

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, June 22, 2010

PRESENT: Jerry Brownlow, Supervisor; JR DeSpain, Supervisor; Jonathan M. Nez, Supervisor; David Tenney, Supervisor; and Jesse Thompson, Chairman.

9:06 a.m. Call To Order: Supervisor Brownlow led the Pledge of Allegiance and offered the Invocation.

CALL TO THE PUBLIC: No response.

CONSENT AGENDA: a) Justice Court Reports: Winslow #2, May, 2010 b) Constable Reports: Holbrook Precinct #1, May; Winslow Precinct #2, May; Snowflake Precinct #3, May; and Show Low Precinct #5, May, 2010 c) Sympathy letter to Apache County Manager Delwin Wengert d) Tax exemptions filed pursuant to A.R.S. §42-11153 as a Request for Redemption of Waiver for two properties e) Adoption of **Resolution Number 31-10**, canceling the elections for Precinct Committeemen in Precincts where the number of candidates who have filed nominating papers is equal to or less than the number of positions to be filled f) Name an existing road in the "Chevelon Canyon Ranches" area "Shoehorn Road" in Section 26 & 35, Township 16 North, Range 17 East g) Name an existing road in the "Chevelon Canyon Ranches" area "Maryanne Avenue" in Section 9, Township 15 North, Range 17 East h) Name existing roads in the "Chevelon Canyon Ranches" area "Lindsey Lane, Sterling Avenue, and Morton Hill Road" in Section 13, Township 15 North, Range 15 East i) Name existing roads in the "Chevelon Canyon Ranches" area "Sweet Pea Avenue, Bright Eyes Street, Flat Bush Road, Mystic Road, Happy Valley Road, Rhodes Road, Queens Avenue, Abbey Road, Flat Foot Avenue, Castle Road, Shady Grove Road, Allie Way, Holly Way, Old West Avenue, and Scooter Way" in Section 7; 9; 12; 21 and 25, Township 15 North, Range 16 East j) Contract signed by County Manager per Board of Supervisor Resolution: MyiLibrary Online Access License Agreement; Natural Standard Database Access Subscription Agreement; Mango Languages Renewal; and Library Audio Book Agreement & Recorded Books, LLC k) Revised Asset Policy l) Assessment and Tax Roll Corrections m) Application for Temporary Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control for American Legion Post #86 for the 4th Annual Freedom Gathering, Celebration of Veterans, to be held on September 11, 2010 n) Letters of support of the Federal Medicaid Assistance Program to Senator John McCain, Congresswoman Ann Kirkpatrick and Senator Jon Kyl: **Supervisor Tenney made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Quality Emulsions and Navajo County Recognizing Excellence: Laura Mudge was recognized for her outstanding service to Navajo County.
- b. Navajo County Cost Cutting Department Award: Information Technology and the Treasurer's Office were recognized for their proactive approach to saving tax dollars and making available revenue go farther for our employees and service delivery. Treasurer Hernandez and IT Director Robert Heming thanked the Board of Supervisors and County Manager Jayne.
- c. Presentation to the family of Lemuel Bahe Yazzie, Deputy Daniel Deets, Sergeant Lorin Larson, Deputy Garrett Jahns and Sheriff K.C. Clark: The Board of Supervisors recognized the family of Lemuel Bahe Yazzie, a Navajo Code Talker whom recently passed away. Chairman Thompson also recognized Deputy Daniel Deets, Sergeant Lorin Larson, Deputy Garrett Jahns and Sheriff Clark for the assistance they provided to the Yazzie family. Supervisor Nez thanked the Yazzie family and bid farewell to the

Code Talker. The family thanked the Board of Supervisors and Navajo County for all their support and help during this time. The family indicated that they wish to continue the work that their father has done.

