

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
Tuesday, March 24, 2015

PRESENT: Jonathan M. Nez, Supervisor; Jesse Thompson, Supervisor; Jason E. Whiting, Supervisor; Steve Williams, Supervisor; and Dawnafe Whitesinger, Chairwoman were present.

9:01 a.m. Call To Order: Pledge of Allegiance and Invocation led by **Supervisor Whiting**.

CALL TO THE PUBLIC: Mariclare Hannah from Taylor, AZ. appeared as a private citizen, even though she has previously gone before the Board as a Legal Defender. Ms. Hannah addressed the Board regarding the Jail policy change for visitation. She indicated this visitation policy change has become a hardship to the inmates, their families and friends. Ms. Hannah indicated that visits are through a visitation monitor which costs about a \$1.00 a minute for video visitation. She indicated that a one hour visit would cost approximately \$60.00. She stated the only free way for the inmates and families to communicate is by letter. She stated that many inmates are indigents and that the new policy impacts the poorest population in our county. Ms. Hannah asked the Board to study this issue and consider the effect this policy change has on the inmates, their families and friends. She stated the moral and ethical considerations in this case are more important than any financial gain. She stated that there needs to be other cost effective ways to deal with this. **Chairwoman Whitesinger** thanked Ms. Hannah for the information and bringing this issue to the Board's attention.

CONSENT AGENDA: a) Minutes: March 10, 2015 b) Constable Reports: Holbrook Precinct #1, February; Winslow Precinct #2, January & February; Snowflake Precinct #3, February; Show Low Precinct #5, February; and Pinetop-Lakeside Precinct #6, February 2015 c) Special Event Liquor License for the Heber-Overgaard Chamber of Commerce for their Octoberfest being held on September 19, 2015 and September 20, 2015 at 2774 Hwy 260 in Overgaard d) Special Event Liquor License for the Heber-Overgaard Chamber of Commerce for their 4th of July Celebration being held on July 3, 2015, July 4, 2015 and July 5, 2015 at 2774 Hwy 260 in Overgaard e) Approval of 2 Back Tax Land Parcel sold over the counter in the amount of \$649.17 APN's 105-65-346 and 403-04-374 f) **Resolution Number 07-15**, cancelling the May 19, 2015 Election for the Clay Springs Domestic Water Improvement District and White Mountain Summer Home Domestic Water Improvement District g) Reappointment of Robert K. Black, Jr. as a member to the Navajo County Planning & Zoning Commission for District I h) Reappointment of Robert VanWyck as Superior Court Judge Pro Tempore to be effective July 1, 2015 to June 30, 2016: **Supervisor Thompson made a motion** to authorize the Chairwoman to sign the items in the consent agenda as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

EMPLOYEE RECOGNITION: Navajo County Recognizes **Sierra Justman** (Human Resources) and **Marla Queiruga** (Sheriff's Office) for their excellence in personal performance far exceeding organization expectations: Shirley Hunt recognized Sierra Justman and Marla Queiruga. A short video of the employee recognition was shown. Ms. Hunt thanked each of the employees and honored them with a certificate of recognition, a \$50.00 gift card and a leaf to put on the employee recognition tree. **Chairwoman Whitesinger** and **Supervisor Williams** expressed appreciation to both employees.

COMMUNITY SERVICES:

- a. Consideration and possible approval of a Proclamation declaring March 24, 2015 as "Navajo County Vietnam Veterans Day" in commemoration of the 50th Anniversary of the Vietnam War: Lynda Young gave a presentation recognizing the 50th Anniversary of the Vietnam War. Lynda Young read the Proclamation

