

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
MONDAY, OCTOBER 23, 2006

9:03a.m. CALL TO ORDER: Chairman Thompson led the Pledge of Allegiance and offered the invocation.

PRESENT: Jesse Thompson, Chairman; Percy Deal, Vice-Chairman; J.R. DeSpain, Member; David Tenney, Member; Mel Bowers, County Attorney; James G. Jayne, County Manager, and Darlene Fraley, Clerk of the Board. Jerry Brownlow, Member, not present.

CALL TO THE PUBLIC:

Melissa Wallace of 8664 Reata Road, Winslow, advised the Board of Supervisors that she runs a safe house for the State of Arizona, taking care of children who have been kicked to the curb, are profoundly retarded, blind, and two who are wheel chair bound. She said one child was placed with her that is 14 years old and weighs 90 pounds. She said she was told that Reata Road and Coriante are not recognized roads. She said she is only requesting that these roads are graded two or three times per month; not that the county blacktop or gravel them, stating that she would maintain the driveway to the road. She said that right now she lifts the 90 pound student an average of 9 times per day getting him in and out of buses and maintaining these roads would eliminate that. Chairman Thompson stated he understands the situation and Supervisor DeSpain requested and received her phone numbers.

CONSENT AGENDA: a) Name an existing road in the Claysprings area "Poco Bueno Drive" in Section 02 Township 11 North – Range 19 East; b) Name an existing road in the in the Pinedale area "Brayden Way" in Section 19 Township 11 North – Range 20 East; c) Name an existing road in the Pinedale area "April Place" in Section 30 Township 11 North – Range 20 East; d) Name an existing road in the White Mountain Lake area "Dawn Place" in Section 08 Township 11 North – Range 22 East; e) Name an existing road in the Pinetop area "Chloe Way" in Section 27 Township 09 North – Range 22 East; f) Name an existing road in the Heber area "Bonissa Way" in Section 13 Township 12 North – Range 16 East; g) Name an existing road in the Heber area "Michael Lane" in Section 13 Township 12 North – Range 16 East; h) Name an existing road in the Heber area "Brenda Way" in Section 13 Township 12 North – Range 16 East; i) Name an existing road in the Overgaard area "Garnet Lane" in Section 32 Township 12 North – Range 17 East; j) Name an existing road in the Snowflake area "Clay Trail" in Section 21 Township 14 North – Range 21 East; k) Name an existing road in the Holbrook area "Goa Way" in Section 05 Township 15 North – Range 20 East; l) Appointment of Democratic Committee Persons: Eleanor C. Nauman, Nancy L. Avery, Marcia D. Garnett, and Amy Elizabeth Shumway; m) Bad check program quarterly report; n) Intergovernmental Agreement for Election Services with Heber-Overgaard Fire District; o) Intergovernmental Agreement for Election Services with McLaws Road Fire District; p) Intergovernmental Agreement for Election Services with Show Low Fire District; q) Intergovernmental Agreement for Election Services with Sun Valley Fire District; r) Intergovernmental Agreement for Election Services with Joseph City Sanitary District; s) Intergovernmental Agreement for Election Services with Pinetop-Lakeside Sanitary District; t) Intergovernmental Agreement for Election Services with Woodruff Irrigation District; u) Intergovernmental Agreement for Election Services with Joseph City Domestic Water Improvement District; v) Intergovernmental Agreement for Election Services with Northland Pioneer College; w) Letter of support for appointment of Michael Brown to the Arizona Court of Appeals; x) Letter of appreciation to Micah Lomaomvaya, Planning Commissioner; y) Letter requesting that information be released by Mountain States to Administrative Enterprises Inc. for historical medical claims information: Chairman Thompson advised those present that the following were removed from item l-l, Democratic Committee persons, as these individuals had already been deemed elected: Kayse Cooley, John Sorenson, Eloise W. DeSpain and Gina Consiglio-Williams. **Supervisor Tenney made a motion** to authorize the Chairman to sign the amended items in the Consent Agenda; motion seconded by Supervisor Deal; vote approving motion 3-0, with Supervisor DeSpain abstaining.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen introduced Shalice Cook, newly hired Senior Human Resources Analyst, who provided information regarding her background.