- d. **PUBLIC HEARING: Consideration and possible recommendation for approval of a liquor license, person transfer, application #06090043 by Keith Carnes for the Wild Women Saloon and Grill located at 2381 Hwy 260, Overgaard, Arizona; parcel number 206-52-131:** Melissa Buckley discussed the item and recommended approval. Chairman Thompson opened the public hearing, there being no comment, closed the public hearing. **Supervisor Tenney made a motion** to recommend approval of a liquor license, person transfer, for application #06090043 by Keith Carnes for the Wild Women Saloon and Grill located at 2381 Highway 260 in Overgaard Arizona, parcel number 206-52-131; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- e. **PUBLIC HEARING: Consideration and possible recommendation for approval of a liquor license application #10093060 by Billy Carnes for the Wild Bills General Store located at 2269 Hwy 260, Overgaard, Arizona; parcel number 206-52-125:** Melissa Buckley discussed the item and recommended approval. Chairman Thompson opened up the public hearing, there being no comment closed the public hearing. **Supervisor Tenney made a motion** to recommend approval of liquor license application #10093060 by Billy Carnes for the Wild Bills General Store located at 2269 Highway 260 in Overgaard Arizona, parcel number 206-52-125; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 29 item personnel action report. **Supervisor Thompson made a motion** to approve the personnel action report as presented; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

ARIZONA ASSOCIATION OF COUNTIES: AACo Presentation 2010: Assessor Cammy Darris thanked the Arizona Association of Counties for all that they do for Navajo County and all the Elected Officials throughout the County. Assessor Darris introduced the Executive Director Nicole Stickler, Anjali Abraham, Jennifer Sweeney, Derek Rapier, and Jeff Curwen. Derek Rapier the President of the Arizona Association of Counties and also the County Attorney for Greenlee County addressed the Board regarding the Arizona Association of Counties. Nicole Stickler made a presentation to the Board regarding new services and programs offered through the Association. Anjali Abraham made a presentation on the educational and research services offered by the Association. Jeff Curwen, the Contracts and Communications Coordinator addressed the Board regarding publications and communications that help communicate with Counties. Jennifer Sweeney addressed the Board regarding advocacy and budget issues and successes of this session. Nicole Stickler further addressed the Board regarding budget issues and legislative proposals. Ms. Stickler indicated that the Annual County Leadership Conference is scheduled for November 17-19 and that registration is open. The Board and County Manager thanked AACo staff for their presentations.

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

- a. **CONSENT AGENDA: Intergovernmental Agreement Amendment #1 of Contract #HG060014 for Tobacco Education and Prevention with the Arizona Department of Health Services for July 1, 2010 to June 30, 2011 in the amount of \$180,000.00:** Mary Tyler discussed the item. **Supervisor DeSpain made a motion** to approve the consent agenda as presented; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- b. **Consideration and possible approval of a contract with Andrea Tsatoke for the Public Health Emergency Preparedness and Response Program and Project Public Health Ready:** Don Walker discussed the item.

Supervisor Brownlow made a motion to approve the contract with Andrea Tsatoke for the Public Health Emergency Preparedness and Response Program and Project Public Health Ready; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

Supervisor Tenney made a motion to return to regular session; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

COUNTY MANAGER/COUNTY ATTORNEY:

- a. Consideration and possible approval of Intergovernmental Agreement for Yavapai County to provide Restoration to Competency Services: Brad Carlyon discussed the item. **Supervisor Tenney made a motion** to approve the Intergovernmental Agreement for Yavapai County to provide Restoration to Competency Services; motion seconded by **Supervisor Nez**. Supervisor Brownlow asked if there was a trial period. Attorney Carlyon indicated that there is a 30 day clause. Supervisor DeSpain asked how many individuals are in the program. Attorney Carlyon indicated that it varies from year to year. James Jayne further discussed the item. Vote unanimous approving the motion.
- b. Consideration and possible adoption of **Resolution Number 32-10**, designating the Yavapai County Restoration to Competency program as Navajo County's primary RTC program pursuant to A.R.S. §13-4512(A): Brad Carlyon discussed the item. **Supervisor DeSpain made a motion** to adopt **Resolution Number 32-10**, designating the Yavapai County Restoration to Competency program as Navajo County's primary RTC program pursuant to A.R.S. §13-4512(A); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

