

**NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES  
TUESDAY, APRIL 15, 2008**

**9:08 a.m. Call to Order:** Supervisor Tenney led the Pledge of Allegiance and offered the invocation.

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

**CALL TO THE PUBLIC:**

Bill Jeffers introduced Anne Kirkpatrick who is running for Congress from District 1. She addressed the board advising she is happy to be here and if elected will continue her open door policy as established in her office as State Representative. She discussed her background especially as it related to fighting methamphetamine and advised she hopes to take that fight to Washington.

Bill Jeffers, a local rancher, addressed the board and displayed fliers for the White Mountain Cowboy Roundup that will be held in July. He invited the public to attend. He also reported Ann Kirkpatrick will be at El Rancho at 3:00 p.m. for a reception. Mr. Jeffers addressed the Little Colorado River Heritage Area saying it would protect our rich heritage area through preserving the land and he believes private property owners will also be protected as they do not want the land abused. He urged the board to continue their support of the project.

**CONSENT AGENDA:** a) Warrants over \$1,000; b) Vouchers; c) Minutes January 29, 2008; February 19, 2008; March 11, 2008; and March 18, 2008; d) Sympathy letters for Esther Grass, Supervisor David Tenney, and the family of employee Christopher Dixon; e) Constable Report: Holbrook #1, February and March; Snowflake #3, March; f) Juvenile Justice System Report, March; g) Tax Roll Corrections; h) Application for Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control for The Cabin Bar and Grill in the Overgaard area; i) Appointment of Evelyn Walker as Secretary/Treasurer of the Joseph City Fire District replacing Layne Miller; j) Termination documents for Forest Health subcontract under Purchase Order Number Y410679 through the University of Arizona; k) Request from Woodruff Irrigation District to cancel IGA with Navajo County for Election Services effective April 5, 2008; l) Contracts as signed by County Manager per authorizing resolution: Wellness Program Services Agreement for Mohave Skin and Cancer to conduct comprehensive skin cancer screening for county employees and B07-010-001 Vitalcheck contract extension for electronic payment processing; m) Correction of Byrne Grant with the Arizona Criminal Justice Commission to operate the Major Crimes Apprehension Team (MCAT) Grant #AC-08-180 to correct the funding amount to \$280,000; n) Authorization to disperse funds from Arizona Peace Officers Standards and Training Fund Contract #2007-035 in the amount of \$35,000.00 for the purpose of locating a modular training facility at the Northeast Arizona Training Center (NATC); o) Automatic Renewal of IGA with Department of Public Safety and the Sheriff's Office assigning a detention officer to perform duties of Detention Liaison Officer in conjunction with the operation of the Arizona GangNet system – Contract No. 2007-043: **Supervisor Thompson made a motion** to authorize the Chairman to sign the documents in the Consent Agenda; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**HUMAN RESOURCES:** Consideration and possible approval of Personnel Action report: Gail Calisen reviewed her 21 item written personnel action report. In response to a question from Chairman DeSpain, Ms. Calisen advised that item 9 was effective prior to the employee's death. In response to a question from Supervisor Deal, Mel Bowers and Gail Calisen explained item 10 was a lateral transfer with all duties and responsibilities remaining the same. **Supervisor Brownlow made a motion** to authorize the Chairman to sign the personnel action report; motion seconded by Supervisor Tenney. Following discussion the vote was unanimous approving the motion.

**BOARD OF SUPERVISORS:**

- a. American RV and Navajo County Recognizing Excellence: Supervisors presented a certificate and fruit basket as sponsored by American RV to Jeff Lineberry of Information Technology and Darlene Fraley as Clerk of the Board for their outstanding contributions to their departments and county operations.
- b. Personnel service awards: Supervisors presented a service pin to Jackie Koon, Chief Deputy Treasurer, recognizing 20 years of Navajo County employment.
- c. Consideration and possible action regarding a letter to Linda Marie Golier of the NAU Bilby Research Center related to the Board of Supervisors' prior support of the designation of the Little Colorado River Heritage Area: Chairman DeSpain discussed his participation in a Santa Cruz Heritage Area panel/public meeting where Santa Cruz residents were excited about the Heritage designation but there were issues expressed by residents of Yuma County as related to surveys and other activities on private property. He explained the Yuma issue became so intense that the Yuma Heritage area was reduced dramatically in size. He advised that while there is \$15,000,000 available nationwide, only three of the Heritage areas are west of the Mississippi. Chairman DeSpain stated that his position is cautious about the large area the Heritage area covers. Supervisor Brownlow stated there have been board discussions regarding this designation and is aware of the Yuma problems with their designation. He said he spoke with people from the Farm Bureau in Yuma County as there had been problems concerning private property. He stated that since the area is so big he is concerned about the impact on private property; that rather than having property owners opt out, the property owners should have to opt in if they want to be included. Supervisor Thompson said he has been told the tribes support this but has not seen anything showing their support. The supervisors discussed the difference between the draft map and alternate map included in the packet. Chairman DeSpain stated he had the deputy county attorney review the language in the legislation and he assures there are many guarantees that the property owners could opt out. Supervisor Deal inquired if there is additional criteria being placed on any type of disturbance to the water or if there is protection of more wildlife species. Chairman DeSpain stated he was told this would not be the case when he asked these specific questions and further stated that because this is a Congressional designation if the language is not perfect there would be no changes in the future. Supervisor Deal discussed the costs of replacing a culvert now on the reservation and is concerned if this becomes legislation it would increase the paperwork that would have to be completed. Chairman DeSpain said he did ask that and was told funding would be available for these types of activities due to this designation. Supervisor Tenney stated that the more layers of control and or/influence we put over our natural resources it is only a matter of time that it is a layer you can not get through when you need to protect water. He feels this could be helpful in some areas but could be difficult in other areas. Chairman DeSpain said that the original designation stated this is a grass roots initiative by citizens and land owners within the community to get a designation but is concerned that the people who approached the County were not from our communities but were from the Center for Desert Archaeology based in Tucson. He said Mr. Jeffers, Babbitt Ranch and Hopi Ranch have spoken in public meetings about this designation, stating there are large tracts of land that they would like to stay the same to depict the heritage that we all grew up with—ranches and farms and the pioneer way of life. Chairman DeSpain stated he is also cautious about watersheds and forest land. Supervisor Tenney stated that he has been contacted by three different pro-multiple use groups saying this is a bad thing and that combined with the fact that there are few environmental groups supporting it, is enough to cause him to want to rescind support. Chairman DeSpain stated the proposed letter withdrawing support says the board wants to be cautious with support, taking a neutral position. Supervisor Tenney stated he will oppose a designation this large that is bigger than some states, because when an area this large is designated a heritage area there may be issues that have not even been considered that will impact future generations. He said he does not believe it should encompass the entire Little Colorado River Watershed. He said that EECO has not taken action on this item but in talking with fellow EECO board members he believes there will be opposition. **Supervisor Deal made a motion** to delay action on this for further education on this matter, stating he is interested in hearing

