

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
TUESDAY, JULY 15, 2008
NAVAJO COUNTY BOARD CHAMBERS

9:02 a.m. **Call to Order:** Chairman DeSpain led the Pledge of Allegiance and offered the invocation.

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

CALL TO THE PUBLIC: No response

CONSENT AGENDA: a) Back tax land deed; b) Tax roll corrections; c) Warrants over \$1,000—May, 2008; d) FY 2009 Victims' Rights Programs award agreement—\$18,800; e) Ratification of contracts as signed by the Navajo County Manager as per Board resolution: Disclosure to CMS related to prescription drug coverage for Medicare Part D Eligible Individuals; Professional Services Contract Amendment #3 with Ritoch-Powell and Associates for the Design of Lone Pine Dam Bridge in the amount of \$36,492; f) Minutes—June 3, June 6, June 10, June 13, June 17, and July 1, 2008; g) 2009 Intergovernmental Agreement for final Limited Term—Department of Revenue Data Processing Services in the amount of \$5,089.00; h) Correction of membership representation of the Workforce Investment Board: Michael Zimmerman to be representative of Apache County Community Based Organization/Business and Roxanne Dean to be moved from a Navajo County representative, Urban Native American Programs to Navajo County representative, Phoenix Job Corp; i) Agreement with LandAmerica Transnation Title to perform title searches on the parcels to be deeded to the State of Arizona this year for a total cost of \$1,190.00 **Supervisor Thompson** made a motion to approve the Consent Agenda and authorize the Chairman to sign items as needed; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

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

- a. **CONSENT AGENDA:** IGA Amendment #10 of Contract #HG354355 for Tobacco Education and Prevention with the Arizona Department of Health Services for July 1, 2008 to June 30, 2009: **Supervisor Tenney made a motion** to approve the Consent Agenda as presented; motion seconded by Supervisor Thompson. In response to a question from Supervisor Deal, Dr. Kartchner stated this county-wide program is funded from tobacco settlement and lottery dollars with a new emphasis on education, trying to prevent smoking in underage groups, 6th, 7th and 8th grade populations. He reported the tobacco cessation program will be administered by the state. Vote unanimous approving the motion.
- b. **Consideration and possible authorization for Finance to solicit Request for Qualifications for Design-Build of new health department building located on the 9th Place property in Show Low:** Mary Springer reviewed this request advising the new health building in Show Low will be on the same site as the recently purchased buildings on 9th Place. Dusty Parsons responded to budget questions as posed by Supervisor DeSpain, stating this funding is included in the health district budget. In response to a question from Supervisor Brownlow, Mr. Parsons and Dr. Kartchner advised this building would be funded through savings accumulated within the district and will not result in increased taxes. Mr. Bowers advised that this could be approved contingent on budget approval. In response to a question from Mr. Bowers, Mary Springer stated that the RFQ is being issued now to coordinate timing with occupancy of those properties. **Supervisor Tenney made a motion** to authorize Finance to solicit Requests for Qualifications for the Design-Build of a new health department building located on the 9th Place property in Show Low; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

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

BOARD OF SUPERVISORS: American RV and Navajo County Recognizing Excellence: Supervisors presented certificates and fruit baskets as sponsored by American RV to Carol Fraley of Public Works and Rhonda Hatch of the Assessor's Office for their outstanding contributions to their departments and county operations.

TOWN OF PINETOP-LAKESIDE: Consideration and possible approval of a co-sponsorship and financial support of the 2nd Annual Northeastern Arizona Anti-Drug Summit: Councilman Dave Clark and Town Manager Kelly Udall reported on the success of last year's summit with 125 participants, from that summit Pinetop Lakeside formed PLAAD, the Pinetop anti-drug organization that focuses on youth. They invited supervisors to attend this year's summit on September 17th at Northland Pioneer College Silver Creek Campus. Councilman Clark and Mr. Udall requested the board join the Town of Pinetop Lakeside in sponsoring this event and provide financial support. Supervisors expressed appreciation for this group's efforts and Supervisor Thompson pointed out many reservation communities participated in last year's summit. Supervisors recognized the efforts of Debe Campbell of the NavCo Anti-Drug Coalition and thanked her for her dedication to this program. **Supervisor Brownlow made a motion** to approve the co-sponsorship and financial support in the amount of \$500.00 for the 2nd Annual Northeastern Arizona Anti-Drug Summit; motion seconded by Supervisor Thompson. In response to a question from Supervisor Deal, Debe Campbell stated she would research the possibility a new addictive drug that is being advertised. Vote unanimous approving the motion.

