

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

March 10, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:05 a.m.

PRESENT: Pete Shumway, Chairman; J.R. DeSpain, Vice-Chairman; Percy Deal, Member; Jesse Thompson, Member; Jerry Brownlow, Member; Mel Bowers, Jr., County Attorney; Eddie Koury, County Manager; and Kathy Hieb, Deputy Clerk of the Board

Mr. DeSpain led the Pledge of Allegiance and offered the Invocation.

CALL TO THE PUBLIC: There were no comments offered.

CONSENT AGENDA: **Mr. DeSpain made a motion** to authorize the Chairman to sign the items in the Consent Folder; motion seconded by Mr. Thompson; vote unanimously carried. The following items were included in the Consent Agenda: 1) Voucher List for Payment; 2) Board of Supervisor Minutes: February 18, 2003; 3) Back Tax Quit Claim Deed:105-38-058; 105-34, 292, 368, 383, 389, 413; 105-32-241, 105-33-257, 105-34-029, 030, 032; 105-36-049, 50; 105-09-197; 201-08-046; 4) Constable Reports: (January) Show Low #5, Pinetop #6, Winslow #2, Holbrook #1; 5) Clerk of the Superior Court Report: (January); 6) Justice Court Reports: (January) Holbrook #1, Kayenta #4; 7) Assessment and Tax Roll Corrections; 8) Public Works: Request to name existing road in the Heber/Overgaard area "Goshawk Lane".

WORKFORCE INVESTMENT ACT (WIA): **Gail Sadler, Director:** **Approval to submit bid for contract with Department of Economic Security to acquire JOBS Program Contract/administered by CDI and authorize county manager to sign contract:** Ms. Sadler explained that she is proposing to bring the JOBS program to Navajo County by bid for the contract. Navajo County, Apache County, Whiteriver and Kykotsmovi will be included in the proposal. The JOBS program and WIA will then be administered together. Both programs have the same goal and that is self-sufficiency. The benchmarks of performance are almost identical for both programs. Ms. Sadler said the budget for the programs, if we win the bid, is \$1,325,764 (including Whiteriver and Kykotsmovi), or \$1,060,611 (excluding Whiteriver and Kykotsmovi) There will be 14-16 full and part-time positions created, and additional funds will be available for transportation, education/training and FLSA. The administrative costs will be only 10% of the total budget; the remaining 90% will be service costs. The funds will come from the Federal government and allocated to the State. The State will pay the contract at 1/12 of the fixed annual amount per month. This is not a grant, it is a renewable contract for up to 4 years. It is not an entitlement and there are no mandatory services. The contract can be canceled at any time with a 120 day written notice. Ms. Sadler noted the bids are due by March 19, 2003. Apache County has submitted a letter of support for Navajo County to do the proposal. Mr. Koury said this is an excellent proposal and will be good for the county. The risks are low and we can cancel if necessary. He said he believes this is a win-win situation. **Mr. Deal made a motion** to approve submitting the bid for contract with DES to acquire JOBS Program Contract and authorize county manager to sign contract; motion seconded by Mr. DeSpain; vote unanimously carried.

TREASURER'S OFFICE: **Manny Hernandez, Treasurer:** **Approve application for Treasurer's Deeds pursuant to ARS §42-18261:** Ms. Jackie Koon presented the item for Mr. Hernandez. **Mr. Thompson made a motion** to approve application for Treasurer's Deeds; motion seconded by Mr. Brownlow; vote unanimously carried.

COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG): **Margaret Keener, NACOG and Clint Shreeve, Deputy County Manager:** **Public Hearing:** Discuss community needs and possible projects: (Ms.