from the Hopi Tribe on this designation; motion seconded by Supervisor Tenney with the request that future action requires either opposition or support for the proposal; vote unanimous approving the motion.

- d. Black Mesa Community School delegation addressing the Board regarding appreciation for assistance on their roads: Continued at Supervisor Deal's request.
- e. Consideration and possible action regarding adoption of a proclamation affirming April as "Fair Housing Month": Rod Ross advised that the Arizona Department of Health requires a proclamation be adopted declaring April as "Fair Housing Month" in order to continue county CDBG funding. **Supervisor Tenney made a motion** to adopt the proclamation as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**NavCO COALITION AGAINST DRUG ABUSE/MCAT:** Acknowledgement of awards of recognition received from the Partnership for a Drug Free America Arizona Chapter and Special Recognition from the Office of the Governor: Arno Hall addressed the board reading the citation from the Office of the Governor recognizing the NavCo Coalition Against Drug Abuse for their service to the community and the State, while improving the quality of life of the people of Arizona. He then presented it to the Board of Supervisors. Deputy Commander K. C. Clark advised that Navajo County was one of the first counties to join the Partnership for a Drug Free America and for every dollar spent, they received \$30.00 back. He read the recognition plaque as received from the Partnership and presented this plaque to the board. He recognized the efforts of Debe Campbell for what she has done in Navajo County combating this problem.

**FINANCE:** Nick Dodd, Vice President RBC Capital Markets - Municipal Finance, conducted a Power Point presentation providing an overview of 2008 project costs and the calendar of key events, discussing processes related to each calendared event. Supervisor Tenney inquired if we anticipate a better rate due to decreased interest rates and Nick Dodd stated that historically we are at a very low interest rate and there has been some turmoil related to bond insurers of the sub prime. He advised that all assumptions and numbers have been very conservative on both costs and interest rates and he will report the actual rates following the bond sale.

- a. Consideration and possible adoption of **Resolution Number** - 08 of the Board of Supervisors of Navajo County, Arizona, stating its intention to incur long term obligations; approving and authorizing the execution and delivery of necessary agreements, instruments and documents; approving the sale and execution and delivery of not to exceed \$8,400,000 principal amount of pledged revenue obligations, series 2008, evidencing a proportionate interest of the owners thereof in the purchase agreement; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and declaring an emergency: James Jayne addressed the board stating that following the bond sale, final information will come back to the board. He stated it is anticipated the \$8,400,000 estimate is high. He stated the county will freeze capital for 2009 at the 2008 level and will make the bond payment with budgeted funds. In response to a question from Chairman DeSpain, Mr. Jayne stated he and the Finance Director have been very consistent in reports to departments about freezing capital in 2008-2009 and he believes the budget presented on May 19 will be conservative as developed in cooperation with departments. He advised the Finance Director has met with every department director and elected official and this is the third time this issue has been before the Board of Supervisors. In response to a question from Supervisor Deal, Mr. Jayne advised the construction of the Mogollon Complex, the county complex water tanks' replacement and upgrades to the electrical system were included in the budget and Show Low property purchases were proposed to the Board in the last six months. He discussed the incident two years ago when a water pipe broke in the basement and the entire electrical infrastructure was threatened. James Menlove read responses to questions as submitted by a citizen: *State statutes do not allow for the Board of Supervisors to call for an election for pledged revenue obligations. Revenue obligations are a part of the County's statutory power in ARS 11-251 (45) & (46). Revenue bonds are statutorily not considered general obligations of the County and therefore are not subject to voter approval. The County has had \$2 to \$3*