SHERIFF'S OFFICE: Employee recognition: Sheriff Butler advised this is the first citation of this type given from his department in the Sheriff department's history. He introduced Detective Sergeant Tim Webster and read the citation as a criminal investigation award recognizing his dedication, criminal investigation techniques that resulted in solving several complicated criminal cases in many areas, effectiveness against the Aryan Brotherhood; tireless efforts and skills resulting in many dangerous criminals in prison; leading the battle against meth labs and solving a heinous murder crime. He presented a medal for Excellence in Criminal Investigations to Detective Sergeant Webster. Sergeant Webster addressed the board, stating that none of this would be possible if he did not have the assistance and support of agencies in Navajo County, that the support of the Sheriff's office, ATF and local agencies is outstanding. Supervisors expressed appreciation to Sergeant Webster for his outstanding efforts on behalf of Navajo County citizens. In response to a question, Sheriff Butler and Sergeant Webster discussed the prison gang of Aryan Brotherhood, how it evolved from prison life and a local murder case where witnesses were threatened during the trial, and were subject to drive-by shootings.

EMERGENCY MANAGEMENT: Update on Navajo County Multi-Hazard Mitigation Plan: Tim Zaremba reported the Navajo County Multi-Hazard Mitigation Plan requires annual review in order to receive certain federal mitigation funds. He advised he is currently updating appendix G and following any type of disaster staff will review and update it again. He said the plan will be available electronically to anyone who wishes to read it and it will be completely re-written in 2009-10. In response to a question from Supervisor Tenney about fire restrictions as related to the monsoons, Mr. Zaremba stated that another week of rain such as we have had will end the fire season.

HUMAN RESOURCES: Consideration and possible approval of Personnel Action report: Gail Calisen reviewed the 44 item written Personnel Action report. Supervisor Brownlow inquired if #1 change in funding was still in Sheriff's office and Ms. Calisen replied it is and these change of funding reports do not normally come before the board. **Supervisor Thompson made a motion** to approve the Personnel Action report as presented authorizing the Chairman to sign it; motion seconded by Supervisor Tenney; vote unanimous

approving the motion.

ELECTIONS: Consideration and possible approval of precincts, polling places and poll workers for upcoming Primary (09-02-2008) and General (11-4-2008) Elections: Elections Director Lisa McKee reviewed her request for precincts, polling places and poll workers for the upcoming elections, advising of the changes of polling places which will be submitted for Department of Justice clearance: Sun Valley from the Sun Valley Indian School Dormitory to the Sun Valley Fire Station; Winslow #4 from Jefferson Elementary School to the LDS Cultural Hall; Pinetop #1 from the First Baptist Church Fellowship Center Gym to the Life Center; and Heber-Overgaard from Capps Elementary School to the new Mogollon County Complex. She stated all polling places presented for action are ADA compliant. **Supervisor Tenney made a motion** to approve the precincts, polling places and poll workers for the upcoming Primary and General Elections as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

JUVENILE PROBATION: Consideration and possible approval of **Resolution Number _____ - 08** authorizing the county matching funds of \$4,301.00 for receipt of the Family Counseling Grant from the Administrative Office of the Courts for the 08/09 fiscal year: Jack Schneider reviewed this request as a program that juvenile probation has administered for the last 30 years and they are requesting \$4,301 with the state furnishing \$17,204. **Supervisor Thompson made a motion** to adopt **Resolution Number 47-08** authorizing the county matching funds of \$4,301.00 for receipt of the Family Counseling Grant from the Administrative Office of the Courts for the 08/09 fiscal year; motion seconded by Supervisor Brownlow. In response to a question from Supervisor Deal, Mr. Schneider stated the juvenile population of 36,801 listed covers the entire county and the counseling can be for any juvenile that comes into contact with the juvenile probation office. Vote unanimous approving the motion.

FINANCE:

- a. **Consideration and possible approval of a contract for county-wide Global Positioning Systems (GPS) for Advanced Vehicle Location Systems to provide accurate Sheriff Office vehicle locations to Creative Communications per F08-006-019:** John Swanson reviewed this request advising the bid was over the grant amount so the amount of \$23,274.19 would come from the Sheriff's budget. **Supervisor Brownlow made a motion to approve** the award of a contract for county-wide Global Positioning Systems (GPS) for Advanced Vehicle Location Systems to provide accurate Sheriff Office vehicle locations to Creative Communications per F08-006-019 in the amount of \$215,168.19; motion seconded by Supervisor Tenney; In response to questions, Mr. Swanson stated there is not an annual service fee and the system is for the vehicles in the Sheriff's office but is expandable for other department vehicles. Vote unanimous approving the motion.
- b. **Consideration and possible adoption of the proposed tentative budget for fiscal year 2008-2009 for Navajo County:** James Menlove advised that the 2006 single audit is complete, having completed four years of audits in two years and Finance is now working on the 06-07 single audit so they are still about 15 months behind. He reported most issues cited in the report received yesterday have been included in past audits and those will be resolved with the 06-07 audit. He introduced interns from Show Low who had competed in their high school FBLA in accounting, Tara Lewis and Amanda McComb, and discussed their outstanding success in both regional and state competitions. Tara and Amanda addressed the board advising they are going to NPC for two years and then to NAU.