Keener could not be present due to a family emergency) Mr. Shreeve advised that the information will be presented today, and the Board will be asked to make a decision at the next hearing. He explained that CDBG funds are administered by the Arizona Department of Commerce, and NACOG administers the planning of annual allocations and provides technical assistance for application preparation. Proposed projects must meet at least one of the following national objectives: 1) at least 51% of the persons who benefit from the project must be low to moderate income; 2) the project must aid in the prevention or elimination of slums or blight, or 3) the project must solve an urgent need health hazard. Congress has designated "target populations", which are considered low to moderate income, so projects that benefit these groups will almost always meet the low-moderated income criteria. These groups include: the elderly; adults with severe disabilities; the homeless; abused children; battered spouses; illiterate persons; persons living with AIDS; and migrant farm workers. In round numbers, the funding anticipated for this year is: State-\$11,374,000; NACOG Region-\$2,332,000 and Navajo County-\$540,000. Mr. Shreeve noted that the types of activities that can be funded with CDBG include: public works and safety; community and supportive housing facilities, and removal of architectural barriers; public services; housing; economic development; neighborhood revitalization and redevelopment; planning and capacity building; and administration. Examples of Navajo County's previously funded projects include: park construction (1983); construction of 3 senior centers (1985); rehabilitation of 2 social service centers (1987); construction of a social service center (1991); housing rehabilitation (1995); housing rehab and health center (1999). The total funding for these projects was \$1,773,877.

At the call to the public, four groups/persons presented proposals for consideration. The City of Holbrook, represented by Mayor Bryan Smithson, Councilmen Spike Simmons and Mary Bradley, and Finance Director Amber Hill, presented a proposal for repairs and sidewalks, curbs and gutters on Third Street, from Joy Nevin Blvd to Florida, in Holbrook. This street runs along the Navajo County Fairgrounds and is in dire need of repair. There are many activities that take place at the Fairgrounds, and when people park along Third Street, it creates a safety issue for pedestrians and the residents on the west side of the street. It was noted that the fairgrounds itself is due for renovations, thru grants, from 2003-2006. This project would go hand-in-hand with the Third Street project and would benefit the entire county. Mayor Smithson advised that the total cost of the project is \$72,554 and, as Mayor of Holbrook, he would commit that the City Council will pass a resolution to provide the matching funds in the amount of \$8000. Ms. Hill added that the city does have HURF funds available to provide that match.

White Mountain Lines, represented by Brian Brimhall and Mars Brimhall, presented a proposal named "The White Mountain Connection". The problem is a lack of affordable and convenient transportation in incorporated cities and outlying unincorporated areas within southern Navajo County. There is no transportation between the cities in the south part of the county, and there are many elderly and disabled people who are unable to drive. The problem will continue to grow as the population grows. "The Mountain Connection" will connect the Four Seasons Public Transit (serving the Show Low and Pinetop-Lakeside areas) and the White Mountain Passenger Lines shuttle run (to the Phoenix metropolitan area) with the "Mountain Run" which will circle the mountain 2-3 times a day. The run will begin in Show Low, continue on to White Mountain Lake, Taylor, Snowflake and Holbrook. In Holbrook, the bus will stop at the County Complex and the Greyhound Bus Station. The bus will then swing around the mountain to Sunrise and Hon Dah. The Mountain Run would then retrace its steps back to Show Low. A third run will be added when the demand dictates. Mr. Brimhall said that the first step in establishing the Mountain Connection will be to purchase three (3) Ford E550 Passenger buses, and the estimated cost is \$250,000.

Rim Country Senior Citizens Association, Inc., represented by Bob Heming, presented a proposal to re-

build the senior center, which was destroyed in the Rodeo-Chediski Fire this past summer. Mr. Heming said he applied for many grants immediately following the fire, but most did not come through. Mr. Shreeve advised Mr. Heming that if he utilizes CDBG funds to rebuild the center, he will have to pay Davis-Bacon wages, which are 20-40% higher. Mr. Heming noted he will be requesting bids from contractors for the construction. The total amount of funding he is requesting for this project is \$300,000.