*million excess revenues in each fiscal year over the last four years. It is anticipated that these savings will be used to provide for the debt service on these obligations. Services currently provided by the county are essential and none will be eliminated or decreased due to the proposed bond financing. The original amounts posted (in the notices) were a not-to-exceed amount. Subsequently more exact amounts have been determined. Certain documentation is required to begin a project prior to finalization of the financing, which the county has completed. The county has advanced fund balances to cover current expenditures until permanent financing can be arranged.* Mr. Menlove reiterated that long term financing is not subject to the expenditure limitation. He further explained that in the past the county has accumulated fund balances that were in subsequent years allocated for contingency funding with the remainder of savings allocated to capital outlay and capital projects. He stated the county will take part of the money allocated for capital outlay to pay these bond expenses. Dave Bunker, 8282 Tahoe Place, White Mountain Lake, addressed the board stating he appreciates the response to the written questions he submitted and would hope that the board has been given all the information involved as he is concerned about putting this county into debt that will affect the county for years. He stated he believes the fact that the people can not vote on this issue and the fast track of this process denies the people of the county the opportunity to fully understand what is going on. At Mr. Jayne's request the Clerk outlined the requests for public input that were on the county website and advertised in the official county newspaper. Supervisor Thompson discussed the near disaster that reinforced the need to replace the County Complex electrical system. Supervisor Tenney stated he believes these projects are needed and given the current financial status of our state and the uncertainty of future funding it is wise to spread the cost of the projects over years rather than paying out of the capital reserves all at once. Supervisor Tenney discussed the difficulties encountered when operational decisions are put before the populace stating he is grateful that there is trust that elected officials can take care of business without 50% plus one popular vote. Supervisor Brownlow stated he made it clear last time that he had not made up his mind yet and following that meeting he received a detailed memo from administration with all facts and figures that answered his questions. He stated he also has concerns about debt but he is pleased there is a provision for a pay off in five years so the county will save that interest. Supervisor Deal stated that during the years the county is paying back the bond, it will continue to use existing revenue reiterating that the revenue already generated will pay the debt so there will not be a tax increase. Nick Dodd explained that at the request of the county the goal is to structure the transaction so it can be paid off in five years stating the normal payoff is ten years. He discussed the fiscal benefits of having an early payoff option. Chairman DeSpain stated that at one time Navajo County was in real financial straits and had to cut budgets and salaries. He said that with the help of tax payers the expenditure limit was increased, the county is in good financial shape, it has reserves and contingency funds, and Navajo County is operating in the black; he is proud of this and the county could not have done it without the public's help. **Supervisor Tenney made a motion to adopt Resolution Number 25 - 08** of the Board of Supervisors of Navajo County, Arizona, stating its intention to incur long term obligations; approving and authorizing the execution and delivery of a purchase agreement, a trust agreement, a continuing disclosure undertaking, an obligation purchase contract and other necessary agreements, instruments and documents; approving the sale and execution and delivery of a not-to-exceed \$8,400,000 principal amount of pledged revenue obligations, series 2008, evidencing a proportionate interest of the owners thereof in the purchase agreement; authorizing the taking of all other actions necessary to the consummation of the transactions contemplated by this resolution; and declaring an emergency; motion seconded by Supervisor Deal; vote unanimous approving the motion.

- b. Consideration and possible approval of purchase of Parcel #210-14-146A, National Bank of Arizona property located at 902 E. Deuce of Clubs, Show Low, AZ in the amount of \$929,700.00: James Jayne recognized Travis Merrill and Gerald Scorse in the audience as representatives of the potential sellers of this property. He advised the board that the per-square-foot terms did not change as included in the contract but the square footage was recalculated; this was purely clerical error that bank and staff did not catch with the

total contract amount being \$1,020,052.00 rather than \$929,700.00. County Attorney Mel Bowers stated this is a close call but since the negotiated price was per square foot and the square footage changed, he believed the board can move forward since any irregularity was consistent with authorized negotiations. In response to a question about delaying a decision, Mr. Jayne stated the time line for this purchase is short in conjunction with the closing of the bonds. He reiterated that from the very first offer made, the per-square-foot price was \$122.75. Mr. Bowers stated that if the board is uncomfortable, they could hold a special meeting or if they wanted to take action today they could ratify it at a later date if there was a claim of irregularity. Supervisor Tenney stated that because the contract matches the \$122.75 per-square-foot authorized negotiation, the board was aware that is what the county would be paying. Mary Springer reviewed the contract stating it involves two buildings totaling 8310 square feet, outlining the reasons this would be a good purchase for the county and advising staff recommendation is to approve purchase of property as amended. Travis Merrill of the National Bank of Arizona addressed the board stating the bank has a significant commitment to Navajo County and the Show Low area and expressed appreciation for this action as it benefits the county and the bank. Expressing support for this project, **Supervisor Tenney made a motion** to purchase Parcel #210-14-146A, National Bank of Arizona property located at 902 E. Deuce of Clubs, Show Low, AZ in the amount of \$1,020,052. Motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Board of Directors Session:** Consideration and possible approval of IGA with the Dilkon Health Center Steering Committee of the Dilkon Chapter of the Navajo Nation to provide \$12,500.00 towards a feasibility study to explore alternative options for the financing of the Dilkon Health Center **Supervisor Tenney made a motion** to enter into the Navajo County Public Health Services District **Board of Directors Session:** motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Dr. Wade Kartchner stated that in recognition of partnerships for health services, he is proposing this intergovernmental agreement. He stated the Dilkon people have tried to build this health center for about 40 years and were finally able to get a line item on the federal 2010 budget and since they are forward thinking about budget cuts, they decided to explore other financing options as well. He stated the Health department would like to partner in this project. Supervisor Thompson stated this matter has been discussed previously in board meetings and he believes this is a very good project as this community has faced medical care issues for too many years. He said it is time to come together to benefit Dilkon and other communities. **Supervisor Thompson made a motion** to approve the IGA with the Dilkon Health Center Steering Committee of the Dilkon Chapter of the Navajo Nation to provide \$12,500.00 towards a feasibility study to explore alternative options for the financing of the Dilkon Health Center; motion seconded by Supervisor Deal. In response to a question from Supervisor Deal, Dr. Kartchner stated the chairman of this effort believes alternative funding options are available. Supervisor Deal requested Dr. Kartchner inform the board of the results of this study. Vote unanimous approving the motion. Supervisor Brownlow made a motion to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

