

**NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES**  
**TUESDAY, November 23, 2010**

**PRESENT:** Jerry Brownlow, Supervisor; J.R. DeSpain, Supervisor; Jonathan M. Nez, Supervisor; David Tenney, Supervisor and Jesse Thompson, Chairman were present.

**9:00 a.m. Call To Order:** Pledge of Allegiance and Invocation were led by **Supervisor DeSpain.**

**CALL TO THE PUBLIC:** Robert Adams from UniSource Energy addressed the Board.

**CONSENT AGENDA:** a) Constable Reports: Pinetop Precinct #6, October; Snowflake Precinct #3, October; and Holbrook Precinct #1, October, 2010 b) Renewal for Database Access Agreement with Arizona Department of Transportation Motor Vehicle Division c) Appointment to the Navajo County Republican Committee of the following as Precinct Committeemen to fill existing vacancies in their respective precincts: Roberta Anne Peterson and Sherry Graves Ward d) Amendment 01 to contract #DE111011001 which adds a clause regarding background checks through the Central Registry for WIA staff according to A.R.S. 8-804 as may be amended e) Letter of request to Congressman Elect Paul Gosar to support the Little Colorado River Feasibility Study f) Letter to President Elect Ben Shelly g) Name and show actual location of an existing road in the Show Low/Linden area "Bull Hollow Road" in Section 17, Township 11 North, Range 21 East h) Name an existing road in the Pinetop/Lakeside area "Sidewinder Circle" in Section 10, Township 8 North, Range 23 East i) Letter of request to Senator John McCain to continue our partnership with the US Army Corps of Engineers j) Approve Bernard Huser as the Navajo County Representative to sit on the Humane Society of the White Mountains Governing Board: **Supervisor Brownlow made a motion** to approve the consent agenda as presented; motion seconded by **Supervisor Tenney.** Vote unanimous approving the motion.

The Supervisors sang Happy Birthday to Jimmy Jayne, Brad Carlyon, Homero Vela, Melissa Buckley, Judge Ruechel and Phyllis Romo.

**BOARD OF SUPERVISORS:**

- a. Quality Emulsions and Navajo County Recognizing Excellence: LaRee Price recognized Beverly Paddock for her committed service to Navajo County Public Defender's Office. Ms. Paddock thanked the Board of Supervisors.
- b. Navajo County Cost Cutting Department Award: Dusty Parsons recognized Workforce Investment Act for their cost savings towards the Navajo County Budget.

Chairman Thompson announced the presence of Congressman-Elect Paul Gosar.

- c. Presentation to retiring Facilities Management Assistant Director Steve Slade: Chairman Thompson recognized Steve Slade retiring after 30 years.
- d. Personnel Service Awards: Shalice Cook recognized William Murray 5 years; Dolores Reynoso 5 years; Dan Hinz 10 years; and Arno Hall 25 years of service. Chairman Thompson congratulated those in attendance.

**HUMAN RESOURCES:**

- a. Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 42 item Personnel Action Report. Supervisor Tenney declared a conflict on item 12. **Supervisor DeSpain made a motion** to approve the personnel action report as presented; motion seconded by **Supervisor Brownlow.** Vote unanimous approving the motion. Noted Chairman Tenney did not vote on item 12.
- b. Consideration and possible approval of the Outside Employment policy as a new Section-Section 7.5 of the Personnel Policies Manual: Gail Calisen discussed the item and answered questions of the Board Ms. Calisen indicated that the Personnel Commission has approved the item with changes. **Supervisor Tenney made a motion** to approve the Outside Employment policy as a new Section-Section 7.5 of the

Personnel Policies Manual; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

Chairman Thompson thanked Mr. Wade Carlisle for being present.

- c. Consideration and possible approval of revised Section 3.5 (Leave of Absence Without Pay) of the Personnel Policies Manual: Shalice Cook discussed the item. **Supervisor DeSpain made a motion** to approve revised Section 3.5 Leave of Absence Without Pay of the Personnel Policies Manual; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- d. Consideration and possible approval of revised Section 2.4 (Health Insurance and Benefits) of the Personnel Policies Manual: Shalice Cook discussed the item. **Supervisor Brownlow made a motion** to approve revised Section 2.4 Health Insurance and Benefits of the Personnel Policies Manual; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