Mr. Menlove reviewed the tentative budget stating the preliminary document accompanying it will be reviewed by elected officials and department directors then submitted to Government Finance Office for Accounting to compete for a financial reporting award. He reported the hearing for the final budget would be August 5th and adoption of tax rate will be August 18th. He reviewed the summary of the preliminary budget and all accompanying schedules stating there are essentially no changes from the budget hearings in

May with the exception of some minor line item adjustments and corrections. In response to Supervisor DeSpain, Dusty Parsons advised they anticipated \$750,000 to \$1,000,000 cut from the county budget with most in HURF funding and that is about what the State took so there was no adjustment. Supervisor DeSpain expressed appreciation to Supervisor Tenney for his efforts on the State budget to minimize the impact on counties. Dusty Parsons stated that finance did an excellent job on this year's budget utilizing a format that every department can use. He said that key elements in the budget book were taken from the county's Strategic Plan. He thanked Mr. Menlove, Mary Springer and staff for their efforts and Mr. Menlove expressed appreciation to Lauren Sedillo. Supervisor Brownlow referenced an article from CSA on State shared revenues regarding formulas and Mr. Menlove stated he did not believe the county would be impacted by formula changes this budget year and Supervisor Tenney confirmed this. Mr. Menlove stated that this budget reflects the anticipated decrease in collection of the county sales tax and a larger decrease in state shared revenues. Mr. Parsons reported that the total budget can not exceed in the future what is adopted today. Mr. Menlove advised this budget is significantly under the expenditure limit and the Truth in Taxation hearing on August 5th will reflect the 2% allowance for increased levy but the property tax rate will decrease by nearly 3 cents. **Supervisor Tenney made a motion** to adopt the proposed tentative budget for fiscal year 2008-2009 for Navajo County with appreciation expressed to the Finance staff; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.

- c. **Board of Directors' Sessions** for consideration and possible adoption of tentative 2008-2009 budgets: James Menlove reviewed the following budgets in general terms, recommending adoption advising there is no increase in the tax rate.
- i. Silver Creek County Road Improvement District: **Supervisor Tenney made a motion** to go into the Silver Creek County Road Improvement District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to adopt the Silver Creek County Road Improvement District tentative 2008-2009 budget; motion seconded by Supervisor Thompson; 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.
 - ii. White Mountain Lakes Recreation District: **Supervisor Tenney made a motion** to go into the White Mountain Lakes Recreation District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to approve the White Mountain Lakes Recreation District tentative 2008-2009 budget; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
 - iii. Victory Heights Road Maintenance District: **Supervisor Tenney made a motion** to go into the Victory Heights Road Maintenance District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Victory Heights Road Maintenance District tentative 2008-2009 budget; motion seconded by Supervisor Brownlow; 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.
 - iv. Navajo County Library District: **Supervisor Tenney made a motion** to go into the Navajo County Library District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Navajo County Library District tentative 2008-2009 budget; motion seconded by Supervisor Brownlow; 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.
 - v. Navajo County Public Health Services District: **Supervisor Tenney made a motion** to go into the Navajo County Public Health Services District **Board of Directors' Session**; motion seconded by

Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Navajo County Public Health Services District tentative 2008-2009 budget; motion seconded by Supervisor Thompson; 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.

- vi. Silver Creek Flood Prevention District: **Supervisor Tenney made a motion** to go into the Silver Creek Flood Prevention District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Silver Creek Flood Prevention District tentative 2008-2009 budget; motion seconded by Supervisor Brownlow: 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.
- vii. Little Colorado River Flood Control District: **Supervisor Brownlow made a motion** to go into the Little Colorado River Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Little Colorado River Flood Control District tentative 2008-2009 budget; motion seconded by Supervisor Thompson; 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.
- viii. Navajo County Flood Control District: **Supervisor Tenney made a motion** to go into the Little Colorado River Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the Navajo County Flood Control District tentative 2008-2009 budget; motion seconded by Supervisor Thompson; 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.

