

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
TUESDAY, NOVEMBER 6, 2007

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

At 9:00 a.m. the meeting was called to order and Supervisor Thompson led the Pledge of Allegiance and offered the invocation.

CALL TO THE PUBLIC: Ray Badger of Silver Lakes Estates, addressed the board expressing concerns about an older mobile home in that area that is not up to code and public safety concerns regarding speeders, meth, etc.

Supervisor Jerry Brownlow presented the Chairman with a Blue Ridge Yellow Jacket ball cap to wear since Blue Ridge won the recent football game.

The group sang happy birthday to James Jayne, County Manager.

CONSENT AGENDA: a) Vouchers; b) Tax roll corrections; c) Back tax land deeds; d) Letters of appreciation to participants in the October 15th Kayenta Community meeting; e) Letter of opposition to HR980, Public Safety Employer-Employee Cooperation Act of 2007; f) State of Arizona Department of Corrections (DOC) Contract Number 070013DC renewal for housing of DOC prisoners with no changes to the housing cost (\$49.44 per inmate per day) and to include amendments related to medical, visitation, discipline, linen supplies, legal mail, level 3 inmate housing, inmate transports for non-emergency care, pictures and magazines, and seized property; g) Request to the U.S. Department of Agriculture, Forest Service to grant a 66' wide easement for public road and utilities to Navajo County for a right of way easement on behalf of the new Lakeside Fire Department and for public to have access off of Porter Mountain Road; h) Justice of the Peace Reports: Holbrook #1 September; Winslow #2 August, September; Snowflake #3 September; Kayenta #4 September; Show Low #5 September; Pinetop #6 September; i) Constable Reports: Holbrook #1 September; Winslow #2, September; Snowflake #3 September; Show Low #5 September; Pinetop-Lakeside #6 September; j) Juvenile Justice System: October
Supervisor Thompson made a motion to approve the Consent Agenda and authorize the chairman to sign those documents; motion seconded by Supervisor Brownlow. Chief Roger Meneer thanked the board for their cooperation in requesting an easement for the Lakeside Fire District. Vote unanimous approving the motion.

HUMAN RESOURCES:

- a. Consideration and possible approval of Personnel Actions: Deputy Human Resources Director Shalice Cook reviewed the 88 item personnel action report. **Supervisor Brownlow made a motion** to approve the written Personnel Action report; motion seconded by Supervisor Deal; vote unanimous approving the motion.
- b. Consideration and possible action related to revisions to the Personnel Policies Manual regarding:
 - i. The Navajo County hiring process: Shalice Cook reviewed the hiring process as written, responding to questions from Supervisors regarding the criminal background checks, reference checks, drug testing, the process for disseminating the revised policy to employees/potential employees and advising that if a potential employee disputes the results, they could appeal. **Supervisor Brownlow made a motion** to approve the revised Personnel Policy as presented effective January 1, 2008; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
 - ii. Creation of a Merit Commission to hear appeals of disciplinary actions: Ms. Cook advised this Commission is to be appointed by the board and discussed its statutory makeup that would include one

Personnel Commission member; that its creation will involve a personnel policy change based on ARS statutes; that its decision is final and can only be appealed to the courts and recommended its name should be the Disciplinary Appeals Review Commission. She advised it is the intention of the county to hire private counsel to advise the commission. **Supervisor Deal made a motion** to approve the creation of a Disciplinary Appeals Review Commission as outlined; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

- iii. Additional personal day request for all employees hired on or before July 1, 2002: Ms. Cook advised that the request being presented is the unanimous recommendation of the Personnel Commission. LaRee Saline and Dan Hinz, Personnel Commission members, reviewed the history of the additional personal day, advising these employees are targeted because their salary was impacted for several years by the frozen salaries and there are no additional dollars associated with this benefit. **Supervisor Thompson made a motion** to approve an additional personal day request for all employees hired on or before July 1, 2002; motion seconded by Supervisor Deal; vote unanimous approving the motion. Supervisors requested the commission relay to these employees the board's appreciation for sticking with the county through the lean times. Laree Saline stated employees are in a better place on salaries than they have been in a long time and thanked the board for these increases.
- c. Announcement of T-shirt logo contest winner: Ms. Cook reported Rhonda Hatch of the Assessor's office is the winner of the t-shirt logo contest and presented a t-shirt to Ms. Hatch. She stated that about 400 of these t-shirts will be printed.

