

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
Tuesday, September 9, 2014

PRESENT: Jonathan M. Nez, Supervisor; Dawnafe Whitesinger, Supervisor; David Tenney, Supervisor; and Jesse Thompson, Chairman were present.

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

Chairman Thompson indicated that there has been a fire that has hit the Chapters of Teesto and Dilkon. He requested that item 2c be moved to the end of the meeting.

CALL TO THE PUBLIC: George Campeau addressed the Board regarding safety issues of public vehicle's using an easement road, above highway 260. Seven property owners live on this easement and are all having a problem with people speeding on this road and trying to avoid the DUI check points. This has caused the traffic to increase between 1 and 2 AM due to the DUI checkpoints. We are asking Navajo County accept the road as a County road and prepare it for high traffic and pedestrian traffic. We as property owners are financially responsible for this and we cannot be financially responsible for the public. Mr. Campeau asked the road be deemed as a county road or deem it as a private road for property owners and utility easement access only. **Chairman Thompson** asked that he speak with Homero Vela, Assistant County Manager/Public Works Director. **Supervisor Whitesinger** stated her appreciation for Mr. Campeau bringing this issue to the Counties attention and the board will spend some time investigating the situation and prepare a response to the property owners. Tom Poscharsky addressed the Board of Supervisors, on behalf of Snowflake and Taylor and thanked **Supervisor Allen** for her service to Navajo County. He indicated she was able to get work done for the Snowflake Academy and other projects that were important to the communities. Wade Carlisle thanked **Supervisor Allen** for her service to District III and the City of Holbrook as well as NACOG.

BOARD OF SUPERVISORS:

- a. Consideration and acceptance of the resignation of Sylvia Allen as Navajo County Board of Supervisor District III: Melissa Buckley read Sylvia Allen's letter of resignation, dated September 8, 2014. Supervisor Tenney & Supervisor Nez noted that Mrs. Allen will be missed. She has supported many projects within the Navajo County districts. County Manager, James Jayne commented that Mrs. Allen has accepted an invite to the September 23rd Board meeting. **Supervisor Tenney made a motion** to approve to accept the resignation of Sylvia Allen as Navajo County Board of Supervisor District III; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.
- b. Consideration and adoption of a procedure for filling the vacancy for Supervisor in District III: Brad Carlyon, County Attorney discussed Title 11 of State Statute on the required qualifications to fill the District III open seat. He explained in A.R.S. 16-230 notwithstanding any other statute, an appointment is made from the same political affiliation. Mr. Carlyon put together some suggestions to widely seminate a good group of qualified people. Requirements are the applicants submit a resume and a letter of interest to include meeting the qualifications of the office. A notice soliciting applications from eligible residents of District III will be published as soon as possible in the White Mountain Independent and Holbrook Tribune News to fill the vacancy.
Mr. Carlyon suggested notifying Political Party Chairpersons however it will not be necessary to notify the Democratic Party Chairman. He also suggested setting a special meeting towards the end of the month to review the applications to appoint or take further action. The procedure was outlined by Brad Carlyon. Vice Chairman Tenney asked for a Clarification of A.R.S. 16-230 (A) (2), about the timing of the vacancy occurring within the first 2 years of term. Mr. Carlyon clarified that due to the timing of the vacancy,

there is not time to meet the nomination requirements as a write in candidate for the upcoming November elections. Vice Chairman Tenney asked about item #5 of the procedures. Mr. Carlyon explained that all applications must be received by September 26 and the Board will hold a Special Meeting on September 30 to either decide on a candidate or outline a process for selecting a candidate. An agenda item will be drafted to give broad discretion to discuss appointment or if you need to adopt a selection process. The discretion will be up to the Board. **Supervisor Tenney made a motion** to approve to adopt the procedure for filling the vacancy for Supervisor in District III, with striking of the Navajo County Democratic Party Chairman; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

- c. Update on fires that occurred over the weekend at the Dilkon and Teesto Chapter Houses: Sheriff K.C. Clark gave an update on the fires. Councilman Elmer Begay addressed the Board regarding the fires. He spoke about the devastation to the Teesto Chapter. The fire has destroyed the Senior Center, the post office and the disrupted the water supply. **Chairman Thompson** discussed the emotional harm of what has happened. **Chairman Thompson** gave Councilmen Begay a check to help the communities. Councilmen Begay thanked the Board for their partnership and friendship and spoke of what this means to his people. **Chairman Thompson** asked that Laurette Justman meet with council delegate regarding polling places.