**BUCKING HORSE IMPROVEMENT DISTRICT Board of Directors' Session:** **Supervisor Tenney made a motion** to enter the Bucking Horse Improvement District **Board of Directors' Session;** motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- a. Conduct PUBLIC HEARING on assessment
- b. Receive report from the Improvement District Coordinator concerning objections to assessment: Carol Fraley reported that written objections were distributed to the board. Fred Rosenfeld, attorney, addressed the board stating the objections to the assessment are part of this process. He stated that this process requires that if one or more assessments are reduced or removed, the county has one of two choices: spread the amount reduced over the other lots or the county can pick up the difference. He stated the objection letters become part of the Improvement District formation records.

- c. Rule on each objection:
- i. William and Veda Ebert of 4296 Bucking Horse Trail, Pinetop, addressed the board saying they are excited about road improvements as the dust has been horrible. They stated they have been assessed for a lot and a half when they actually only own about 20' of lot 26 since it is a 77' wide lot and about 57 feet is Bridle Path road. In order to give clear title they obtained a quit claim deed for lot 26. They advised they have paid for the Lot 27 assessment. Ms. Fraley reviewed this objection, reporting 50' was taken from the lot for Bridle Path Road reducing the lot to 32.9 feet so it was less than half the original size and Mr. and Mrs. Ebert built on Lot 27. Dusty Parsons stated that staff concurs there should just be one assessment on Lot 27 and he recommends the county absorb the difference on the assessment. **Supervisor Brownlow made a motion** to uphold the objection to the assessment on APN 411-68-026A reducing Assessment 28 to \$0 with the county absorbing the difference, motion seconded by Supervisor Tenney; vote unanimous approving the motion.
  - ii. Mr. Rosenfeld read Mr. Edward Bishop's letter requesting a reduction to Assessment #90 on Lot 411-53-097 as the roads adjacent to his property are partially paved. Following staff's recommendation that a 50% reduction would be fair, **Supervisor Brownlow made the motion** to reduce Assessment 90 to \$1,727.90; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
  - iii. Mr. Rosenfeld read a letter from James C. Hunter APN 411-68-013 who objected to the process. Mr. Rosenfeld responded to objections within Mr. Hunter's letter by discussing the notification process that is in place, stating that he will contact this gentleman by phone to respond to his letter. Mr. Parsons stated staff is opposed to decreasing the assessment. **Supervisor Brownlow made a motion** to deny the request, motion seconded by Supervisor Tenney; vote unanimous approving the motion.
  - iv. Mr. Rosenfeld read Shirley McDonald's letter of objection to the assessment process. Mr. Parsons stated that staff does not agree to the objection as they feel the property is receiving value from the improvement. **Supervisor Brownlow made a motion** to deny the request on Assessment 14, APN 411-68-040; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
  - v. Mr. Rosenfeld read the letter of objection to Assessment 182, lot 411-53-034 as written by William and Donna Daugherty who objected to the improvement district forming. Mr. Parsons stated that staff does not support this objection for the reasons previously stated. **Supervisor Brownlow made a motion** to deny the request; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
  - vi. Mr. Rosenfeld read the letter from John Young, Assessment 108, APN 411-68-080 who objected to the formation of the district. Mr. Parsons stated that staff does not concur with this protest and the objective is to have this project finished this summer. **Supervisor Brownlow made a motion** to deny the request by John Young, motion seconded by Supervisor Tenney; vote unanimous approving the motion. Mr. Parsons thanked Fred Rosenfeld, Carol Fraley and James Matteson for doing an outstanding job on the formation of this district.
- d. Introduce, discuss, and amend resolution regarding assessment if applicable: Staff will review the changes to the resolution and bring it back to the board for action.
- e. Return to Board of Supervisors session to allow staff to take action to cover any reduction in the assessment for the Bucking Horse Improvement District: **Supervisor Brownlow made a motion** to return to regular session; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Mr. Parsons stated he and the county manager discussed the possibility of assessment adjustments and they recommend approval of the county expenditure to cover the difference in the assessments. **Supervisor Brownlow made a motion** for the Board of Supervisors to approve the necessary expenditure to cover the reductions in the assessments as previously approved; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**NAVAJO COUNTY SCHOOL SUPERINTENDENT:** Consideration and possible approval of a revised IGA between the Arizona Supreme Court, the Navajo County School Superintendent, and the Navajo County