and asked the Board of Supervisors to approve the Proclamation declaring March 24, 2015 as “Navajo County Vietnam Veterans Day”. **Supervisor Nez** thanked the Vietnam Veterans for honorably serving this country. He asked that we remember those that we lost and expressed appreciation to the many veterans that serve in a different capacity throughout our great nation and county. **Supervisor Nez made a motion** to approve the Proclamation declaring March 24, 2015 as “Navajo County Vietnam Veterans Day” in commemoration of the 50th Anniversary of the Vietnam War; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion. **Supervisor Thompson** indicated we value the veterans and their service and wished that all our veterans receive good blessings mentally, physically and emotionally. **Supervisor Williams** thanked all the veterans. **Supervisor Whiting** thanked and honored the veterans for their sacrifice and service then and now, in protecting our freedoms and representing our communities. **Chairwoman Whitesinger** stated that it is an honor to recognize those men and woman who have made great sacrifices for us. She indicated how important it is for our youth to know of these sacrifices made during the war. The Board of Supervisors presented the following with a plaque: Commander Wilfred Case of VFW Post 2364, Pinetop-Lakeside; Commander Tony Moreland of American Legion Post 76, Show Low; Robert Chamberlain, member of American Legion Post 60 in Whiteriver; Terry Hill, Chaplain of VFW Post 9907, Show Low; Al Jones, member of VFW Post 2364, Pinetop-Lakeside; Richard Thompson, Commander of VFW Post 9907, Show Low. Commander Thompson expressed appreciation to the Board for this recognition. He spoke of those veterans who served honorably. Mr. Bob Chamberland expressed appreciation to the Board regarding their donation of a van to the veterans. Joyce Hill, of VFW Post 9907 Ladies Auxiliary presented to the members of the Board of Supervisors a commemorative pin of the Vietnam War. Mrs. Hill asked the Supervisors to give these pins to a veteran they may know, who served in the Vietnam War. Alexis Thompson, President of the VFW Post 9907 Ladies Auxiliary, invited any Vietnam Veteran and their guests to a luncheon on Sunday at 1:00 p.m. in Show Low.

- b. Presentation to Eric Kramer, Gary Beaver, Willine Dunn, Sheryl Eaton, Mick Mitchke, Donna Moore, Jan Newton and Rich Nyman for their partnership on the McNary Library: Lupita Banuelos presented a summary of the fund raising project, and its proceeds which went towards the completion of the entranceway of the McNary Library. Lupita Banuelos recognized Eric Kramer, Gary Beaver, Willine Dunn, Sheryl Eaton, Mick Mitchke, Donna Moore, Jan Newton and Rich Nyman. **Chairwoman Whitesinger** expressed appreciation to Mr. Kramer and the community volunteers for their efforts in their work on the McNary Library and enhancing the lives of the Tribal Community members. Ms. Banuelos presented each volunteer with a plaque to recognize and thank them for their efforts.
- c. Presentation of Navajo County 120th Birthday Time Capsule: Lynda Young gave a brief history of Navajo County and spoke of celebrating the 120th Birthday of Navajo County. Ms. Young stated the celebration will be following the Board meeting. Ms. Young invited everyone to the new Public Works building to bury the time capsule. She spoke of the items being placed in the time capsule. Ms. Young expressed appreciation to Brandon Andrews for his work on this project and for making a plaque for the event.
- d. Consideration and possible approval to support the cost-share grant guidelines and application for Route 66 Corridor Preservation Program, to replace roof on Historic Holbrook Courthouse: Lynda Young discussed the item. **Supervisor Whiting made a motion** to approve to support the cost-share grant guidelines and application for Route 66 Corridor Preservation Program, to replace roof on Historic Holbrook Courthouse; motion seconded by **Supervisor Williams**. Vote unanimous approving the motion. **Supervisor Whiting** introduced Bobby Tyler who will be seated as the mayor of Holbrook.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Sierra Justman reviewed the 16 item personnel action report. **Supervisor Thompson made a motion** to approve the personnel actions as presented; motion seconded by **Supervisor Whiting**. Vote unanimous approving the motion.

PUSH PROGRAM: Presentation of the Hydration Challenge from the Navajo County Health & Wellness Team: Melissa Buckley, Clerk of the Board and a member of the Navajo County Health & Wellness Team presented the Hydration Challenge. Mrs. Buckley also spoke of the Weight Loss Challenge. Mrs. Buckley introduced and welcomed Amber Ferguson to the Board of Supervisor's staff as the Senior Secretary.

NAVAJO COUNTY PUBLIC HEALTH SERVICE DISTRICT: Board of Directors Session: **Supervisor Thompson made a motion** to enter into the Navajo County Public Health Service District **Board of Directors Session**; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

a. **CONSENT AGENDA:**

- i) Professional Services Contract with Connie Baine, RDH, AP for Dental Hygiene services through the Delta Dental of Arizona Foundation effective March 1, 2015 to February 28, 2016 in the amount of \$45.00 per hour:
- ii) Professional Services contract with Tamra Cannon, RDH, for Dental Hygiene services through the Delta Dental of Arizona Foundation (DD contract) Navajo County 1st grade Program effective January 1, 2015 to June 30, 2015 in the amount of \$45.00 per hour:

Supervisor Thompson made a motion to approve the consent agenda as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

b. Consideration and possible approval of a Professional Services Agreement between Navajo County Public Health Services District and Collette Thompson effective march 24, 2015 to June 30, 2016 in the amount of \$35.00 per hour: John Zimmerman, Deputy Director, discussed the item. **Supervisor Thompson made a motion** to approve the Professional Services Agreement between Navajo County Public Health Services District and Collette Thompson effective march 24, 2015 to June 30, 2016 in the amount of \$35.00 per hour; motion seconded by **Supervisor Whiting**. Vote unanimous approving the motion.

c. Consideration and possible approval of a Professional Service Agreement between Navajo County Public Health Services District and Kristi Wahl effective March 24, 2015 to June 30, 2016 in the amount of \$35.00 per hour: John Zimmerman discussed the item and answered questions of the Board. **Supervisor Thompson made a motion** to approve the Professional Service Agreement between Navajo County Public Health Services District and Kristi Wahl effective March 24, 2015 to June 30, 2016 in the amount of \$35.00 per hour; motion seconded by **Supervisor Williams**. Vote unanimous approving the motion. **Supervisor Whiting made a motion** to enter into regular session; motion seconded by **Supervisor Whiting**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS: Consideration and possible approval of a new liquor license #12093102 for The Bistro at Annie's located at 2849 Highway 260, Lakeside Arizona 85929: Sheila Malone discussed the item. Mike Gillespie addressed the Board. Mr. Gillespie indicated he lives across the street from the restaurant and gave the reasons why he opposes the liquor license. Discussion was held. Brad Carlyon, County Attorney spoke in regards to the item and answered questions of the Board. **Supervisor Whiting made a motion** to approve the new liquor license #12093102 for The Bistro at Annie's located at 2849 Highway 260, Lakeside Arizona 85929; motion seconded by **Supervisor Williams**. Vote unanimous approving the motion.

EMERGENCY MANAGEMENT: Public Hearing: Consideration and possible approval of the repeal of the Outdoor Fire Ordinance Number 01-14 and possible adoption of a new Outdoor Fire Ordinance, Ordinance Number 01-15: Catrina Roe presented the item and gave an update of the fire season. **Supervisor Williams made a motion** to approve the repeal of the Outdoor Fire Ordinance Number 01-14 and possible adoption of a new Outdoor Fire Ordinance, **Ordinance Number 01-15**; motion seconded by **Supervisor Whiting**. Vote unanimous approving the motion.

FINANCE: County Budget Update: James Menlove gave a budget update and answered questions of the Board. Brad Carlyon, County Attorney addressed the Board regarding the budget through Call to the Public. Mr. Carlyon handed out a packet that describes what the County Attorney is mandated to do and addressed the Board regarding the county budget and the mandates for all Elected Officials. Mr. Carlyon discussed the legislation regarding the Assessor property tax evaluations. Mr. Carlyon indicated we are mandated by our State Legislature.

PUBLIC WORKS:

- a. **Public Hearing:** Consideration and possible adoption of **Resolution Number 08-15**, approving/denying a Special Use Permit Time Extension to allow an existing Meteorological Tower on APN 110-07-001B to collect wind data for 10 years: **Chairwoman Whitesinger** opened the public hearing. Trent Larson discussed the item. Mr. Larson read a letter from the land owner, Steve Brophy with Aztec Land and Cattle Company in favor of the item. There being no public comments, **Chairwoman Whitesinger** closed the Public Hearing. **Supervisor Whiting made motion** to adopt **Resolution Number 08-15**, approving a Special Use Permit Time Extension to allow an existing Meteorological Tower on APN 110-07-001B to collect wind data for 10 years; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- b. **Public Hearing:** Consideration and possible adoption of **Resolution Number 09-15**, approving/denying a Special Use Permit to allow a Wireless Cell Tower on APN 409-20-015G not to exceed 140 feet in height: Trent Larson discussed the item. Mr. Larson indicated he received one comment from the public in opposition and he read the email from the property owner adjacent to the subject parcel. **Chairwoman Whitesinger** opened the public hearing. Scott Quinn in behalf of AT&T/Pinnacle Consulting addressed the Board in favor of the item. There being no other comments, **Chairwoman Whitesinger** closed the public hearing. **Supervisor Williams made a motion** to adopt **Resolution Number 09-15**, approving a Special Use Permit to allow a Wireless Cell Tower on APN 409-20-015G not to exceed 140 feet in height; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- c. **Public Hearing:** Consideration and possible adoption of **Resolution Number 10-15**, approving/denying a Special Use Permit to allow a Recreational Family Camp on APN 404-73-004: Trent Larson discussed the item. **Chairwoman Whitesinger** opened the public hearing. Mr. Richard Manriquez, applicant and owner of Moonbeam Hollow, LLC, addressed the Board in favor of the item. Mr. Larson answered questions of the Board. There being no other comments, **Chairwoman Whitesinger** closed the public hearing. **Supervisor Whiting made a motion** to adopt **Resolution Number 10-15**, approving a Special Use Permit to allow a Recreational Family Camp on APN 404-73-004; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- d. **Public Hearing:** Consideration and possible adoption of **Resolution Number 11-15**, approving/denying a Zone Change from RU-20 to RU-10 on APN 403-81-011A: Trent Larson discussed the item. **Chairwoman Whitesinger** opened the public hearing. Mr. Edward Deese, applicant, addressed the Board. **Chairwoman Whitesinger** closed the public hearing. **Supervisor Whiting made a motion** to adopt **Resolution Number 11-15**, approving a Zone Change from RU-20 to RU-10 on APN 403-81-011A; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- e. **Public Hearing:** Consideration and possible adoption of **Ordinance Number 02-15**, approving an amendment to Ordinance Number 01-11 to allow Medical Marijuana Dispensary Offsite Cultivation Location facilities in Rural Zoning Districts (RU-20, RU-10 and RU-5): Trent Larson addressed the item and answered questions of the Board. **Chairwoman Whitesinger** opened the public hearing. Bobby Tyler made comments. **Chairwoman Whitesinger** closed the public hearing. **Supervisor Williams made a motion** to adopt **Ordinance Number 02-15**, approving an amendment to Ordinance Number 01-11 to allow Medical Marijuana Dispensary Offsite Cultivation Location facilities in Rural Zoning Districts (RU-20, RU-