CONSENT AGENDA: a) Minutes: August 26, 2014 and September 4, 2014 (Special Meeting) b) Constable Reports: Holbrook Precinct #1, June and Show Low Precinct #5, August, 2014 c) Preferred Provider Agreements: Navajo County contracts with the following health care provider(s) to provide health care services to eligible enrollees: Jared A. Hall, DPM d) Special Event Liquor License Application for the White Mountains Firefighters Foundation, Inc. for their Christmas for Kids dinner to be held on September 27, 2014 e) Contracts signed by County Manager per Board of Supervisors Resolution: Contract Amendment Number 3 for Professional Services Agreement with Roman Bitsui f) Appointment of Superior Court Judge Pro Tempore Margaret Maxwell g) Contract 2014-PT-024 with the Governor's Office of Highway Safety for \$10,000 for overtime for the Selective Traffic Enforcement Program h) Contract 2015-405d-008 with Governor's Office of Highway Safety for \$10,000 for overtime to support and enhance the Impaired Driver/DUI enforcement program i) Attorney General's Office Agreement #2015-049 for \$19,400 for the Victims' Rights program j) Agreement for Black Canyon Gravel-II Resource Advisory Committee, graveling project for the remainder of Black Canyon Road k) Letter of support for the Navajo County Public Health Services District for pursuing accreditation of its public health department: **Supervisor Tenney made a motion** to authorize the Chairman to sign the items in the consent agenda as presented; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

EMPLOYEE RECOGNITION: Navajo County Recognizes **James Cummings**, Detention Officer III for his excellence in personal performance far exceeding organization expectations: Lynda Young recognized James Cummings for his outstanding performance to Navajo County. A short video of the employee recognition was shown. Ms. Young thanked Mr. Cummings and honored him with a certificate of recognition, a \$50.00 gift card and a leaf to put on the employee recognition tree.

HUMAN RESOURCES:

- a. Presentation to retiring employees: **James Cummings**, Detention Officer III and **Gloria Hatton**, Community Nutrition Worker: Eric Scott recognized James Cummings and Gloria Hatton for their dedicated years of service to Navajo County and expressed congratulations on their retirements.
- b. Consideration and possible approval of Personnel Actions: Eric Scott reviewed the 20 item personnel action report. **Supervisor Tenney made a motion** to approve the personnel actions as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

COUNTY ATTORNEY: Consideration and possible approval of an Intergovernmental Agreement between City of Show Low and Navajo County to provide legal services for administrative matters, misdemeanor prosecutions and other civil matters: Brad Carlyon discussed the item, indicating that we have partnered with the City of Show Low to work with their legal counsel for these types of administrative matters, misdemeanor prosecutions and other civil matters. **Supervisor Tenney made a motion** to approve the Intergovernmental Agreement between City of Show Low and Navajo County to provide legal services for administrative matters, misdemeanor prosecutions and other civil matters; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

TREASURER: Consideration and possible approval of Abatement on Personal Property: Manny Hernandez discussed the item indicating that the personal property has been checked by the Sheriff and indicated that they are following the statute of ARS 42-18124 and ARS 42-19118. **Supervisor Tenney made a motion** to approve the Abatement on Personal Property; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

FACILITIES MANAGEMENT: Presentation on allocation of building space: Bret Starns gave a brief presentation of the allocation of 23000 sq. ft. of building space. He indicated that the old public works building will now be allocated to Probation along with High Desert Health Care; the old Auto shop will be allocated to the NCSO for impound and evidence storage. The old Holbrook Road yard at McClaw's Road will be used for storage of paper goods for Facilities Management and storage for the Library District, IT will also have some room there and County Auction will be stored within this facility. He spoke of the moves in the Library District to McLaws Rd facility. The downtown office where the Justice Court is currently will be allocated to the Clerk of Superior Court; Mr. Starns spoke of the County Complex Basement where cooperative extension currently resides will be made into a Grand Jury room; a portion of the old Probation office will be demolished and the remainder of the building for cooperative extension. Mr. Jayne thanked Bret Starns and Jason Owens for putting this presentation together. Mr. Jayne indicated that the adult probation department across the parking lot is a challenge. Mr. Starns indicated that this will be done in six months. **Supervisor Nez** recalled an agreement that the County has with the City of Show Low for a gym usage and asked about a wellness center for Central County. Mr. Starns indicated that there are 1200 square feet that is allocated for a wellness center. Mr. Jayne thanked Mr. Starns for his leadership. Mr. Jayne indicated that the Board recently approved the agreement with the City of Show Low and indicated that there will be a design for a gym for Central County. The two restrooms will be redone and made into showers. At the racquetball court located on the main County complex; those bathrooms will be renovated as well.

PUBLIC WORKS:

- a. Presentation of E911 Addressing Accomplishments: Homero Vela gave a presentation of E911 Addressing. Homero Vela thanked Melanie D'Angelo from Public Works for involvement in the E911 Addressing. Mr. Vela introduced Eric Jhin as the new GIS/NCIS Enterprise Manager; Eric addressed the Board regarding the GIS database. Homero thanked the team, Melanie D'Angelo, Jeannie Carruthers, and Judy Needham. Chairman Thompson made comments about the presentation and projects in Navajo County. **Supervisor Whitesinger** thanked Homero and the team to provide sound services. Mr. Jayne thanked Homero, Jeanine, Melanie and Judy. He welcomed Eric and made comments about the presentation. Mr. Jayne congratulated the team on the 97 percent accuracy.
- b. Consideration and possible approval of Attachment "C" to the Master Intergovernmental Agreement (IGA) CO10070 with the Navajo Nation and Navajo County for Road Project: Homero Vela discussed the item. **Supervisor Nez made a motion** to approve Attachment "C" to the Master Intergovernmental Agreement (IGA) CO10070 with the Navajo Nation and Navajo County for Road Project; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