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

- a. **CONSENT AGENDA:** The following item(s) are considered to be of a routine or administrative nature and will be approved as a group unless a member of the Board wishes to discuss a particular item:
  - i) Professional Services contract with Connie Baine, RDH, AP for Dental Hygiene services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$45.00 per hour
  - ii) Professional Services contract with Regina Rich, RDH, AP for Dental Hygiene services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$45.00 per hour**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 Professional Services contract with German A. Sierra, DDS, for Dental services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$50.00 per hour: Dr. Wade Kartchner discussed the item. **Supervisor Tenney made a motion** to approve the Professional Services contract with German A. Sierra, DDS, for Dental services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$50.00 per hour; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.
- c. Consideration and possible approval of Professional Services contract with Jennifer Lund, for Dental Assistant services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$14.00 per hour: Dr. Wade Kartchner discussed the item. **Supervisor DeSpain made a motion** to approve the Professional Services contract with Jennifer Lund, for Dental Assistant services through the Dental Sealant Program effective November 1, 2010 to December 31, 2011 in the amount of \$14.00 per hour; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

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

**CALL TO THE PUBLIC:** **Supervisor Tenney** introduced Congressman-Elect Paul Gosar. Congressman-Elect Paul Gosar addressed the Board. Discussion was held. The Board of Supervisors thanked Congressman-Paul Gosar for being present.

**SHERIFF:** Consideration and possible approval of an Intergovernmental Agreement between the Arizona Game and Fish Commission and the Sheriff's Office for \$20,000 in funding for overtime for watercraft details or patrols: Sheriff Clark discussed the item. **Supervisor DeSpain made a motion** to approve the Intergovernmental Agreement between the Arizona Game and Fish Commission and the Sheriff's Office for

\$20,000 in funding for overtime for watercraft details or patrols; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

**COUNTY ATTORNEY:** Consideration and possible approval of an Intergovernmental Agreement with the Arizona Department of Economic Security, Division of Child Support Enforcement, to provide child support services to Navajo County residents: Michael Espino discussed the item. Chairman Thompson indicated that progress is improvement at this time. Supervisor DeSpain asked about the open cases in Navajo County. Mr. Espino indicated that there are 4500 to 5000 open cases right now. **Supervisor DeSpain made a motion** to approve Intergovernmental Agreement with the Arizona Department of Economic Security, Division of Child Support Enforcement, to provide child support services to Navajo County residents; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

**EMERGENCY MANAGEMENT:** Consideration and possible approval of Navajo County's Emergency Operations Plan for use as standard practice during planned or unplanned incidents within Navajo County: Tiffany Ashworth discussed the item. **Supervisor DeSpain made a motion** to approve Navajo County's Emergency Operations Plan for use as standard practice during planned or unplanned incidents within Navajo County; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

**FINANCE:**

- a. Consideration and possible approval of the establishment of a date for public hearing of December 28, 2010 for review of and potential amendment to the Justice Court Staffing Fee Ordinance: James Menlove discussed the item. **Supervisor Tenney made a motion** to approve a date for public hearing of December 28, 2010 for review of and potential amendment to the Justice Court Staffing Fee Ordinance; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- b. Consideration and possible approval of the establishment of a date for public hearing of December 28, 2010 for review of and potential adoption of the FY2011-12 Jail Per Diem Rates and Booking Fee: James Menlove discussed the item. **Supervisor Tenney made a motion** to approve a date for public hearing of December 28, 2010 for review of and potential adoption of the FY2011-12 Jail Per Diem Rates and Booking Fee; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.
- c. County Finance Update: James Menlove discussed the item. Mr. Menlove thanked Cris Parisot and Lauren Sedillo for the work on the budget book. Jimmy recognized Mr. Menlove for his work on leading this team.

**PUBLIC WORKS:**

- a. Consideration and possible approval to extend the supply and delivery of cattle guards, Contract #B08-10-007 with W.W. Cattle Guards, LLC and Smith Pre-Cast, Inc. dba US Concrete, Precast Group for one additional year (December 2, 2010 through December 1, 2011): Homero Vela discussed the item. **Supervisor DeSpain made a motion** to approve to extend the supply and delivery of cattle guards, Contract #B08-10-007 with W.W. Cattle Guards, LLC and Smith Pre-Cast, Inc. dba US Concrete, Precast Group for one additional year (December 2, 2010 through December 1, 2011); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- b. Consideration and possible approval of funding in an amount not to exceed \$10,000 from District I and \$10,000 from District II Special Road Funds for the construction of the Navajo Nation Road Yards within the communities of Dilkon and Pinon: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve funding in an amount not to exceed \$10,000 from District I and \$10,000 from District II Special Road Funds for the construction of the Navajo Nation Road Yards within the communities of Dilkon and Pinon; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