Superior Court for Title I and other associated funds for juvenile detention education services: Superintendent Linda Morrow discussed the proposed IGA that was approved in February stating that some changes were subsequently made to the approved IGA. She reviewed each change with the Board stating these changes were made at the recommendation of the Attorney General. **Supervisor Tenney made a motion** to approve the revised IGA between the Arizona Supreme Court, the Navajo County School Superintendent, and the Navajo County Superior Court for Title I and other associated funds for juvenile detention education services; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

**SHERIFF'S OFFICE:**

- a. Consideration and possible approval to enter into a three-year IGA between the Federal Bureau of Prisons and the Sheriff's Office to house federal prisoners at a rate of \$68.41 per inmate per day: Commander Matt Searles requested the board's support of this negotiated rate change. **Supervisor Brownlow made a motion** to approve entering into a three-year IGA between the Federal Bureau of Prisons and the Sheriff's Office to house federal prisoners at a rate of \$68.41 per inmate per day; motion seconded by Supervisor Thompson; vote unanimous with Supervisor Deal absent for the vote.
- b. Consideration and possible approval for the Sheriff's Office to enter into agreement with U.S. Dept. of Justice, Drug Enforcement Administration for Cannabis Eradication grant in the amount of \$2,000 for the grant year of 2008: Deputy Commander K.C. Clark requested support of this federal grant agreement. **Supervisor Thompson made a motion** to authorize the Sheriff's Office to enter into the agreement with the U.S. Department of Justice, Drug Enforcement Administration for a Cannabis Eradication grant in the amount of \$2,000 for the grant year of 2008; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- c. Consideration and possible approval to enter into Incentive Payment MOU between Social Security Administration (SSA) and the Sheriff's Office for notification information to the SSA of individuals confined in the county jail: Commander Searles requested the board's support for this MOU for reimbursement for reporting inmates to the Social Security Administration so the appropriate adjustment can be made to their benefits. **Supervisor Tenney made a motion** to enter into the Incentive Payment MOU between the Social Security Administration (SSA) and the Sheriff's Office for notification information to the SSA of individuals confined in the county jail; motion seconded by Supervisor Brownlow. Supervisor Thompson inquired if a family member relies on that social security income what would happen and Commander Searles advised SSA would make that determination. Vote unanimous approving the motion with Supervisor Deal absent for the vote.

**EMERGENCY MANAGEMENT:** Consideration and possible approval of reimbursable grants from the Arizona Emergency Response Commission (AZSERC) a division of the Arizona Division of Emergency Management (ADEM) for the Hazardous Material Emergency Preparedness (\$1,500) and Emergency Response Fund (\$2,600) grants: Tim Zaremba reviewed the uses for this funding stating that the Emergency response grant will support five fire departments (Pinedale/Clay Springs, Joseph City, White Mountain Lake, Sun Valley and Holbrook) with equipment, spill kits and small non-sparking tools. **Supervisor Tenney made a motion** to approve reimbursable grants from the Arizona Emergency Response Commission (AZSERC) a division of the Arizona Division of Emergency Management (ADEM) for the Hazardous Material Emergency Preparedness (\$1,500) and Emergency Response Fund (\$2,600) grants; motion seconded by Supervisor Brownlow; vote unanimous with Supervisor Deal absent for the vote.

**ELECTIONS:**

- a. Consideration and possible approval to act as authorized representative to submit HHS 2007 grant application to the Secretary of State: Lisa McKee advised this grant is for \$64,723.00 to purchase voting equipment and supplies to assist handicapped voters in the polling place. **Supervisor Tenney made a**

**motion** to approve Lisa McKee as the authorized representative to submit the HHS 2007 grant application to the Secretary of State; motion seconded by Supervisor Thompson. In response to a question from Mr. Jayne Ms. McKee stated there are 55 polling places with 76 precincts. She stated this equipment and the supplies will be utilized throughout the county to increase accessibility. Vote unanimous approving the motion.

- b. Consideration and possible approval of confirmed Precincts & Polling Places, as of April 1, 2008, and Poll Workers scheduled for the May 20, 2008 Special Election: Lisa McKee reviewed this list of polling places and those poll workers who have committed to working this election. In response to a question from Chairman DeSpain, Ms. McKee reviewed which positions that are listed as vacant have now been filled. **Supervisor Brownlow made a motion** to approve confirmed Precincts & Polling Places, as of April 1, 2008, and Poll Workers scheduled for the May 20, 2008 Special Election; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**INFORMATION TECHNOLOGY**: Consideration and possible approval of Mutual Aid Agreement including Apache, Gila, Graham, Greenlee, Navajo and Yavapai to provide an alternate means of conducting County business in the event of a disaster which renders the main county data center(s) unusable: Robert Heming advised this action is necessary for continuity of government in the event of a disaster and all counties listed would be participants. Supervisors, the County Manager and Mr. Heming discussed different scenarios where this agreement would be beneficial. They discussed increased laptop usage that would create faster response in a crisis and better access. In response to a question from Supervisor Deal, Mr. Jayne stated staff doesn't have specific knowledge about how much data the White Mountain Apache Tribe maintains on computers. **Supervisor Brownlow made a motion** to approve the Mutual Aid Agreement including Apache, Gila, Graham, Greenlee, Navajo and Yavapai to provide an alternate means of conducting County business in the event of a disaster which renders the main county data center(s) unusable; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

