

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
TUESDAY, JANUARY 2, 2007

8:45 a.m. CALL TO ORDER: Supervisor Tenney led the Pledge of Allegiance and offered the Invocation.

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

RECESS: At 8:50 a.m. the Supervisors recessed to attend the Investiture Ceremony for the Honorable Michala Ruechel in the Division II Court Room C.

RECONVENE: The meeting reconvened at 9:30 a.m. with all as listed above present.

BOARD OF SUPERVISORS: Election of Chairman and Vice-Chairman for 2007: Chairman Thompson expressed appreciation for the support he had received in the last year, especially as difficult decisions were made. He expressed appreciation to former supervisor Lewis Tenney for his presence. **Supervisor Deal made a motion** to appoint Supervisor David Tenney as Chairman; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. Chairman Tenney thanked outgoing Chairman Jesse Thompson on behalf of the county for his leadership during the past year. **Supervisor Thompson made a motion** to nominate Supervisor DeSpain for Vice-Chairman; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

CALL TO THE PUBLIC: No response.

CONSENT AGENDA: a) Voucher list for payment; b) Tax Roll Corrections; c) Back Tax land deed; d) Navajo County WIA amendment number seven to existing DES Contract #E5706009 to accept \$16,202 in WIA Set Aside award to serve High Concentration of Eligible Youth in Apache and Navajo Counties; e) Re-assignment of passenger van from Teesto Senior Citizen Center to White Cone Senior Center; f) Letter of support for the establishment of a shooting range by the White Mountain Shooters Assoc., Inc. **Supervisor DeSpain made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. A representative of the White Mountain Shooters Association expressed appreciation to the board for supporting a shooting range in Navajo County.

CHARACTER FIRST PRESENTATION: Chairman Tenney announced this presentation will be conducted January 16, 2007.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 31 personnel actions on the written report. **Supervisor Thompson made a motion** to approve the Personnel Action report and authorize the Chairman to sign those items; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Supervisor DeSpain recognized retiring Public Fiduciary Charlie Tomlinson for his service to the county.

ASSESSOR: Consideration and possible approval of Intergovernmental Agreement with the Arizona Department of Revenue for Data Processing Products and Services from July 1, 2006 through June 30, 2007: Assessor Cammy Darris requested the board sign this agreement for data processing, stating that she is negotiating the price down from the requested \$2.20 per parcel. **Supervisor DeSpain made a motion** to approve the Intergovernmental Agreement with the Arizona Department of Revenue for Data Processing Products and Services from July 1, 2006 through June 30, 2007; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

BOARD OF SUPERVISORS:

a. Consideration and possible appointment of Constable in the Kayenta Township: Supervisor Deal advised the board that no candidate ran for the office of Constable, the position was declared vacant and since that time there

has been a letter of interest received from Mr. Larry Wallen who is currently the superintendent of the Pinon Unified School District. **Supervisor Deal made a motion** to appoint Mr. Larry Wallen to the position as Constable in the Kayenta Township; motion seconded by Supervisor Brownlow. Supervisor Brownlow inquired if Mr. Wallen lives in the Kayenta precinct and Mr. Bowers advised that the board would need verification that he resides within the district. **Motion and second were withdrawn** until it could be verified that Larry Wallen lives within the Kayenta precinct. Upon receiving telephone confirmation, Supervisor Deal advised the board that Larry Wallen lives within the precinct. **Supervisor Deal made a motion** to appoint Mr. Larry Wallen to the position as Constable in the Kayenta Township; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- b. Consideration and possible appointment of Justice of the Peace in the Kayenta Township: Supervisor Deal advised that Judge Bradley's last day as Justice of the Peace in the Kayenta Township is January 5, 2007. He stated Judge Bradley recommended Susie Nelson to take this position. **Supervisor Deal made a motion** to appoint Susie Nelson as the Justice of the Peace in the Kayenta Township; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Susie Nelson expressed appreciation to the board for this appointment. The Honorable Dale Nielson administered the oath of office to Judge Nelson. Supervisor Thompson introduced himself to Judge Nelson and to members of her clan in his native language, congratulating Judge Nelson. Supervisor Deal congratulated Judge Nelson and wished her and her clan a happy new year.