TREASURER: Consideration and possible approval of Line of Credit Agreement with Wells Fargo Bank: Jason Moore discussed the item and answered questions of the Board. **Supervisor DeSpain made a motion** to approve the line of credit agreement with Wells Fargo Bank; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

JUVENILE PROBATION: Consideration and possible approval of County match of \$4,249.00 to the Juvenile Probation Department so they may receive the Family Counseling Grant from the Administrative Office of the Courts of \$16,997 for a total of \$21,246 for the 10/11 fiscal year: Arno Hall discussed the item. **Supervisor DeSpain made a motion** to approve the County match of \$4,249.00 to the Juvenile Probation Department so they may receive the Family Counseling Grant from the Administrative Office of the Courts of \$16,997 for a total of \$21,246 for the 10/11 fiscal year; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

FINANCE: Consideration and possible award of Contract #F10-05-26 for annual newspaper printing and advertising bid to the lowest responsive and responsible bidder: Mary Springer discussed the item and asked the Board to award the contract to White Mountain Publishing Company. **Supervisor Tenney made a motion** to award Contract #F10-05-26 the annual newspaper printing and advertising bid to White Mountain Publishing Company; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

Bill Chadick was introduced as the newest member of the Finance Department. Bill thanked the Board for the opportunity to work for Navajo County.

PUBLIC WORKS:

- a. Consideration and possible approval of funding in an amount not to exceed \$1,630.35 from the District III Local Transportation Assistance Fund II (LTAF II) for vehicle operating expenses for Bread of Life Mission: Bill Bess discussed the item. **Supervisor DeSpain made a motion** to approve funding in an

amount not to exceed \$1,630.35 from District III Local Transportation Assistance Fund II (LTAF II) for vehicle operating expenses for Bread of Life Mission; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

- b. Consideration and possible approval of funding in an amount not to exceed \$1,630.35 from District III Local Transportation Assistance Fund II (LTAF II) for vehicle operating expenses for Silver Creek Senior Citizens Council: Bill Bess discussed the item. **Supervisor DeSpain made a motion** to approve funding in an amount not to exceed \$1,630.35 from District III Local Transportation Assistance Fund II (LTAF II) for vehicle operating expenses for Silver Creek Senior Citizens Council; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- c. Consideration and possible approval to reject all bids on Navajo County, Pavement Markings Contract #B10-04-021 and authorize the Public Works Department to re-bid this project: Bill Bess discussed the item. **Supervisor Tenney made a motion** to reject all bids on Navajo County Pavement Markings Contract #B10-04-021 and authorize the Public Works Department to re-bid this project; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.
- d. Consideration and possible approval of Amendment One to the Pavement Marking Contract #B09-04-020 with Highway Technologies, Inc., extending the contract for an additional 45 days (June 9, 2010 through July 24, 2010): Bill Bess discussed the item. **Supervisor DeSpain made a motion** to approve Amendment One to the Pavement Marking Contract #B09-04-020 with Highway Technologies, Inc., extending the contract for an additional 45 days (June 9, 2010 through July 24, 2010); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- e. Consideration and possible approval to reject all bids on Contract #B10-04-026 Supply of Aggregate for Cover Material and authorize the Public Works Department to re-bid this project: Bill Bess discussed the item. **Supervisor Tenney made a motion** to reject all bids on Contract #B10-04-026 Supply of Aggregate for Cover Material and authorize the Public Works Department to re-bid this project; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- f. Consideration and possible approval of Amendment Two to the Supply of Aggregate for Cover Material, Contract #B08-05-140 with Hatch Construction and Paving, Inc. and Cholla Ready Mix, Inc. extending the contract for an additional four months (June 17, 2010 through October 16, 2010): Bill Bess discussed the item. **Supervisor DeSpain made a motion** to approve Amendment Two to the Supply of Aggregate for Cover Material, Contract #B08-05-140 with Hatch Construction and Paving, Inc. and Cholla Ready Mix, Inc. extending the contract for an additional four months (June 17, 2010 through October 16, 2010); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- g. Consideration and possible award of Contract #B10-04-027 Supply of Various Roadway Materials to Brimhall Sand & Rock & Building Materials, Inc., Cholla Ready Mix, Inc., Hatch Construction & Paving, Inc., and Perkins Cinders, Inc.: Bill Bess discussed the item. **Supervisor Tenney made a motion** to award Contract #B10-04-027 Supply of Various Roadway materials to Brimhall Sand & Rock & Building Materials, Inc., Cholla Ready Mix, Inc., Hatch Construction & Paving, Inc., and Perkins Cinders, Inc.; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.
- h. Consideration and possible approval of an Intergovernmental Agreement with the Timberland Acres Special Road District to perform road repairs caused by the severe winter storm: Bill Bess discussed the item. Supervisor Tenney thanked the Road District for their partnership. Brian Shields, Chairman of the Board of Trustees for Timberland Acres Special Road District addressed the Board. **Supervisor Tenney made a motion** to approve the Intergovernmental Agreement with the Timberland Acres Special Road District to perform road repairs caused by the severe winter storm; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