10 and RU-5); motion seconded by **Supervisor Whiting**. **Supervisor Thompson** opposed the motion. **Supervisor Williams, Supervisor Whiting, Chairwoman Whitesinger and Supervisor Nez** approved the motion. Motion passed 4-1.

Mr. Bill Bess, Interim Public Works Director recognized Trent Larson. He indicated Mr. Larson is leaving Navajo County to make a career change and will be greatly missed. Mr. Bess thanked Mr. Larson for his 10 years of service to Public Works and his excellent work in the Planning and Zoning Department.

- f. Consideration and possible adoption of **Resolution Number 12-15**, supporting and co-sponsoring with the Town of Snowflake a Planning Assistance for Rural Areas (PARA) grant application for a Freeman Hollow Corridor Study: Bill Bess discussed the item. **Supervisor Whiting made a motion** to adopt **Resolution Number 12-15**, supporting and co-sponsoring with the Town of Snowflake a Planning Assistance for Rural Areas (PARA) grant application for a Freeman Hollow Corridor Study; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- g. Consideration and possible approval of Attachment “D” to the Master Intergovernmental Agreement (IGA) CO10070 with the Navajo Nation and Navajo County: Bill Bess discussed the item. **Supervisor Nez** thanked the staff for their work on this item. He indicated that there has also been an approval by the Navajo Nation. **Supervisor Nez made a motion** to approve the Attachment “D” to the Master Intergovernmental Agreement (IGA) CO10070 with the Navajo Nation and Navajo County; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- h. **NAVAJO COUNTY FLOOD CONTROL DISTRICT: Board of Directors Session: Supervisor Nez made a motion** to enter into the Navajo County Flood Control District **Board of Directors Session**; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
 - i) Presentation on the Winslow Levee Feasibility Study Update: Homero Vela showed a short video regarding the Winslow Levee. Mr. Vela introduced Brandy and Jeff Tomhave, Legislative Advocates for Navajo County from Washington D.C. Mr. Vela expressed appreciation to them for all that they do and for the efforts of the Winslow Levee team. Mr. Vela also introduced Brian Kenny, Project Manager from the U.S. Army Corp of Engineers from the Phoenix office. Mr. Vela gave a presentation of the Winslow Levee. Mr. Brian Kenny addressed the Board of Supervisors regarding the Winslow Levee. Mr. Vela indicated that Trent Larson will be missed throughout the organization.
 - ii) Consideration and possible approval to convert \$300,000 of Work-in-Kind funding into a cash payment and to increase the local share cost share by \$100,322 to support new study costs undertaken by the Army Corps of Engineers for the Little Colorado River at Winslow, Arizona Feasibility Study: Homero Vela discussed the item. **Supervisor Thompson made a motion** to approve to convert \$300,000 of Work-in-Kind funding into a cash payment and to increase the local share cost share by \$100,322 to support new study costs undertaken by the Army Corps of Engineers for the Little Colorado River at Winslow, Arizona Feasibility Study; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
 - iii) Consideration and possible approval of the Tentative Selected Plan for the Winslow Levee Rehabilitation Project and approve for staff to work with the City of Winslow on sharing construction cost: Homero Vela discussed the item. **Supervisor Thompson made a motion** to approve the Tentative Selected Plan for the Winslow Levee Rehabilitation Project and approve for staff to work with the City of Winslow on sharing construction cost; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. **Supervisor Nez made a motion** to enter into regular session; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion. **Supervisor Nez** expressed his appreciation to the Tomhave Group, the Public Works team,

