement District assessment as presented with modifications based on objections; motion seconded by Mr. DeSpain. Mr. Deal inquired if the modified resolution met all legal requirements and Mr. Bowers stated he believes the resolution accurately reflects the Board action. The motion carried unanimously.

Mr. Tenney made a motion to exit the Sutter Drive Improvement District **Board of Directors Session**; motion seconded by Mr. Thompson; vote unanimous approving the motion.

The Board recessed for lunch at 12:29 p.m.

At 1:30 p.m., the Board of Supervisors reconvened to conduct the 2005 Navajo County Back Tax Land Auction. Throughout the auction Mr. Brownlow and other Board members advised those present that:

- 1) All sales are final
- 2) Seek advice on the marketability of title conveyed by Treasurer's Deed
- 3) Examine property before purchasing
- 4) Check the Assessor's map for location of the parcel
- 5) No warranties or guarantees as to the size or condition of property
- 6) No refunds will be made

All Board members who were present participated in the ensuing land auction. At the conclusion of the auction, **Mr. DeSpain made a motion** to accept the amounts for which all parcels were sold as final; Mr. Tenney seconded the motion; vote unanimous approving the motion with Mr. Deal absent for the vote.

ADJOURN: At 2:47 p.m., **Mr. Tenney made a motion** seconded by Mr. Thompson to adjourn. Motion unanimously approved with Mr. Deal absent for the vote.

APPROVED:

DATE:

Jerry Brownlow, Chairman

ATTEST:

Clerk/Deputy Clerk of the Board