Anneka Brimhall and Michelle Brewer presented a proposal entitled The Children's House Expansion. Ms. Brimhall explained that there is a problem in the Show Low area in addressing the lack of affordable, quality education and childcare for low-moderate income families. There are no Charter schools in the White Mountain area which offer an after school program for children of working parents, and there is no childcare or preschool facility that has an academic program for children over age 6. The project will be to construct and equip appropriate facilities for a high quality, full service, Montessori style childcare and charter school. The Children's House will be the first in the area to offer education for children 18 months and older, and childcare until 6:00 p.m. in the same building. The Children's House will be a DES certified center, attracting children living under the poverty level and providing them with education and skills to make a better life. The estimated completion date for the project is the fall of 2003. The total amount of funding being requested is \$330,500.

Mr. Shreeve introduced Bob Stevens of NACOG. Mr. Stevens advised that Navajo County has a shortage of good quality, affordable housing. The County has been able to utilize CDBG funds for rehabilitation of housing within our county, including the reservations. Since 1993, these funds have been used to rehabilitate 421 houses. The work done on each home varies in scope, but in all instances, it improved the living conditions of the recipients. Many elderly and handicapped citizens now have accessible bathrooms, and homes with inadequate heat, leaking roofs and failing foundations are now in a good livable condition. Mr. Stevens presented slides which showed the before and after conditions of some of the 17 homes in which repairs were recently completed. Bathrooms were installed in homes that had none; homes were hooked up to a water source and electricity; and heating sources, such as homemade wood stoves, were made safe. Mr. Shreeve asked that the Board consider the housing rehabilitation program. Evelyn Meadows of the Pinon Unified School District, and representatives of the Teesto Chapter were present and stated they fully support the rehabilitation program on the reservation. They expressed their appreciation for all the work which has been done, and encouraged the Board to consider the continuation of the program. **No action taken at this time. A public hearing will be scheduled at a later date to allow the Board time to review the proposals presented today.**

SHERIFF'S OFFICE: Sheriff Gary Butler: Authorize Clerk of the Board to apply to ADOT, Special Investigations Division for renewal of undercover plates for the Sheriff's Office: Sheriff Butler requested approval for renewal of the undercover plates. **Mr. DeSpain made a motion** to authorize the Clerk to apply for undercover plates; motion seconded by Mr. Brownlow; vote unanimously carried.

PUBLIC HEALTH SERVICES DISTRICT: Dr. Stanley Warner, Director: **Board of Directors' Public Hearing:** Adopt the Public Health Services District Licensing Fees Ordinance: **Session: Mr. Thompson made a motion** to move into Board of Directors Session; motion seconded by Mr. Brownlow; vote unanimously carried. Dr. Warner advised that the proposed fee ordinance was written by Gary Barnes and Deputy County Attorney Lance Payette. He introduced Mr. Barnes, who explained the

content of the ordinance and provided some history on the development of the ordinance. He advised that one of the big revenue sources for the environmental program are the fees collected from the food establishments, and this ordinance provides for the fees. It also provides for penalties should the establishment not pay their fees. Mr. Barnes advised that the fee structure outlined in this ordinance is the same as originally proposed by the Board in 1998.

Mr. Shumway noted that there were no public comments offered either in favor of, or opposed to, the proposed ordinance. **Mr. DeSpain made a motion** to adopt **Ordinance #01-03**, Public Health Services District Licensing Fees; motion seconded by Mr. Thompson; vote unanimously carried. **Mr. Thompson made a motion** to return to regular session; motion seconded by Mr. DeSpain; vote unanimously carried.

SUPERIOR COURT: Marla Myers, Court Administrator: Approval to extend temporary Collection Clerk position until June 30, 2003: Ms. Myers noted that the funds are available for this request from vacancy savings. **Mr. Thompson made a motion** to approve temporary until 6/30/03; motion seconded by Mr. Brownlow; vote unanimously carried.