Gail Calisen summarized the 54 personnel actions. Supervisor DeSpain inquired how many years the retiring personnel had with the county and was advised it was over 20. **Supervisor Tenney made a motion** to approve the personnel actions as presented and authorize the Chairman to sign these items; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

PUBLIC WORKS/PLANNING & ZONING:

a. **PUBLIC HEARING** Bucking Horse Improvement District:

i. **Public Comments**

Dusty Parsons advised this is a public hearing to discuss the formation of the Bucking Horse Improvement District and that the petition submitted over a month ago was in excess of the required number of signers. He advised they received several calls and letters from people who thought this hearing was only to discuss the improvement district and to receive estimates of cost. He advised the assessments may run between 10 and 15 thousand dollars and there is no way to determine the exact price without going through this process. He displayed a map showing lot identification for signers of the petition, letters of opposition, and letters of support. Carol Fraley clarified that she has had requests since the petition was accepted to have their names removed but that could not happen as the Board had accepted the petition. Mr. Parsons advised that the Board can vote to form the improvement district, vote not to form the improvement district or table the action.

Susan and Cecil Hayes, 4768 Bronco Lane, Lot 82, advised the board that most present are all in the same position, they are concerned about the possible assessment and were thrown by the possibility it could be \$10,000 to \$20,000. She said she and her husband started a petition about five years ago to pave the roads and ran into opposition. She said that at that time she was told that if they had 51% in favor, an engineer would provide a cost and then there would be another meeting within 30 days to accept or decline the proposal. She is concerned that if action is postponed, most people are gone for the winter and only a few would be around for a future meeting.

Camilla Applegate of 3997 East Bermuda Circle, Lot 69, advised she is representing two separate groups of people with the first group those who feel the petition was not circulated correctly. Four stood identifying themselves as this group. Ms. Applegate reported that when she first called Carol Fraley, she was informed this would not be a cost estimate hearing. She stated that everyone on their signature list stated the petition was presented to them as only to get a cost estimate. She said there was no cover sheet so they couldn't read it to find out what they were signing. She said she does not believe that anyone purposely misled anyone. She said that if the petition can not be thrown out they would like to have it tabled for several months until homeowners return to town. She stated she represents a second group who are actually against the district and six stood to show they are against the district. Camilla advised that she and her husband felt the cost would be \$10,000 to \$15,000 and they do not have extra money to devote to paving. She said they bought in the mountains for that lifestyle. She asked how long the construction project would take as she does not want to deal with that annoyance for a couple of years. She said that most homeowners will agree that people in the neighborhood drive too fast and feel pavement will increase the speed which will create a safety issue. She stated the wording on the proposed district is vague, and she is concerned they may want to bring in sewer. She said she is concerned about flooding that could be created by this paving for people downstream. She read comments from a letter from Kim Massie, discussing other issues that contribute to breathing difficulties rather than the dust. She quoted Lynn Breyer's email stating that there were two additional opportunities to reviews costs and then she stated that according to the information she received this is not correct.

Richard Breyer of 3965 Bucking Horse Trail, Lot 43, reported he and his wife and others spearheaded this

process and they were told that costs could not be determined until 51% signed the petition. He said the form was given to them with no instructions other than the process could not move forward until 51% signed and the board accepted the petition. They said Carol Fraley couldn't give them estimates because it was impossible to do so unless they had the 51% signatures. He said there was no problem with traffic when they moved there 23 years ago but it is not a rural area any more. He stated that areas in Maricopa County get fines each year because there are fecal matter and other particulates in the air. He stated that people are stating that petitions were circulated wrong and that was not the case. He said everyone wants to know costs and how the process moves forward and it would be helpful to everyone in the room for the board to clarify this process.

Chairman Thompson invited Dusty Parsons to address these concerns. Dusty Parsons advised that typically what is attached to the signature page of the petition discusses the processes and cost range involved. He gave an example where some thought a district assessment would be \$9,000 and it came in at \$2,800. He discussed the process to establish the cost, advising once it is established the cost can not exceed that amount and that if the formation gets to a point and people back out they have to pay for the engineering costs. He stated they can not make an estimate on cost because the project will go from now until 2008 when the paving would take place; that he is not aware of drainage issues up there, but he still has to give a high estimate, which is \$10,000 to \$15,000. He reviewed the number of people in favor as 100 and is counting 12 to 15 opposed. Mr. Parsons stated this is the last area in the vicinity to be paved and his department receives many dust complaints. He said his department strives to keep people informed and eliminates unnecessary costs, advising he has never had a paving assessment go over \$10,000 but paving costs have increased. He stated he has reviewed the petition and it included all the appropriate information. Supervisor Tenney stated the main reason it is impossible to give cost estimates is that projects range in recent years from \$2,800 to \$9,000 depending on what people wanted and the county participation. He said it is also impossible to know where the estimate will be until the district is formed, the engineering is done and they have met with citizens to determine what they want. He stated if the district is formed and then citizens elect not to move forward the engineering cost has to be assessed and he estimated engineering costs could range from \$50,000 to \$75,000. Dusty Parsons stated they must file a Notice of Intent and the citizens have a point then to stop the project. Supervisor Tenney advised that the Scotts Pine assessment to be discussed later today was originally \$9,000 and through value engineering and county assistance it came down to \$2,800. Mr. Breyer advised that a bond has to be put forward in this process and Mr. Parsons advised that the performance bond was \$1,000 in case the district did not move forward. Dusty Parsons and Mel Bowers advised the engineers' costs could be spread over 10 years. Supervisor Tenney clarified that moving ahead does not require paving to take place.