**PUBLIC WORKS**:

- a. Consideration and possible authorization for the Chairman to sign the Septic Tank Leach Field Easement from the Heber-Overgaard School District No. 6 to provide a leach field for the septic system serving the Mogollon Complex building: Dusty Parsons reviewed the need for this easement. **Supervisor Tenney made a motion** to authorize the Chairman to sign the Septic Tank Leach Field Easement from the Heber-Overgaard School District No. 6 to provide a leach field for the septic system serving the Mogollon Complex building; motion seconded by Supervisor Thompson; vote unanimous approving the motion with Supervisor Deal absent for the vote.
- b. Consideration and possible approval of a design-build contract with Meadow Valley Contractors, Inc for completion of the engineering design for Porter Mountain Road in an amount not to exceed \$244,500.00: Dusty Parsons reported staff is seeking board approval for this design build contract stating it is a two phase project for the expansion of Porter Mountain Road. **Supervisor Tenney made a motion** to approve the design-build contract with Meadow Valley Contractors, Inc for completion of the engineering design for Porter Mountain Road in an amount not to exceed \$244,500.00; motion seconded by Supervisor Brownlow. In response to a question from Supervisor Deal, Mr. Parsons responded that this project was in the budget and that the original submittal was over \$300,000.00 and staff negotiated it down to \$244,500.00. Vote unanimous approving the motion.
- c. Consideration and possible approval of Slurry Seal Contract #B06-02-060 with American Asphalt and Company with price per square yard increased to \$1.269 and extended an additional year as of April 17, 2008: Dusty Parsons requested board support of this contract stating that even with a price increase it is within the contract terms and is considerably lower than the original estimate. **Supervisor Tenney made a motion** to approve the Slurry Seal Contract #B06-02-060 with American Asphalt and Company with the

price per square yard increase of \$1.269 and extending for an additional year as of April 17, 2008; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor Deal absent for the vote.

- d. Consideration and possible approval to utilize LTAF II funds for the Town of Pinetop/Lakeside not to exceed \$50,000 to help offset the cost of new buses for the Four Seasons Connection rural transit system: Dusty Parsons advised the funding for this project would come from District IV and V funding. **Supervisor Tenney made a motion** to approve utilizing LTAF II funds of \$20,000 from District IV and \$30,000 from District V to offset the cost of new buses for the Four Seasons Connection rural transit system; motion seconded Supervisor Brownlow; vote unanimous approving the motion.
- e. Consideration and possible approval of **Resolution Number** \_\_\_\_\_ **-08** approving the partial re-plat of the final plat and financial assurances for the “Pine Lake Meadows” Subdivision in the Pinetop-Lakeside Area: It was noted for the record that this is not a public hearing. Bill Fraley provided a history of this subdivision that dated back to 1981. He reviewed the staff reports from all departments and stated staff recommends conditional approval requiring all subdivision improvements being substantially completed within 24 months after the date of the Final Plat recordation. Attorney for the development, Mr. Morgan Brown, addressed the board stating that with lot line adjustments that were made, this will be a nice development. Supervisor Brownlow thanked Bill Fraley, Dusty Parsons, and others involved in project. **Supervisor Brownlow made a motion** to approve **Resolution Number 26-08** approving the partial re-plat of the final plat and financial assurances for the “Pine Lake Meadows” Subdivision in the Pinetop-Lakeside Area to include the stipulation; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- f. Bucking Horse Improvement District **Board of Directors’ Session:** Consideration and possible approval of **Resolution Number** \_\_\_\_\_ **-08** of assessment as recorded or with modification(s) based on objections for Bucking Horse Improvement District of Navajo County: **Supervisor Tenney made a motion** to enter into the Bucking Horse Improvement District **Board of Directors’ Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Carol Fraley presented the revised resolution. **Supervisor Brownlow made a motion** to approve **Resolution Number 27-08** for the assessment as recorded with modifications based on objections for Bucking Horse Improvement District of Navajo County; motion seconded by Supervisor Tenney; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**HUMAN RESOURCES:** Update on Navajo County Employee Benefit Trust (NCEBT) and application to the Arizona Local Government Employee Benefit Trust: Shalice Cook reported there will be a quarterly meeting of the NCEBT where Mark Alver will present the upcoming year’s plan and then this plan will move forward for board action at the May 6, 2008 meeting. She stated she and Mr. Jayne met with trustees of Arizona Local Government Employee Benefit Trust and determined the county will work over the next few months to close the 5.7% (approx. \$800,000) gap between our benefit program and the AZ Local program and re-apply for membership in 2009. She reported that if Navajo County joined the trust now, there would have to be a separate experience rating from others in the pool and the Trust wants to avoid this. Mr. Jayne stated that starting in the mid-90s when the original counties formed a pool and as others joined they have never, as a Trust, looked at each other individually but there is concern now that our rate structure is higher than the pool rate structure. He discussed efforts to address bringing the rate structures closer together, stating the county will have a plan to address this before the next annual meeting in February when the Trust will consider the county’s application.