NAVAJO COUNTY FLOOD CONTROL DISTRICT: Bill Cox, Director: **Board of Directors Session:**

Approval to contract with Tetra Tech, Inc. for the purpose of completing dambreak inundation mapping for four dams located in southern Navajo County: **Mr. Brownlow made a motion** to move into Board of Directors Session; motion seconded by Mr. DeSpain; vote unanimously carried. Mr. Cox explained that the dams to be studied include: Rainbow Lake Dam, Woodland Lake Dam, Scott's Reservoir Dam and Trophy Lake Dam. All of these dams are classified as either "significant hazard" or "high hazard" by the Arizona Department of Water Resources (ADWR). Although Navajo County does not own any of these dams, the Flood Control District does have an interest in developing inundation mapping and emergency action plans for these dams as well as other significant and high hazard dams in the county. Mr. Cox advised that \$50,000 was included in the Flood Control District budget for this study. The estimated cost of the project is \$17,797, which is well within the budget. **Mr. DeSpain made a motion** to approve contract with Tetra Tech as presented; motion seconded by Mr. Brownlow; vote unanimously carried. **Mr. Brownlow**

made a motion to return to regular session; motion seconded by Mr. Thompson; vote unanimously carried.

PINEVIEW WATER COMPANY: Ernie Sutter, Vice President: 1) **Public Hearing** on Notice of Intention to Grant Water Franchise and 2) **Resolution** Granting a Non-exclusive Water Franchise for Public Utility purposes pursuant to ARS §40-283: Mr. Sutter explained that the area for this franchise encompasses the northwest corner of the Kohner property. The north boundary is Forest Service land; the west boundary is White Mountain Apache Tribal land and the south boundary is Rim Road. Although Mr. Sutter has requested the franchise be for 35 years, the Board believed that 25 years was more appropriate. Mr. Shumway noted there was no public comment offered, and there were no written comments received either in favor of, or in opposition to, the franchise. **Mr. Brownlow made a motion** to approve **Resolution #11-03**, granting Water Franchise to Pineview Water Co., for a 25 year period, as presented; motion seconded by Mr. DeSpain; vote unanimously carried.

PUBLIC WORKS: Bill Cox, Director: 1) **Renewal of Bid #B98-12211, Annual Contract for Supplying and Delivering Cattle Guards:** Mr. Cox explained that the original contract allowed for four (4) separate, one-year extensions to the contract at the current unit prices. The contractors have been contacted and have agreed to extend their current pricing, including all applicable taxes, delivery and freight charges for the various cattle guards. Mr. DeSpain said he has received comments from some vendors, who are very much against awarding contracts for so many years. Mr. Cox explained that if we re-bid the contract, we don't know what we'll get as far as price. Escalating prices will make the costs increase, and he feels the best thing for the county is for us to extend this contract for one more year. Mr. Deal said he supports the extension since the vendor has agreed to hold his price. Mr. Brownlow said he has no problem with this contract, but he wants to revisit other contracts, such as asphalt. Mr. DeSpain asked for an assurance that if we extend this contract, we are getting the best price. Mr. Cox said he cannot give that assurance, but it is reasonable to believe that this is the best price we can get at this time. **Mr. Deal made a motion** to approve renewal of contract for supplying and delivering cattle guards; motion seconded by Mr. Thompson; vote unanimously carried.

2) **Authorization for installation of a temporary de-icing storage facility at the Overgaard Satellite Facility:** Mr. Cox advised that the Highway Division has been working with ADOT for upgrades to the snow and ice removal procedures. They have recently initiated joint stockpiles for cinders in the Heber and Linden areas. Having these stockpiles has saved considerable response time. ADOT has requested that we partner with them for a temporary de-icing facility for the Heber-Overgaard area. ADOT is purchasing the temporary building and will do all of the necessary construction and site work. They have agreed to use their equipment for the de-icing of critical county roads in the area, such as Mogollon and others. This partnership will benefit the area residents and the public using the roadways in the area. It is a temporary facility and can be removed if any problems develop with its use. **Mr. Brownlow made a motion** to approve installing temporary de-icing storage facility at Overgaard facility; motion seconded by Mr. DeSpain; vote unanimously carried.