- c. Consideration and possible approval of a partnership to support the Hopi Tribe's submittal of the 5310 Capital Grant Application and expenditure not to exceed \$5,000 to procure a grant writer and architect, to prepare the grant application and conceptual design: Homero Vela discussed the item requesting support of the Hopi Tribe's submittal of the 5310 Capital Grant. **Chairman Thompson** indicated that this is an initiative that was put on the table by NACOG and the Hopi DOT wants to pursue it. The Hopi Tribe put a piece of land up to do this. **Supervisor Nez made a motion** to approve a partnership to support the Hopi Tribe's submittal of the 5310 Capital Grant Application and expenditure not to exceed \$5,000 to procure a grant writer and architect, to prepare the grant application and conceptual design; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.
- d. Consideration and possible approval of a partnership to support the BIA to improve a 3.5-mile section of NR 9069 and 9062, from IR 60 to the Hopi reservation line and expenditure: Homero Vela discussed the item requesting support of the BIA to improve a 3.5 mile section of NR 9069 and 9062 to the Hopi Reservation line. Mr. Vela indicated that they are asking BIA to be in charge of traffic control and also working with NDOT to make sure roads are cleared. He reviewed the items that would be purchased. Chairman Thompson made comments about the roads that are ready to be improved upon in partnership of the BIA. **Supervisor Nez** asked about the project being included in the Navajo Nations Fuel Excise Tax considered by Navajo Nation Council. If that gets approved by the council there will be an additional contribution from the nation. Homero thanked **Supervisor Nez** and the Navajo Nation for their support. Chairman Thompson also thanked **Supervisor Nez** for being very instrumental with the Navajo Nation council and the road projects. Chairman Thompson made further comments about roads that have been identified. **Supervisor Whitesinger made a motion** to approve a partnership to support the BIA to improve a 3.5-mile section of NR 9069 and 9062, from IR 60 to the Hopi reservation line and expenditure; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- e. **Public Hearing:** Consideration and possible adoption of Resolution Number 20-14, approving a Special Use Permit for AT&T to construct a 190 ft. Cellular Tower on APN 109-23-007: Trent Larson discussed the item. P&Z Commission recommended approval and staff recommends approval. Mr. Larson spoke of the conditions of the Special Use Permit. A recommendation that came from the P&Z Commission is that the tower be lit, however FAA guidelines do not require it to be lit. Mr. Larson reviewed the pros and cons to the tower being lit. Staff does not require the tower to be lit and there being no comments, closed the public hearing. AT&T representative, Garrett Jonilonis addressed the Board regarding the Special Use Permit. **Supervisor Tenney made a motion** to adopt **Resolution Number 20-14**, approving a Special Use Permit for AT&T to construct a 190 ft. Cellular Tower on APN 109-23-007, with no condition of lighting; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: **Supervisor Nez** reported on District I praising the partnership between Navajo County and Navajo Nation on road improvements. He further reported that the Navajo Nation 2015 budget was passed and is on the President's desk for signature. **Supervisor Whitesinger** reported on District V sharing the Sunrise Ski Resort summer season is over and hoping to open for the winter season in November. She attended the White Mountain Apache Tribe Youth Council inauguration and commented on what a pleasure it is being a participant and listening to the young people who are devoting their time in the community. She also thanked the BIA for the partnership on supplying heavy equipment for road improvements on the White Mountain Apache Tribe. **Supervisor Tenney** reported on District IV beginning with a tour of the San Juan fire area and how the forest thinning project partnership through the White Mountain Stewardship agreement has benefited the forest thinning effort. He commented on the areas that were not thinned due to the spotted owl, and those areas were burned badly whereas the thinned areas of the forest, those areas did not have the fuel to have devastating effects. **Chairman Thompson** asked Navajo County

Sheriff KC Clark to report on the two fires that were set over the weekend and burned two chapter houses for Teesto and Dilkon. Sheriff Clark is meeting with the F.B.I. with information on the situation which will hopefully assist with identifying anyone involved and get the matter resolved. **Chairman Thompson** commented on the devastating long term effects this will have on the people in these areas. Mr. Elmer Begay, council delegate for Dilkon, Teetso, White Cone, Indian Wells and Greasewood Chapters addressed the Board and expressed thanks to Navajo County for all the assistance they provided during this horrific event. He commented that the partnership between our organizations is valued very much.

ADJOURN: At 11:08 a.m. **Supervisor Whitesinger made a motion** to adjourn; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

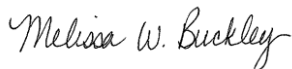
APPROVED:

DATED: October 14, 2014



Jesse Thompson, Chairman
Navajo County Board of Supervisors

ATTEST:



Melissa W. Buckley, Clerk
Navajo County Board of Supervisors