**BOARD BUSINESS:** Chairman DeSpain announced upcoming meetings. Supervisors reported on activities within their districts and meetings they had attended that impact the county. Supervisor Deal discussed meetings regarding a way to plan for future emergency road conditions on the reservation, Hogan Preparedness,

and emergency communication with a two way radio program. Supervisor Brownlow thanked all for their support in the death of his father. Supervisor Thompson reported that Jim O'Haco sends his appreciation to the supervisors for replacing two miles of fence north of Winslow. Supervisor Thompson expressed appreciation for support from the other Supervisors for the Social Services in Dilkon. He also reported that Winslow is still working on the stabilization center, there was a recent groundbreaking for the judicial facility at Dilkon and he met with Senator Hale and many others recently in Window Rock. Supervisor Tenney reported he, Rod Ross and Supervisor Brownlow met with the Forest Service regarding travel management and they were assured the Forest Service will give the county a seat at the table throughout the process but he also recognizes that the likelihood of some roads being closed is probable. He stated he is meeting with EECO very soon on this issue to determine their position. James Jayne thanked the board for permission to apply to ACMA for a Harvard Scholarship, advising he was selected this year and will be gone for three weeks in July.

During this meeting the Board of Supervisors recessed for lunch at 12:06 p.m. The board reconvened at 1:34 p.m. and addressed above agenda items in random order.

At 2:26 p.m. the Board of Supervisors adjourned.

**APPROVED:**

**DATE:**

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**J. R. DeSpain, Chairman**

**May 6, 2008**

**ATTEST:**

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**Darlene Fraley, Clerk of the Board**