3) **Resolution** in support of reauthorization of the Transportation Equity Act for the 21st Century (TEA-

21): Mr. Cox advised that the current TEA-21 will expire in September, 2003. He is requesting a resolution in support of the reauthorization of the bill. He said that Arizona has many more miles of roads and many more students to transport than either New Mexico or Utah. Congress should allocate the funding based on those statistics. Evelyn Meadows presented a letter from the Superintendent of the Pinon Unified School District in support of the reauthorization of TEA-21 and an increase in the funding. Leroy Thomas, a Seba Dalkai School Board member, Virgil Nez, of Teesto, and Henry Attakai, of White Cone, all expressed their support of the resolution. Mr. Thompson added that Alfred Clark of Indian Wells also supports the resolution. Mr. Deal said that the BIA supports the resolution and appreciates the help from Navajo County. **Mr. DeSpain made a motion to approve Resolution #13-01 to support the TEA-21 reauthorization; motion seconded by Mr. Brownlow; vote unanimously carried.**

BUREAU OF INDIAN AFFAIRS/WESTERN AGENCY: Lloyd Secody, Maintenance Supervisor: Approval to extend the Memorandum of Agreement (MOA #AG2N0000208) for the expense of funding a motor grader operator position: Mr. Secody requested that the current MOA for one equipment operator in the Chilchinbito area be extended. Mr. Deal stated that the current agreement was entered into in August, 2002 and we are supplementing funding to support BIA and their maintenance of the dirt roads on the Navajo Reservation. Mr. Deal noted that he had received a letter from the local director in support of this supplemental funding because Congress has not been funding them at the level they once were. **Mr. Deal made a motion** to approve extending the MOA #AG2N0000208 for an additional twelve months, utilizing Reservation Road funds as presented; motion seconded by Mr. Thompson; vote unanimously carried. (\$30,000)

VETERANS OF FOREIGN WARS/WHITE MOUNTAIN AREA POST #9907: Jack Latham: Resolution Proclaiming April 6 - 12, 2003 at White Mountain Area Post 9907 Veteran's of Foreign War Week: Mr. Latham requested the proclamation on behalf of the VFW. **Mr. Brownlow made a motion** to approve **Resolution #12-03**, proclaiming April 6 - 12, 2003 Veterans of Foreign War Week; motion seconded by Mr. DeSpain; vote unanimously carried.

FREEDOM FOR AMERICA LEAGUE: Lewis Tenney: 1) Update on intervention in the Environmental Lawsuit against the US Forest Service filed by the Forest Conservation Council: Mr. Tenney noted there are people here today from all across the White Mountains. They are concerned about safety issues, including falling trees as well as another devastating fire. Extreme environmental groups have worked hard to shut down any resource management on public lands. There is now a major problem in the forest with overstocking and the extreme preservationists want that passed on to the taxpayer rather than some type of industry which will use the resource. Mr. Tenney said that for 38 years, the Paper Mill used 330,000 cords of wood per year (total 12,540,000 cords). The average cost per cord was \$37. The impact on Northeastern Arizona was \$457,980,000. (Almost ½ billion dollars) The treatment cannot be passed on to the taxpayer, and the forest will continue to get worse and worse. Mr. Tenney said that NAU did a study to determine the cost for the Rodeo-Chediski fire. The costs of the fire are so extensive that we could have treated every acre of the fire to pre-settlement conditions for what we will pay for the fire. This study does not take into account the bark beetle problem. Because in the past, the fight has been between organizations such as the Southwest Center for Biological Diversity, Sierra Club and Forest Guardians, and the Federal Government, the average citizen hasn't realized what has been going on. These groups have destroyed the traditional economy of Navajo County, and they should be made accountable. Mr. Tenney asked that Navajo County do the following: 1) Intervene in the Forest Conservation Council lawsuit; 2) Support the effort to bring a major company to use the small diameter wood, and to work with the Federal Government to assure that a