John Sandahl, 5879 Cougar Court, Lot 71 and 72, stated that when the petition was passed out, it was for road paving only, no curbs, no sewer, no water lines and Mr. Parsons confirmed this was the case.

Gail DeCross stated she is speaking for Ann Dudley, an elderly woman on Bridle Path Loop, APN 411-79 407 and 408. She said Ms. Dudley felt the petition was misrepresented as there was no cover sheet. She also stated that since summer people are gone this issue should be set aside until next summer. She believes there is very low traffic volume in the area and she has the additional concern that the road goes onto her property; she feels it will be more expensive repositioning and paving than originally thought.

Al Contardi of Lot 42, Bucking Horse Trail, stated he is in favor of the improvement district and in favor of getting cost estimates.

Lynn Breyer, 3965 Bucking Horse Trail, Lot 43, stated when she wrote the referenced email it was only

for a discussion and that Carol Fraley told her they could stop the process at four different levels and she feels Supervisor Tenney clarified that. She said that in 1983 when they moved here, there was very little traffic and now they have considerable traffic with more housing so they have already lost the rural feel of the neighborhood. She said she is only there in the summer time but dust is prevalent and if there is dust on the table, it is in her lungs.

Camilla Applegate stated she is glad for the clarification that there will be costs whether the project is stopped or not. She said it was presented to her personally there would be no costs assessed until everyone agreed to the formation and she was told there would be no cost to decide the assessment costs.

Annette Lewis, 4020 Bucking Horse Trail, Lot 15, stated she is against paving because dust increases in the summer due to 4-wheelers' traffic so she has learned to close windows on one side and open the other side during the summer. She inquired if the people wanted to cut trees because dust and pollen are in trees. She said she was also told there would be no cost. She reported they started paving Whistlestop this summer and Mr. Parsons advised Whistlestop was an improvement district from 1996. Ms. Lewis said the road was built up to be paved and Mr. Parsons advised they are not doing any additional work. Mr. Parsons advised no paving would be done without an improvement district. Ms. Lewis inquired if she would have to pay double because she is on a corner and Mr. Parsons stated the assessment will be by lot size and the engineer will determine if the road must be built up. He advised if the property owner wants culverts in the driveway the owner will pay for it. Ms. Lewis stated that she saw them raise a road 12" before and Mr. Parsons stated he would have staff contact her to look at the area she is describing.

Supervisor Tenney stated no one can know the cost until the engineering is done and that process includes meeting with residents.

Lisa Scruggs, 4047 Bridle Path Circle, Lots 435 and 436, said she understands that all home owners of record received letters regarding today's meeting. She stated residents can keep putting this issue off but residents and the Board of Supervisors can not make an informed decision without establishing an improvement district. She said that spending \$500 spread over a period of time seems like a good investment to be able to make an informed decision.

Tom Touchere, 4256 Bucking Horse Trail, Lot 25, stated that when the petition was presented it was clear it was to find out what the road would cost but he was told on three different occasions after signing, once it goes to the board and an engineer is called in, it is a done thing. He said he is not in favor of paving; that it is a country area only as long as he is not living in an asphalt jungle. He stated that he lives on a corner and had to request the installation of stop signs; since nobody stops at the intersection now when it is dirt, what is going to happen when it is paved? He reiterated he is not in favor of this district; he and his wife will put up with the dust.