- i. Consideration and possible approval to authorize the temporary closure of a portion of the Obed Road at Obed Bridge over the Little Colorado River in Joseph City from July 6, 2010 to approximately March, 2011 during the rehabilitation of Obed Bridge: Bill Bess discussed the item and answered questions of the Board. Supervisor DeSpain indicated that he does not want to be hung up on the March date. **Supervisor DeSpain made a motion** to approve the temporary closure of a portion of the Obed Road at Obed Bridge over the Little Colorado River in Joseph City from July 6, 2010 to approximately March, 2011 or earlier as determined by the engineering department during the rehabilitation of Obed Bridge; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: Supervisor Brownlow handed out a Dirt Road article to all board members. He further invited Board members and Elected Officials to the White Mountain Apache Tribal Council meeting scheduled for July 7 at 9:00 a.m. Supervisor Brownlow made a request to the County Manager to offer our assistance to Coconino County. County Manager Jayne advised that Coconino County has been contacted and our hand has been offered. Supervisor DeSpain offered his support to Coconino County and thanked Board members for their support for the Obed Bridge rehabilitation. He further indicated that he will be in Winslow this afternoon with the EPA conducting an interview at the Minnetonka Trading Post. Supervisor Nez advised that District I is covered in smoke and requested help for the people of that area. He further discussed the opening of four Casinos' on the Navajo Nation. Supervisor Tenney reported on meetings regarding Four Forest Initiative. County Manager Jayne indicated that there are no fire restrictions in the Apache Sitgreaves area. County Attorney Carlyon thanked James Menlove and Mike Espino for attending the Gila County Child Support group meeting. He further reported on meetings with Dennis Burke regarding cross deputization. Mr. Carlyon indicated that the HIDTA petition may be moving with a special panel to review on July 8. Chairman Thompson indicated that he is encouraging communities to seek grants for funding requests. He further reported on Jeddito leadership day.

ADJOURN: At 11:39 a.m. **Supervisor Nez** made a motion to adjourn; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion

LUNCHEON: Pursuant to ARS § 38-431.02 and ARS § 38-431 (3), notice is hereby given to the members of the Navajo County Board of Supervisors and to the General Public that a quorum of the Board of Supervisors may be present for a luncheon in the Code Talkers Conference Room where no official action will be taken.

APPROVED:

DATE: July 27, 2010

Jesse Thompson, Chairman

ATTEST:

Melissa W. Buckley, Clerk of the Board

**Electronic recording of the Board of Supervisors Meeting is available for review
upon a Public Records Request**