long term supply is provided for the company; 3) Support the Healthy Forest Initiative and the Forest Stewardship Contract. Sylvia Allen advised the Board that there will be a rally at the State Capital on March 24th and she invited all to attend. Mr. Shumway provided a summary of the what has occurred so far. Mr. Bowers advised the group that as of today, we have prepared the necessary paperwork to ask the Federal District Court to allow us to intervene in the lawsuit. We will be sending that paperwork today by FedEx. Mr. Bowers noted that in addition to Navajo County, those entities joining us as intervenors are Apache County, the City of Winslow and the Show Low Fire District. Counsel has been retained out of Oregon, and they are assisting us in filing the paperwork. Mr. Tenney said he sees hope in this because we don't see hope anywhere else. These organizations want to delay any resource production until it is too late to do anything with it. Ms. Allen asked if the Freedom for America League can help in the lawsuit, and can public donations be used. Mr. Bowers said it is possible, but he will need to talk with the attorneys in Oregon first. Mr. Tenney thanked Representative Rick Renzi for his support of us. Jimmy Jayne, on behalf of Representative Renzi, expressed support of what we are trying to do.

Mr. Thompson noted that the fire created a lot of issues, especially those with direct impact. Our strength is in all of us working together. Mr. Deal asked whether a resolution of support from the White Mountain Apache Tribe would help, even though it doesn't directly affect them. Mr. Tenney said this is a wonderful suggestion and asked for Mr. Deal's help in this endeavor.

When asked about the oversight, Mr. Tenney advised that the Federal Government has announced that the Nature Conservancy would be appointed as stewardship oversight. He added that this is like appointing the fox to guard the henhouse. Mr. Tenney said that the idea of filing a lawsuit against these organizations has not been dismissed, but it is a matter of money. It would take a donation of at least \$50,000 to get started. Mr. Deal asked that Mr. Shumway, Mr. Brownlow, Mr. Bowers and Mr. Koury prepare a resolution for the next meeting, asking that the appointing agency of the Federal Government reconsider the appointment of the Nature Conservancy as the stewardship oversight. **No action taken at this time.**

2) Forest resource economy proposal - Louisiana Pacific: Mr. Brownlow noted that Louisiana Pacific has presented a proposal to bring an OSB plant into the area to utilize the resources. They would need a long term contract to make this proposition feasible. He said he and Mr. Shumway have Special Project funds which can be used to assist White Mountain Regional Development to bring industry to the area. **Mr. Brownlow made a motion** to approve funding assistance in the amount of \$5000 from District IV and District V Special Project Funds (½ from each district) to go to White Mountain Regional Development to help bring the project to the area; motion seconded by Mr. Shumway; vote unanimously carried.

ADMINISTRATION: Eddie Koury, County Manager: Budget Discussions for FY 2003/2004: Mr. Koury began by presenting a draft letter to the departments regarding the FY 2003/2004 budget requests and schedule of budget hearings. He noted that there is no wiggle room, no contingency, no reserve. He said we have no choice but to cut the General Fund, and unfortunately that will likely mean a cut in positions. He added that the non-General Fund departments will need to use the same zero increase budget philosophy that was used last year. When asked, Mr. Koury explained that the miscellaneous fund is used for medical insurance premiums, telephone bill, liability insurance, dues to organizations, etc.