NAVAJO COUNTY WIA: Consideration and possible approval of proposed intergovernmental agreement with Gila County to fund a WIA Case Manager position for Navajo County with expenses as outlined to be charged to Gila County: Gail Sadler advised WIA currently contracts with REPAC for WIA clients in Navajo County and they provide case managers through funds provided by the State. She stated that due to an increase in costs, REPAC requested that WIA provide the case manager for this position. **Supervisor Brownlow made a motion** to approve the proposed intergovernmental agreement with Gila County to fund a WIA Case Manager position for Navajo County with expenses as outlined in the agreement to be charged to Gila County; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

FINANCE

- a. Consideration and possible adoption of the Mileage Reimbursement Rate for Privately Owned Vehicles of 44.5 cents per mile and per diem meal reimbursement rates and lodging accommodation allowances in accordance with the Arizona Department of Administration, General Accounting Office: James Menlove reviewed the proposed increase in mileage, lodging and per diem, stating that departmental budgets will not be increased, which may require some departments to adjust travel plans for the next six months. **Supervisor DeSpain made a motion** to adopt the Mileage Reimbursement Rate for Privately Owned Vehicles at 44.5 cents per mile, per diem meal reimbursement rates, and lodging accommodation allowances in accordance with the Arizona Department of Administration, General Accounting Office; motion seconded by Supervisor Thompson; vote unanimous approving the motion
- b. Consideration and possible authorization for Finance/Purchasing to seek requests for proposals for electronic payment processing for county departments: Mary Jane Springer stated this RFP is to provide for an alternative means of payment to the county over the internet or through payment terminals within the county. **Supervisor Thompson made a motion** to authorize Purchasing to seek requests for proposals for electronic payment processing for county departments; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- c. Consideration and possible approval of an intergovernmental agreement with the Town of Pinetop-Lakeside for cooperative purchasing: Mary Springer stated the prior purchasing agreement with the Town of Pinetop-Lakeside has expired and action today would renew that IGA. **Supervisor Brownlow made a motion** to approve an intergovernmental agreement with the Town of Pinetop-Lakeside for cooperative purchasing; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

PUBLIC WORKS/PLANNING & ZONING:

- a. Consideration and possible approval by **Resolution Number** - 07 of a Special Development Master Site Plan for the proposed "Cabin Inns at Overgaard" Development for APN: 206-01-033 and 034 in Township 12 North, Range 17 East Section 34 in the Heber-Overgaard area: Bill Fraley displayed a site map locating the 10 acre site for this property. He reviewed the Staff Report discussing the parcel information, existing zoning, the reason for the request, changing conditions, staff comments and proposed stipulations. He advised the letters received related to the project from Bill and Kathy Wright and Kim and Erwin Kuhn have been provided to the board. He advised the conference center has been removed due to Planning & Zoning Commission concerns but there will still be a club house. He discussed specific stipulations and how they will be met. He reviewed the site map, discussing roadways, emergency vehicle access, parking, and cabin sites. Mr. Fraley displayed pictures of an existing development after which this development will be patterned showing sites and typical cabins. He advised there would be approximately 37-40 units. He advised the developer had addressed the Planning and Zoning Commission recommendations and the Commission unanimously recommends approval. Mr. Dan Curtis, the developer, addressed the board stating he believes they have a better project due to the Planning and Zoning process as they listened to the concerns and addressed them. He invited questions from the board. Supervisor Brownlow asked why the driveways which are shown to be cindered or gravelled were not paved. Mr. Curtis said that cost is a factor but they also want to maintain the aesthetics of the development. Chairman Tenney stated that he agrees with Mr. Curtis that the granite driveways do maintain the forest "feel" of the property. Chairman Tenney inquired if Mr. Curtis had addressed the concerns in the letter and was advised he had. Chairman Tenney inquired if a split rail fence will separate properties and Mr. Curtis stated that the back property line will be a greenbelt area and there will be a raised area and a short split rail fence to separate it from the other residential properties. Mr. Curtis stated the cabins will be cedar sided and final decisions have not been made regarding the roofing product. He said they have met with ADOT regarding the Highway 260 intersection and as part of the tentative plat process they will address transportation issues. He discussed possible plans for straightening Columbia Lane which would actually widen the road. Supervisor DeSpain inquired where the second exit is on the property and Mr. Curtis advised that they wanted an additional exit onto Highway 260 and ADOT indicated a second exit would not be approved. He stated Columbia Lane is not a viable exit due to the wash that exists. He discussed the turn around and looping to provide additional access points. Bill Fraley stated that staff was not inclined to put a secondary access due to the wash and that EMS and fire staff approved this design. Supervisor DeSpain inquired what is north of this property and Mr. Fraley stated it is the Mogollon Air Park. Chairman Tenney invited public comment and there was none. **Supervisor DeSpain made a motion** to approve by **Resolution Number 01 - 07** the Special Development Master Site Plan for the proposed "Cabin Inns at Overgaard" Development for APN: 206-01-033 and 034 in Township 12 North, Range 17 East Section 34 in the Heber-Overgaard area; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. Navajo County Flood Control District **Board of Directors' Session:** Consideration and possible approval of a Professional Engineering Services Contract not to exceed \$20,300 for the purpose of delineating the floodplain/floodway and establishing Base Flood Elevations for Black Canyon Wash north of Highway 260: **Supervisor Thompson made a motion** to enter into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Homero Vela discussed the proposed contract, stating that staff recommends approval of this contract. He advised the area to be studied is an existing FEMA flood plain but flood plain elevations and widths with detailed information is not available. He advised that they will provide a model of the 100 year floodplain, compare it to the existing 100-year floodplain, provide delineation for the floodway and provide Base Flood Elevations for the segment of Black Canyon Wash downstream of the existing FIS (040066V000A), the North line of Section 13. **Supervisor Brownlow made a motion** to approve the Professional Engineering Services Contract not to exceed \$20,300 for the purpose of delineating the floodplain/floodway and establishing Base Flood Elevations for Black Canyon Wash north of Highway 260; motion seconded by Supervisor Thompson. Chairman Tenney inquired if this would tie into the Mogollon Domestic Wastewater Improvement District and invited Lewis Tenney to

comment. Lewis Tenney thanked the staff for their assistance on this project. He advised that StanTech did a number of studies a few years back that identified a site for the wastewater treatment plant on the northern part of the property and then when applying for permits found that site is in the FEMA floodway. He stated they stopped the detailed study and only went canyon wall to canyon wall designating a floodway, halting their project until they could get the flood elevations. He inquired if this is a fast track project as they can not continue without this information. He said this study will help everyone north of 260. Homero Vela stated there is a 60-day completion date on the project with March 2nd as the final deadline for having the information available. He said there will be aerial photos and the information received on this project will be comprehensive. Supervisor DeSpain inquired if anything has to be recertified in the Black Canyon area and Mr. Vela stated there are no levees but he is concerned about getting detailed information about the extent of the floodway. Supervisor DeSpain expressed appreciation to Lewis Tenney for his counsel in the past to the Board of Supervisors. Chairman Tenney thanked Mr. Fraley, Mr. Parsons and other staff for their assistance on this project. Vote unanimous approving project.

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

BOARD BUSINESS: All Supervisors expressed appreciation to Chairman Thompson for his service this past year. Supervisors reported on activities within their districts and meetings attended to benefit their constituents.

ADJOURN: At 11:14 a.m., **Supervisor Brownlow made a motion** to adjourn; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

APPROVED:

DATE:

David Tenney, Chairman

ATTEST:

Clerk of the Board