BOARD OF SUPERVISORS: Acknowledgement of Supervisor Deal's contribution to the Code Talker Room: Chairman Tenney displayed Supervisor Deal's contributions of poetry entitled "Reflection" and a Navajo Code Talker commemorative coin to be displayed in the Code Talker room to recognize the Navajo Code Talkers' sacrifices.

SHERIFF'S OFFICE: Consideration and possible action related to entering into a contract in the amount of \$33,362.00 with Ellen P. Morse, CFNP, for psychiatric health care services for the inmates housed at the Navajo County detention facilities: Commander Matt Searles reviewed this contract and Supervisor **Brownlow made a motion** to enter into a contract in the amount of \$33,362.00 with Ellen P. Morse, CFNP, for psychiatric health care services for the inmates housed at the Navajo County detention facilities; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Board of Directors Session: **Supervisor Brownlow made a motion** to enter into the Navajo County Public Health Services District Board of Directors' Session; motion seconded by Supervisor Deal; vote unanimous approving the motion.

- a. Consideration and possible action related to the 2007-2008 Bioterrorism Program budget: Dan Roper and Dr. Kartchner advised this budget represents a 9% reduction from the previous year that was alleviated by limiting capital expenses and out-of-county travel and that the State expects a decrease in federal funding that will be the responsibilities of the states to pick up. Supervisor Deal thanked James Jayne, Dr. Kartchner and county staff for working with Indian Health Services in regard to a mass vaccination exercises. **Supervisor Deal made a motion** to approve the 2007-2008 Bioterrorism Program budget as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. **HEALTH DISTRICT CONSENT AGENDA**: **Supervisor Brownlow made a motion** to approve the Consent Agenda as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

- i. Memorandum of Agreement for Cooperation between the Navajo County Public Health Services District and the Arizona Rangers, Show Low Company 07, Taylor, AZ during health emergencies
Supervisor Brownlow made a motion to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

WIA:

- a. Consideration and possible action related to the acceptance of Workforce Investment Board Member resignations from William Lawler and Art Standiford: Gail Sadler advised the Workforce Invest Board recommends acceptance of these resignations. **Supervisor Brownlow made a motion** to accept Mr. Lawler and Mr. Standiford's resignations; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. Consideration and possible action related to appointment of the following to the Workforce Investment Board: Gail Sadler advised these names were forwarded by Navajo County and the City of Holbrook for membership to represent economic development on the Workforce Investment Board. **Supervisor Deal made a motion** to approve the following appointments; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
 - i. Laurie Frost representing Economic Development in Navajo County
 - ii. Karl Stockl representing Business/Economic Development in Navajo County

PUBLIC WORKS:

- a. Consideration and possible action related to extending four temporary positions in the Public Works Department to end on December 31, 2007: Dusty Parsons reviewed this request. **Supervisor Deal made a motion** to extend four temporary positions in the Public Works Department to end on December 31, 2007; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. Consideration and possible action related to accepting the filing of a petition requesting establishment of Mark Twain Drive, Jackrabbit Trail, Hopi Lane, Pitch Fork Lane, Bucking Horse Trail, Apache Trail, Bridle Path Loop, Bridle Path Circle, Chuck Wagon Lane, East Bermuda Circle, Concho Circle, Anvil Circle, Bronco Lane and Cougar Court as County Highways and set the public hearing at 9:00 a.m. on December 3, 2007: Dusty Parsons reviewed this request, stating these roads are in the Bucking Horse Improvement District in the Pinetop area and that the county will participate with homeowners to reduce their costs considerably. **Supervisor Brownlow made a motion** to accept the requesting establishment of Mark Twain Drive, Jackrabbit Trail, Hopi Lane, Pitch Fork Lane, Bucking Horse Trail, Apache Trail, Bridle Path Loop, Bridle Path Circle, Chuck Wagon Lane, East Bermuda Circle, Concho Circle, Anvil Circle, Bronco Lane and Cougar Court as County Highways and set the public hearing at 9:00 a.m. on December 3, 2007; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- c. Consideration and possible action related to **Resolution Number** - 07 for acceptance of portions of South 16th Street, South 19th Street, South 24th Street, Sunrise Road and Sundance Road into the County road maintenance system: Carol Fraley advised these roads are in the Sun Valley area, orienting the board to the portions of the roads that are proposed for acceptance. **Supervisor Thompson made a motion** to approve **Resolution Number 85 - 07** for acceptance of portions of South 16th Street, South 19th Street, South 24th Street, Sunrise Road and Sundance Road into the County road maintenance system; motion seconded by Supervisor Brownlow; vote unanimous
- d. **PUBLIC HEARING:** Consideration and possible action related to **Resolution Number** - 07 for a Zone Change request by Gerald Perkins from A-General to Commercial-Residential for APN 208-14-019 in Township 11 North, Range 19 East, Section 15 of the Gila and Salt River Meridian in the Clay Springs area: Telford Chapman oriented the board to this ¾ acre parcel south of Highway 260 near Sawmill Road and reviewed the staff report outlining the concern that this rezone would be spot zoning and that staff also has concerns about safe access from Highway 260, reporting that staff and the Planning and Zoning Commission recommended unanimously that this action be denied. Gerald Perkins, owner of the property, stated there is already spot zoning within a mile of this property that was grandfathered in and there are three or four different spots that are being used for commercial. He cited his reasons for purchasing the property, advising that he has an offer on the property and the buyer intends to sell motor homes that would require no sewer, or electric to the property; this seems to be the best use for the property. He stated he