Sheriff Gary Butler said his department turned back \$117,000 they did not spend this last year, but the jail was \$505,000 over budget. He said that the overage is all medical expenses, and it is mandated. He added that he could cut personnel to meet that overage, but it will still go over budget. Judge Dale Nielson said he recognizes the problems, but he can't cut much more and still function as mandated. We cannot sacrifice

justice in the county. He said that cutting the Legal and Public Defenders' offices will only result in more costs for outside defense attorneys. Judge Gloria Kindig asked why there is a zero increase for non-General Fund departments. She asked why excess monies in a grant, for instance, couldn't be transferred to something else. Mr. Koury replied that if grant money is brought in, it will be added to the budget and the department can spend it. Bill Cox noted that the Public Works department is not general funded, but is funded through HURF. He said he is losing employees to other employers in the area, and he needs to maintain his staff. He can't find enough qualified employees, and he does not feel that "everyone should feel the pain". Sheriff Butler asked whether positions will have to "go away" forever. He said he knows the departments will have to take cuts, which in turn will cut services to the public. Perhaps the positions can be frozen, with the opportunity to "unfreeze" them when the budget situation is better. Judge Kindig said she would like to see elected officials salaries exempted from the total budget for each department, since these salaries cannot be cut. Frank Turley advised that exempting the elected officials salaries will not help, because the percentage will only go up. Juanita Mann suggested that the employees not receive an increase to meet the retirement fund contribution increase. This may not mean a lot of savings, but maybe some jobs could be saved. Discussion continued.

Many suggestions from the department heads and elected officials were presented, including ways to cut spending. It was suggested that travel and use of county vehicles be reviewed. Small things such as keeping the temperature constant in the buildings, reducing the number of copies being made and increasing of fees where we can are all ideas of ways to save money. Although none of the items themselves would save much, when put all together it could mean substantial savings. It was also suggested that the language in paragraph 3 of the draft letter be clarified to show it refers only to Public Works, Library District and Health District.

Mr. DeSpain said there are so many unknown factors at this time. The State could hit us with more, and 15% reduction may not be enough. Mr. Koury added that we may not even know what the State will do with the '04 budget until May. Mr. Thompson asked that the departments give some recommendations as to how to solve the problems. **Mr. DeSpain made a motion** to request a 15% reduction from each General Fund budget, and to clarify the language in paragraph 3 of the draft letter as presented; motion seconded by Mr. Deal; vote unanimously carried.

PAYROLL ACTIONS: Gilbert Gonzales, Human Resource Director, presented a list of payroll actions. Mr. DeSpain asked why item #3 was being done now, with the budget crisis and the possibility of layoffs. He noted that he has no problem with any of the parties involved, only the timing. He noted that a director was hired some time ago with the indication that an assistant director would be hired for a while. Now we have hired an assistant director. Mr. DeSpain said it was his understanding that this individual was still on probation from his initial hire in the department, and now will be promoted to assistant director and will begin a new 6 month probationary term. If there is a RIF in July, this individual would be the first one to go. Mr. Gonzales clarified that this individual *could* be the first to go. He added that he cannot speak to specifics since it will be the department head who would determine the layoffs if it comes to that. Mr. DeSpain said he believes the position should not have been filled until after the budget was completed. Mr. Gonzales said the department had a vacancy, and the director wanted to fill that vacancy. Mr. Koury noted that a hiring freeze has not been implemented, and the vacancy was filled. **Mr. Thompson made a motion** to approve the payroll actions as submitted; motion seconded by Mr. Shumway; Mr. Thompson, Mr. Shumway, Mr. Deal and Mr. Brownlow voted aye; Mr. DeSpain voted no, noting that it is not a reflection on the personnel, only the action at this time; motion carried.

BOARD BUSINESS: Mr. DeSpain suggested that the March 24th meeting be canceled to allow the Board members to attend the rally at the Capital if they so desire. Board consensus was to wait until next week to make a decision.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, March 17, 2003, upon a **motion made by Mr. Thompson**; motion seconded by Mr. DeSpain; vote unanimously carried. The meeting adjourned at 3:40 p.m.

APPROVED:

Pete Shumway, Chairman

DATE: _____

ATTEST:

Judy Jones, Clerk of the Board