- c. Consideration and possible approval to award contract #B10-10-004 excavate and crush red rock material at the Peabody Western Coal Company to Schuck Development Corporation and approve the expenditure of \$129,600.00 from District I Special Road Funds for the excavating and crushing of 20,000 tons of red rock material at the Peabody Western Coal Company: Homero Vela discussed the item. **Supervisor Nez made a motion** to approve contract #B10-10-004 excavate and crush red rock material at the Peabody Western Coal Company to Schuck Development Corporation and approve the expenditure of \$129,600.00 from District I Special Road Funds for the excavating and crushing of 20,000 tons of red rock material at the Peabody Western Coal Company; motion seconded by **Supervisor Tenney**. Supervisor Tenney asked if Homero was confident that this company can do this at this amount. Homero indicated yes. Supervisor Brownlow made comments regarding Apache County. Vote unanimous approving the motion.
- d. Consideration and possible approval to extend the Planning & Zoning/Code Enforcement hearing officer contracts with Joseph K. Hicks, Edward C. Yack and Victoria Ray for one additional year (November 2, 2010 through November 1, 2011): Homero Vela discussed the item. **Supervisor DeSpain made a motion** to approve to extend the Planning & Zoning/Code Enforcement hearing officer contracts with Joseph K. Hicks, Edward C. Yack and Victoria Ray for one additional year (November 2, 2010 through November 1, 2011); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- e. Consideration and possible approval to extend two temporary positions through the end of December 2010 and rehire two summer interns for a four week period: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve to extend two temporary positions through the end of December 2010 and rehire two summer interns for a four week period; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- f. Consideration and possible approval to authorize the Public Works Department to submit the SFY 11 – LTAF II (Local Transportation Assistance Fund II) grant application for a total amount of \$72,458.28: Homer Vela discussed the item. **Supervisor DeSpain made a motion** to approve to authorize the Public Works Department to submit the SFY 11 – LTAF II (Local Transportation Assistance Fund II) grant application for a total amount of \$72,458.28; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- g. **NAVAJO COUNTY FLOOD CONTROL DISTRICT: Board of Directors Session: Public Hearing** **Supervisor Tenney made a motion** to enter into the Navajo County Flood Control District **Board of Directors Session**; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion. Consideration and possible approval of Resolution Number 58-10, establishing a separate zone of the Navajo County Flood Control District, to be known as the Little Colorado River Zone, effective January 1, 2011: Trent Larson discussed the item. Chairman Thompson opened up the Public Hearing. Wade Carlisle made a comment. Chairman Thompson closed the Public Hearing. **Supervisor DeSpain made a motion** to adopt **Resolution Number 58-10**, establishing a separate zone of the Navajo County Flood Control District, to be known as the Little Colorado River Zone, effective January 1, 2011; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion. **Supervisor Brownlow made a motion** to return to regular session; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

**APACHE-SITGREAVES NATIONAL FOREST:** Presentation on proposed Apache-Sitgreaves Travel Management Rules: Bob Taylor discussed the item and showed an Open House Video from Chris Knopp. The Board members discussed some issues with Mr. Taylor. Supervisor Tenney and Supervisor Brownlow discussed the Travel management Rules and the Forest Service.

11:15 a.m. **Supervisor Nez** is no longer on the phone.

**COUNTY BUSINESS UPDATE:** Report from Board members, County Attorney and County Manager: **Supervisor Brownlow** thanked everyone for their well wishes and wishes everyone a Happy Thanksgiving. He further congratulated Supervisor David Tenney as President of the County Supervisors Association and congratulated Melissa Buckley as the new Vice President of the Arizona County Clerks Association. **Supervisor DeSpain** thanked Supervisor Tenney and spoke about the bill with the Arizona Constables Association. **Supervisor David Tenney** spoke about Arizona Association of Counties and thanked everyone for their well wishes for his fathers' recovery. **Chairman Thompson** spoke of the things that he is grateful for. James Jayne indicated that only Supervisor Nez has to complete the NIMS training. Mr. Jayne read a letter from Mr. McCain's office. He further thanked Mr. Gosar for his presence. Mr. Jayne thanked Robert Heming and Melissa Buckley for the new microphone equipment in the Board Chambers. Brad congratulated Sheriff Clark for being re-elected as the Vice President of the County Attorney and Sheriff's Association.

**ADJOURN:** At 11:45 a.m. **Supervisor DeSpain** made a motion to adjourn; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

**APPROVED:**

**DATE: December 27, 2011**

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**David Tenney, Chairman**

**ATTEST:**

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**Melissa W. Buckley, Clerk of the Board**

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