believes the ADOT access that was built years ago is sufficient. He said he was told by the Commission to check with his neighbor who is the Forest Service. He stated he wants to get rid of this property without big brother dictating to him what he can and can not do. Chairman Tenney opened the Public Hearing; no members of the public spoke in favor of or against this parcel; the public hearing was closed. In response to a question from Supervisor Brownlow, Telford Chapman stated staff received one letter of concern that if the zoning were changed from residential to commercial there is the possibility of unsightly use but the letter was not opposed to the change. Supervisor Tenney stated that area is spotted with commercial property and he personally does not see how it would detract from what is happening out there. Dusty Parsons stated that staff does not have the flexibility to grant these requests and if the board chooses to approve the change staff will be fine with it. **Supervisor Brownlow made a motion** to approve by **Resolution Number 84 - 07** a Zone Change request by Gerald Perkins from A-General to Commercial-Residential for APN 208-14-019 in Township 11 North, Range 19 East, Section 15 of the Gila and Salt River Meridian in the Clay Springs area; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

- e. Consideration and possible action related to **Resolution Number** - 07 for the Final Plat for Bison Ranch J Ranchettes in the Overgaard area: Bill Fraley oriented the board to the subdivision, reviewed the staff report and advised staff unanimously recommends approval. **Supervisor Brownlow made a motion** to approve **Resolution Number 83 - 07** for the Final Plat for Bison Ranch J Ranchettes in the Overgaard area; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Consideration and possible action to related to the ongoing back tax land list resulting from the October 16, 2007 auction for sale through the Board of Supervisors office: **Supervisor Brownlow made a motion** to approve the ongoing back tax land list resulting from the October 16, 2007 auction for sale through the Board of Supervisors office; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. Acknowledgement of success of the NavCO Coalition Against Drug Abuse and presentation of check: Kirk Grugel and Debe Campbell discussed successes of this group, recognized financial contributors, partnerships that resulted from this group's effort and recognized the positive impact recovery speakers have on the reduction of meth use. All Supervisors expressed appreciation for this group's effort in all areas of the county, citing specific examples. Supervisors presented a check for \$5,000 to NavCO Coalition Against Drug Abuse. Town of Pinetop-Lakeside Mayor Barbara Teague addressed the board expressing her support of this coalition and discussed the recent successful conference where many people came together to address the meth problem.

BOARD BUSINESS: Supervisors discussed their participation in activities and meetings within their districts; encouraged participation in the upcoming celebration of the stabilization facilities, expressed appreciation to Veterans now and in the past; thanked the county manager and public works directors for their efforts on the transportation issues on the reservation that promote partnerships with the Hopi Tribe and Navajo Nation; and expressed confidence the county manager and staff will do everything possible to maintain CDBG funding on the reservations. Chairman Tenney thanked everyone for their willingness to have this meeting on December 3rd so he could meet his son's plane tomorrow when he will return after a two year absence.

The Board recessed at 10:58 a.m. and reconvened at 11:15 a.m. to recognize many coalition members who came to the meeting. James Jayne advised that Abbe Crozier, a supporter of this effort, is also instrumental in promoting a partnership with Cell One to give county employees the opportunity to contribute to United Way with their contributions going to this effort.

The Board recessed for lunch at 11:57 a.m.

EMERGENCY MANAGEMENT: Board of Supervisors' National Incident Management System training/exam in the Information Technology training room: At 1:42 p.m., board members reconvened in the Information Technology training room to take the NIMS exam. Board members finished the exam and left the room individually as they finished with all finished by 3:33 p.m.

APPROVED:

DATE:

J. R. DeSpain, Chairman

January 8, 2008

ATTEST:

Darlene Fraley, Clerk of the Board