Homero Vela, Assistant County Manager and **Supervisor Thompson** for their work on the Winslow Levee project. The Supervisors expressed their appreciation to Mr. Trent Larson.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and Assistant County Manager: **Supervisor Williams** reported he met with **Supervisor Thompson, Supervisor Whiting** and Linda Morrow, Superintendent of Schools regarding the challenges facing our school districts. He stated he felt the administrators and teachers do a lot with limited resources. He reported on a meeting at the Ponderosa Lions Club in Heber-Overgaard where he, Sheriff K.C. Clark, County Attorney Brad Carlyon and County Manager James Jayne attended and reported on the endeavors within Navajo County. **Supervisor Williams** stated he met with former Supervisor Tenney, Senator Sylvia Allen and **Supervisor Whiting** to talk about the legislation and state budget which affects the counties. He reported he attended Small Counties and the CSA Board of Directors meetings, where discussion was held regarding the issues that are relevant for all of the counties, especially the impacts of the budget. **Supervisor Williams** indicated the senior staff; Melissa Buckley, Sheila Malone, Debra Chapman, James Jayne, Homero Vela, James Menlove, Lynda Young, Lupita Banuelos are very efficient and effective in their duties. **Supervisor Thompson** reported on meetings in Washington D.C. regarding discussions to encourage our legislators to reinstate the HURF funds. He indicated he spoke to the Federal Transportation Committee which allocates funds for the Navajo Nation to improve the roads for school bus routes and asked them to include this in MAP 21. **Supervisor Thompson** indicated there is a need to push for funding to assist in repairing the unsafe road conditions that need to be improved. He stated he had the opportunity to meet with the Inter-Tribal Council of Arizona regarding the improvement of the roads on the Indian Nation and hopes to present this issue to the Navajo Nation's Transportation Committee. **Supervisor Whiting** gave a report on the Superintendent of Schools meeting, regarding having a unified voice in speaking with our Legislators, and he thanked Homero Vela for his support in that meeting. **Supervisor Whiting** spoke about NovoStar, the new lumber yard which will start construction the first part of April. He expressed appreciation to James Menlove and the finance team for their strategic efforts regarding the Apache Railway in finding long term financing. **Supervisor Whiting** reported on the Snowflake-Taylor Chamber of Commerce Awards Banquet. He thanked James Jayne, Brad Carlyon and his wife, Sheriff Clark and his wife for their support in attending the banquet. **Supervisor Whiting** indicated he attended the Joseph City Founder's Day BBQ & Fundraiser. He expressed appreciation to **Chairwoman Whitesinger** for accompanying him on the City4TV's Navajo County Connections talk show. **Supervisor Nez** thanked Homero Vela and the Public Works team for their work during the state of Emergency in District I, from the snowfall and rain. **Supervisor Nez** spoke of the success of the graveling project for the Navajo Nation roads. **Supervisor Nez** reported that the Navajo Nation Presidential Election will be held on April 21. He thanked Melissa Buckley and those that were involved in recognizing the Vietnam Veterans and indicated that "every day is Veteran's Day." Homero Vela, Assistant County Manager reported on a meeting with the U.S. Army Corps of Engineers regarding the Winslow Levee. Brigadier General Mark Toy and Colonel Kimberly M. Colloton, PMP will be in attendance on April 14th for a two hour Winslow Levee meeting. **Chairwoman Whitesinger** thanked everyone who represents the county and for all they do.

ADJOURN: At 1:06 p.m. **Supervisor Thompson made a motion** to adjourn; motion seconded by **Supervisor Whiting**. Vote unanimous approving the motion.

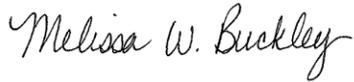
APPROVED:

DATED: April 14, 2015



**Dawnafe Whitesinger, Chairwoman
Navajo County Board of Supervisors**

ATTEST:



**Melissa W. Buckley, Clerk
Navajo County Board of Supervisors**