Supervisor Deal inquired if the board approves the formation to determine engineering costs and when those costs are known if the majority of the people can not afford it, they could ask the board to dissolve the district and the board could legally do so. Dusty Parsons stated the board could stop the project using the same process, requiring staff to come back when they mail out the assessment to have public hearings. He advised there is a minimum of four public hearings and when a high enough percentage protest, they can stop the project. Supervisor Deal inquired if, when the engineer meets with the people he can prepare his estimate based on what the people want and was told that would be the case providing the roadway profile meets the standards. Mr. Parsons advised there hasn't been a project completed in the last 4 years where the people were not happy. He stated that if this district forms today there will be a public meeting

with residents to get a feel of where they want to take this; they will talk about process; and all will have a commitment to holding down costs.

Richard Breyer inquired if it is easier to maintain gravel or paved roads and Mr. Parsons stated paved roads are easier to maintain and that is why the county encourages paving and is committed to keeping a project under budget whenever possible.

Patricia Evans, 3988 Bucking Horse Trail, Lot 70, stated she has decided they do not want pavement and they have as many allergies in Tucson as they have right here with dust.

Supervisor Tenney asked for clarification if people were allowed to remove their names who wanted to do so, if they would still have 51%. Carol Fraley advised that when they received the petition initially they had 12 more signatures than needed and that 16 more lots would have been added if all had come in together so with the requests for removal there would not be a significant net difference.

- ii. Consideration and possible approval of Resolution Number _____ - 06 to establish the Bucking Horse Improvement District of Navajo County: **Supervisor Tenney made a motion** to approve **Resolution Number 89 - 06** to establish the Bucking Horse Improvement District of Navajo County; motion seconded by Supervisor DeSpain. Supervisor Tenney stated he understands why this is an emotional issue yet he believes when all is said and done the vast majority of people in this district will be pleased with public works' staff and the board's commitment to keeping costs low. Vote unanimous approving the motion.

- b. **BOARD OF DIRECTORS SESSION: Scotts' Pine Tract "A" Improvement District:** Supervisor Tenney made a motion to enter into the Scotts' Pine Tract "A" Improvement District **Board of Directors Session**; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

- i. Hear and pass upon objections (if any) from property owners or other interested persons regarding the legality of the assessment or any of the previous proceedings: Carol Fraley advised she had not received any objections to the assessment for Scotts' Pine Tract A Improvement District and is requesting approval. Chairman Thompson invited public comment and there was none. Supervisor Tenney advised this is one of the improvement districts referred to as being high and came in at \$2,800 and he has since had three different individuals approach him to ask that he thank Dusty Parsons and Carol Fraley.
- ii. Consideration and possible approval of Resolution Number _____ - 06 for the assessment as recorded or with modifications based on objections: **Supervisor Tenney made a motion** to approve **Resolution Number 90- 06** for the assessment as recorded; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

Supervisor Tenney made a motion to return to regular session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

- c. **PUBLIC HEARING: Rimside at Rainbow Lake:** Bill Fraley displayed a vicinity map locating the project and reviewed the staff report and site plan. He advised traffic will increase significantly as a result of this project. He reviewed Planning and Zoning Commission comments and staff recommendations and stipulations as listed on the resolution. He advised that additional studies will be required and the Planning and Zoning Commission gave a 6-1 approval with the dissenting vote related to safety and traffic concerns on Larsen Road. He discussed buffer zone requests that were implemented. He stated that site plans were submitted to the White Mountain Apache Tribe and he has not yet received comments from them. He stated it is the intent to gate the community and pointed out the gated areas. He reported that at the planning commission meeting they had standing room only and as a result the developers, Supervisor Brownlow and several staff members attended meetings answering questions and providing information regarding the development. He advised the portion of

the project set aside for condominiums is not a topic for discussion today. Supervisor Deal inquired if with the 20' buffer that is recommended at each end of the development, there will be some type of gate to prevent 4-wheelers, 3-wheelers, etc. After discussion, in which Mr. Fraley, Mr. Parsons, Supervisor DeSpain and Supervisor Deal participated, Josh Cameron of 9743 W. Kaiser Drive, Phoenix, identified himself as the developer and stated it is not his intent to have this 20' set back as a public accessible trail and that the intent is to locate the trail along Rim Trail. He said the 20' will be part of the lot owners' buffer. He stated he has conducted an open house with community residents outlining larger lots, addressing some traffic issues, and advising they are creating internal trail systems so the natural beauty can be enjoyed by all. Bill Fraley stated approval is recommended. Chairman Thompson invited public comment. Amy Kaye, 3254 W. Timber Drive, Lot 110, stated she has enjoyed hearing the plans the developer has and stated the developer has worked well with residents. She said she believes the project is great and her family supports them.