891473 A T & T \$15173.49; 891251 ABL Management Inc \$37859.91; 891687 Above The Rest Cleaning \$850; 891756 Above The Rest Cleaning \$4250; 891916 Ach Construction \$15491.13; 891536 Alice'S Place Inc \$5000; 891539 Amon Builders Inc \$190314; 891746 Amon Builders Inc \$190314; 891766 Arizona Bag Company Llc \$2237.85; 891255 Arizona Counties Insurance Pool \$6916.48; 891768 Arizona Counties Insurance Pool \$2242.47; 891199 Arizona Courts Association \$370; 891223 Arizona Courts Association \$1665; 891542 Arizona Courts Association \$235; 891692 Arizona Courts Association \$50; 891769 Arizona Courts Association \$555; 891127 Arizona Department Of Health Services \$1084.60; 891667 Arizona Department Of Health Services \$300; 891770 Arizona Department Of Health Services \$256; 891474 Arizona Department Of Revenue \$3299.60; 891694 Arizona Engineering Company \$8088.58; 891128 Arizona Public Service Co \$5804.28; 891401 Arizona Public Service Co \$100.34; 891430 Arizona Public Service Co \$1434.53; 891475 Arizona Public Service Co \$336.40; 891586 Arizona Public Service Co \$848.50; 891666 Arizona Public Service Co \$432.02; 891668 Arizona Public Service Co \$416.48; 891771 Arizona Public Service Co \$1340.04; 891243 Arizona State Prison Winslow \$732; 891772 Arizona State Prison Winslow \$968; 210519 Arizona State Retirement Ltd \$6901.86; 210556 Arizona State Retirement Ltd \$6.10; 210579 Arizona State Retirement Ltd \$6818.04; 891695 Arizona State Retirement Ltd \$87.81; 210520 Arizona State Retirement System \$126207.44; 210557 Arizona State Retirement System \$110.86; 210580 Arizona State Retirement System \$124682.70; 891696 Arizona State Retirement System \$376.58; 891697 Arizona State Treasurer \$25900; 891390 Arizona Supreme Court \$180; 891544 Arizona Supreme Court \$225; 891698 Arizona Supreme Court \$750; 891773 Arizona Supreme Court \$637.50; 891917 Arizona Supreme Court \$562.50; 891682 Arizona Temporary Personnel Llc \$1254.27; 891918 Arizona Wireless & Radio Inc \$2729.82; 891432 Avaya Inc \$5159.65; 891587 Avaya Inc \$76.22; 891131 Baldwin Jones Properties Llc \$913; 891700 Baldwin Jones Properties Llc \$913; 891245 Bank Of The West \$10000; 891920 Bob Barker Company, Inc \$1632.19; 891133 Bradco Inc \$34344.35; 891548 Bradco Inc \$18869.64; 891684 Bradco Inc \$29817.70; 891780 Bradco Inc \$39858.88; 891781 Brimhall Sand & Rock \$16422.26; 891550 Canyon Pipe And Supply Inc \$350; 891878 Canyon Pipe And Supply Inc \$291.32; 891922 Canyon Pipe And Supply Inc \$2210.84; 891879 Carolyn Holliday \$1017.50; 891552 Carquest Of Holbrook \$1439.14; 891685 Carquest Of Holbrook \$1158.16; 891783 Carquest Of Holbrook \$588.03; 891880 Carquest Of Holbrook \$583.90; 891134 Carquest Of Show Low \$1296.39; 891703 Carquest Of Show Low \$607.92; 891784 Carquest Of Show Low \$2058.39; 891923 Carquest Of Show Low \$1091.77; 891925 Cdw Government Inc \$1093.75; 891135 Cellularone \$3599.41; 891329 Cellularone \$665.47; 891785 Cellularone \$234.53; 891476 City Of Holbrook \$8377.29; 891928 City Of Holbrook \$185; 891136 City Of Holbrook Utilities \$2210.23; 891407 City Of Holbrook Utilities \$19.66; 891434 City Of Holbrook Utilities \$321.87; 891435 City Of Show Low \$292.06; 891477 City Of Show Low \$26132.31; 891433 City Of Winslow \$482.83; 891927 City Of Winslow \$9534.12; 210524 Colonial Life & Accident Insurance \$7006.29; 210584 Colonial Life & Accident Insurance \$6977.75; 891139 Community Counseling Center Inc \$240; 891787 Community Counseling Center Inc \$330; 891881 Community Counseling Center Inc \$22225; 891554 Contech Construction Products \$6252.24; 891140 Courtesy Chevrolet \$833.15; 891555 Courtesy Chevrolet \$110.75; 891704 Courtesy Chevrolet \$117.19; 891788 Courtesy Chevrolet \$87.60; 891882 Courtesy Chevrolet \$367.02; 891930 Courtesy Chevrolet \$38134.70; 891141 Crumb Rubber Manufacturers America Llc \$2675.76; 891246 Crumb Rubber Manufacturers America Llc \$3393.88; 891556 Crumb Rubber Manufacturers America Llc \$1121.27; 891790 Crumb Rubber Manufacturers America Llc \$3290.74; 891142 Csk Auto Inc \$296.66; 891557 Csk Auto Inc \$445.03; 891705 Csk Auto Inc \$265.26; 891791 Csk Auto Inc \$70.23; 891884 Csk Auto Inc \$169.40; 891792 D.H. Pace Company \$13893.52; 891706 Dan Jones \$1526.25; 891247 David Ashton \$1365; 891707 David Martin Attorney At Law \$5000; 891318 David Tenney \$306.35; 891392 David Tenney \$744.18; 891534 David Tenney \$187.20; 891959 David Tenney \$412; 891260 Deborah Campbell \$903.05; 891535 Deborah Campbell \$445.14; 891559 Deborah Campbell \$837.08; 891708 Deborah Campbell \$1270.31; 891885 Deborah Campbell \$2482.40; 891932 Deborah Campbell \$123.03; 891686 Debra Smalley \$2168.36; 891933 Dell Marketing Lp \$11648.61; 891750 Dennis Miller \$4468.47; 210526 Desert Schools Federal Credit Union \$510; 210586 Desert Schools Federal Credit Union \$510; 891145 Diamond Pharmacy Services \$7264.09; 891710 Diamond Pharmacy Services \$7896.17; 891798 Diamond Pharmacy Services \$8012.68; 891711 Diamondback Police Supply Co Inc \$1394.38; 891248 Diane S. Mccoy Attorney Pc \$1876.84; 891561 Diane S. Mccoy Attorney Pc \$540.14; 891887 Diane S. Mccoy Attorney Pc \$1601.30; 891262 Discrete Wireless Inc \$1511.65; 891934 Diversified Flooring Services \$3078.04; 891202 Donald Frame \$720.50; 891712 Donald Frame \$1570.25; 891264 Durham Communications Inc \$1267.31; 891801 Durham Communications Inc \$216.50; 891889 Durham Communications Inc \$775.50; 891147 E And E Services Inc \$4211.43; 891564 E And E Services Inc \$264.08; 891715 E And E Services Inc \$4936.65; 891803 E And E Services Inc \$5066.99; 891891 E And E Services Inc \$1252.03; 891935 E And E Services Inc \$239.12; 891265 Effective Marketing Management Inc \$180; 891717 Effective Marketing Management Inc \$1450; 891892 Effective Marketing Management Inc \$231; 891148 Elections Operations Services \$28262.29; 891718 Ellen Morse Fnp \$2780; 891149 Empire Southwest \$1312.34; 891565 Empire Southwest \$1682.22; 891719 Empire Southwest \$1396.11; 891806 Empire Southwest \$1679.72; 891893 Empire Southwest \$2596.33; 891936 Empire Southwest \$1783.39; 891151 Eric Rask \$500.78; 891720 Eric Rask \$1214.65; 891721 Erin P. Collins And Associates Inc \$5932.50; 891722 Flagstaff Medical Center \$9215.49; 891154 Flagstaff Uniform Shop Inc \$2812.77; 891155 Forensic Science Center \$11776; 891937 Foxworth Galbraith Lumber Company \$2801.70; 891724 Friends Of Navajo County Anti Drug Coalition Inc \$1364; 891413 Frontier \$63.39; 891438 Frontier \$10040.70; 891593 Frontier \$1154.56; 891809 Frontier \$5453.05; 891439 Frontier Communications Of The White Mtn \$3217.82; 891810 G K & J Communications \$2450; 891940 Gbh Communications Inc \$1554.34; 891575 Guardian Medical Transport \$22926.51; 891575 Guardian Medical Transport \$22926.51; 891814 Hatch Construction And Paving Inc \$5098.87; 891164 Hatch Motor Co Inc \$1896.52; 891732 Hatch Motor Co Inc \$79.10; 891815 Hatch Motor Co Inc \$438.26; 891943 Hatch Motor Co Inc \$76.32; 891166 Hewlett Packard Company \$597.53; 891944 Hewlett Packard Company \$15265.14; 891578 High Sierra Electronics Inc \$1217; 891169 Hillyard Flagstaff \$1012.67; 891268 Hillyard Flagstaff \$26.61; 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