PUBLIC WORKS:

- a. Consideration and possible adoption of Resolution Number - 08 authorizing the Chairman of the Board to sign an Intergovernmental Agreement with the City of Show Low to share in the cost of the Scott Ranch Road Design and Construction project: James Matteson advised the transportation study designated the Scott Ranch Road extension as a critical route. He stated that since this is a regional artery and would create a county-wide benefit, he recommends approval of the agreement that requests \$200,000 participation from the county per year for a total of \$1,000,000. Supervisor Tenney expressed appreciation to the board for past support of this project and oriented the board to the road which extends from near WalMart, then tying into Penrod Road crossing the creek. James Matteson discussed the expense of the bridge across that creek with the entire project (road and bridge) going as one project for approximately \$5,500,000 and advised if the project did not proceed the contribution would stop. In response to a question from Supervisor Deal, Mr. Matteson stated the county will reimburse the city on costs as they are incurred. **Supervisor Tenney made a motion** to adopt **Resolution Number 48-08** authorizing the Chairman of the Board to sign an Intergovernmental Agreement with the City of Show Low to share in the cost of the Scott Ranch Road Design and Construction project; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. Consideration and possible authorization to reassign 2008 4 WD Chevrolet Suburban from the Black Mesa Chapter to the Forest Lake Senior Program: Dusty Parsons advised the board that the Navajo Nation needs clarification that the board is awarding this Suburban to the Forest Lake Senior program to be used for the benefit of Black Mesa Chapter. Supervisor Deal described the history of these Chapters with Forest Lake having the Senior Citizen program providing meals for the Black Mesa Chapter since they do not have a formal program. He said the program van is unable to negotiate the muddy roads and therefore a four-wheel drive is necessary. **Supervisor Deal made a motion** to reassign the 2008 4 WD Chevrolet Suburban from the Black Mesa Chapter to the Forest Lake Senior Program; motion seconded by Supervisor Thompson;

vote unanimous approving the motion.

BOARD BUSINESS: Supervisors discussed activities and issues that impacted their districts: Craig Sullivan of CSA and Dusty Parsons were able to get the “Reservations Road” language back into the NACo transportation resolution; the board owes a thank you to Representative Brown, Representative Konopnicki and Senator Allen for their efforts to protect the rural counties during the budget process; there may be a special session later this year because it is doubtful the implemented budget remedies will fix the problem; ADOT will do some removal services on the connecting road to N6 road, running north of Holbrook to N6 to 87 and back; supervisors are thankful for the rain; last week there was a field trip west of Heber conducted specifically to show the environmental community what the Forest Service can do with prescriptions especially as related to the diameter cap—20 people from different agencies met and the environmental group (Center for Biological Diversity) did not attend; next month the Transportation Board will meet at Hon Dah in Pinetop Lakeside; all agencies at the recent reservation transportation conference made a commitment to share resources and Navajo County was mentioned a few times as a key model that the Nation urged other agencies to model itself after; appreciation to Dusty and Jimmy for taking leadership roles to make sure county actively participates; two or three projects are about to get underway that will need water; it is hard to get people to give up their well supply so discussion will be held with the Navajo Nation, Hopi and BIA about participating in obtaining a dependable water supply; Rod Ross is appreciated for the work he did on behalf of the Hardrock Community on a USDA proposal that has been submitted to DC for funding; Chairman DeSpain expressed appreciation to Darlene Fraley and Debra Chapman for their recent support for the board, stating he did not believe any county could have a better Board of Supervisors’ staff than the county has. Dusty Parsons advised that Craig Sullivan did the majority of the work, with a good subcommittee chairman, for the inclusion of the Reservation Roads language in the NACo resolution; Tom Platero of NDOT was very impressed with the reservation road yard and will use that as model; he will meet with Peabody on Thursday regarding partnering with them; staff is working on the water situation on the reservation advising that Mr. Platero will provide a pump and generator for a contaminated well’s water that can be used for highway construction; Planning and Zoning will move into the Mogollon Complex next week; Porter Mountain Road construction is on schedule and will be complete in October; he will meet with the new City Manager of Holbrook next week; recertification costs for the levee are running higher than anticipated; and there have been several staff requests for the board to consider 4-tens schedules county-wide but due to statutes the county can not do that currently and this issue would need to be resolved at the state level before the county can proceed.

ADJOURN: At 11:25 a.m. **Supervisor Tenney made a motion** to adjourn; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

APPROVED:

DATE:

J. R. DeSpain, Chairman

August 5, 2008

ATTEST:

Darlene Fraley, Clerk of the Board