- i. Consideration and possible approval by **Resolution Number** _____ - 06 of a zone change request by Larry Knipp from A-General to R1-10,000 Single Family Residential Zoning (Rimside at Rainbow Lake) for APN: 212-34-001, 003A, 003B, 004A, 004E, 007, 008A, 008C, and 212-45-001 in Township 9 North, Range 22 East, Section 27 Northeast of the Gila and Salt River Meridian, located in the Pinetop-Lakeside area: **Supervisor DeSpain made a motion** to approve **Resolution Number 91 - 06** for a zone change request by Larry Knipp from A-General to R1-10,000 Single Family Residential Zoning (Rimside at Rainbow Lake) for APN: 212-34-001, 003A, 003B, 004A, 004E, 007, 008A, 008C, and 212-45-001 in Township 9 North, Range 22 East, Section 27 Northeast of the Gila and Salt River Meridian, located in the Pinetop-Lakeside area; motion seconded by Chairman Thompson; vote unanimous approving the motion.
 - ii. Consideration and possible approval by **Resolution Number** _____ - 06 of a Master Development Site Plan for the proposed Rimside at Rainbow Lake development for APN: 212-34-001, 003A, 003B, 004A, 004E, 007, 008A, 008C, and 212-45-001 in Township 9 North, Range 22 East, Section 27 Northeast of the Gila and Salt River Meridian, located in the Pinetop-Lakeside area: **Supervisor DeSpain made a motion** to approve **Resolution Number 92 - 06** for the Master Development Site Plan for the proposed Rimside at Rainbow Lake development for APN: 212-34-001, 003A, 003B, 004A, 004E, 007, 008A, 008C, and 212-45-001 in Township 9 North, Range 22 East, Section 27 Northeast of the Gila and Salt River Meridian, located in the Pinetop-Lakeside area; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- d. **PUBLIC HEARING** for a request by Hartley Turley for a Special Use Permit to allow the construction of an addition to the storage facility on one acre of property known as APN 107-10-005G located in Township 18 North, Range 19 East, Section 16 of the Gila and Salt River Meridian in the Joseph City area: Bill Fraley advised that after meeting with Supervisor DeSpain on this site and an adjacent site regarding flooding that could impact this property, he requested this item be tabled. Chairman Thompson advised this item will be continued.
- i. Consideration and possible approval by **Resolution Number** _____ - 06 of the proposed Special Use Permit request for one acre of property known as APN 107-10-005G located in Township 18 North, Range 19 East, Section 16 of the Gila and Salt River Meridian in the Joseph City area: Chairman Thompson advised this related item will also be continued.
- e. **PUBLIC HEARING** for a proposed amendment to the Navajo County Zoning Ordinance called "Adult Oriented Business" Bill Fraley advised the proposed action is to delete section 2518 of this ordinance since previous adoption of amendments to the ordinance supersedes this. Chairman Thompson inquired if there were any public comments and there were none.
- i. Consideration and possible approval by **Resolution Number** _____ - 06 of an amendment to the Navajo County Zoning Ordinance by deleting Section 2518 of "Adult Oriented Business": **Supervisor Tenney made a motion** to approve **Resolution Number 93 - 06** for an amendment to the Navajo County Zoning

Ordinance deleting Section 2518 of "Adult Oriented Business; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

- f. Consideration and possible approval by Resolution Number - 06 of the Amended Final Plat for the Overgaard Springs Ranch Unit 1 subdivision: Bill Fraley located the property on a vicinity map advising this is the Amended Final Plat for this development because one legal description in the previously approved plan was changed for clarification before going before the State Real Estate Board. **Supervisor Tenney made a motion** to approve by **Resolution Number 94 - 06** the Amended Final Plat for the Overgaard Springs Ranch Unit 1 subdivision; motion seconded by Supervisor DeSpain. Supervisor Tenney stated this project has suffered serious set backs with the fire and ADEQ and now looks good, offering congratulations. Vote unanimous approving the motion.
- g. Consideration and possible approval by Resolution Number - 06 of the Amended Final Plat for the Overgaard Springs Ranch Unit 2 subdivision: **Supervisor Tenney made a motion** to approve by **Resolution Number 95 - 06** the Amended Final Plat for the Overgaard Springs Ranch Unit 2 subdivision; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- h. Consideration and possible approval by Resolution Number - 06 in support of applications for the Navajo Nation Fuel Excise Tax, signing letters of support that will be submitted with the applications: Dusty Parsons advised that previously two grants were submitted for these funds and the county was approved for one. He is requesting a resolution of support for the next round. Chairman Thompson stated he does appreciate Mr. Parson's submittal of this grant and this week they will travel to Window Rock to discuss how to spend the \$500,000 for improvement of roads in Jeddito. Supervisor Deal advised that Mr. Parsons and his staff did an outstanding job of putting together the grant applications and he is not sure that his district was fairly treated by how the Navajo Nation made the award. He said he raised the issue that the system was set up with unfair treatment, requested an adjustment and in the end was told no adjustment was made. **Supervisor Deal made a motion** to approve by **Resolution Number 96 - 06** support of applications for the Navajo Nation Fuel Excise Tax including signing letters of support that will be submitted with the applications; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

FINANCE/PURCHASING: Consideration and possible award of IFB B07-080-021 to Above the Rest Cleaning for Navajo County janitorial services to be effective January 1, 2007, extending the existing contract until December 31, 2006: Mr. Menlove advised there was only one responsive responsible bidder. **Supervisor Tenney made a motion** to award contract IFB B07-080-021 to "Above the Rest Cleaning" for Navajo County janitorial services to be effective January 1, 2007, extending the existing contract until December 31, 2006; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

COUNTY SUPERVISORS' ASSOCIATION: Award to Senator Jake Flake as the 2006 Outstanding Legislator of the Year: Craig Sullivan, Director of CSA, advised it is a pleasure for him and staff to be present and discussed the goals of the County Supervisors' Association. He reported that Supervisor Tenney is second vice president of CSA and that Supervisor DeSpain will be president of AACo. He stated that on behalf of the County Supervisors' Association and all 55 supervisors he is recognizing Senator Jake Flake for leading the effort to bring local dollars back to counties for local needs, protecting tax payer dollars. Senator Flake stated it is a great honor to receive this award and especially in his home county. He thanked CSA, the board, James Jayne and Mel Bowers. He stated that many legislators do not realize what faces rural Arizona. He said he represents five counties when many legislators have part of one county. Chairman Thompson, all supervisors, Mel Bowers and James Jayne thanked Senator Flake for his excellent representation of Navajo County and all of rural Arizona, citing specific areas where he had assisted.

BOARD BUSINESS: All supervisors discussed issues and activities within their districts. Supervisor DeSpain thanked Dusty Parsons, Bill Fraley and staff for their preparation for the meetings. Mel Bowers reported a number of law suits have challenged Proposition 200 voter ID requirements and the Ninth Circuit stayed that portion of Proposition 200. He stated that the matter was taken up by the U.S. Supreme Court which lifted the stay but did not address the substantive issues. James Jayne reported the Corporation Commission will conduct a special meeting on Friday to address the renewable energy standard and tariff rules, stating that Supervisors Tenney and DeSpain have previously testified.

At 12:04 p.m., the board recessed for lunch. At 1:37 p.m., the board reconvened with Chairman Thompson and Supervisors Brownlow and DeSpain present as well as Darlene Fraley, Clerk.

BOARD OF SUPERVISORS: Navajo County 2006 Back Tax Land Auction (ARS 42-18303(A)): Chairman Thompson advised those present of the following:

- a. All sales are final
- b. Seek advice on the marketability of title conveyed by Treasurer's Deed
- c. Examine property before purchasing
- d. Check the Assessor's map for location of the parcel
- e. No warranties or guarantees as to the size or condition of property
- f. No refunds will be made

Chairman Thompson requested Supervisor DeSpain conduct the auction. Supervisor DeSpain advised those present of the above caveats again as well as the possibility of difficulty in obtaining clear title. He stated as an example, the first property, 103-24-001, is 75' by approx. 600' and would take maneuvering to put a septic tank on it to build. Supervisor DeSpain gave those present the opportunity to ask questions regarding the properties and there were no questions. During the ensuing auction, all properties with the exception of 109-18-193 were sold. **Supervisor DeSpain made a motion** to accept the bids and deem the land sold; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

At 2:55 p.m., **Supervisor DeSpain made a motion** to adjourn; motion seconded by Chairman Thompson; vote unanimous approving the motion.

APPROVED:

DATE:

Jesse Thompson, Chairman

ATTEST:

Clerk of the Board