

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

NOVEMBER 3, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:00 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; Jimmy Jayne, County Manager; and Judy Jones, Clerk of the Board.

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

CALL TO THE PUBLIC: No one wished to speak.

CONSENT AGENDA: Mr. DeSpain made a motion to authorize the Chairman to sign the items in the Consent Folder; motion seconded by Mr. Brownlow; vote unanimously carried. The following items were included in the Consent Agenda: 1) Voucher List for Payment; 2) Board Minutes: October 20 and 28, 2003; 3) ~~Superior Court: Approval to move Secretary III from Juvenile Court Budget to County Adult Court Budget effective November 16, 2003 (no additional cost) (pulled);~~ 4) ~~Assessor: Letter Governor regarding the Property Management System; (pulled);~~ 5) Assessment and Tax Roll Corrections; 6) University of Arizona College of Agriculture & Life Sciences, Cooperative Extension: Appropriation of County Funds for Fiscal Year 2003-2004; 7) Letter to Governor re: Private Prison.

SUPERIOR COURT: Dale P. Nielson, Presiding Judge and Marla Myers, Court Administrator: 1) Review of case filings in the Superior Court: Judge Nielson stated that he wanted to make the Board aware that there were some serious concerns regarding criminal filings in Navajo County and the costs associated with those cases. Currently there are 280 more felony cases that have been filed this year than the same time last year. The following information was presented: Cases Filed: October 03 (1001 cases) October 02 (737); Court Case Load: January 03 (669) September 03 (928). These cases have to take precedent over all other case (Civil and Domestic) except Juvenile. This is why the courts are behind in settling cases. With only three judges they can't keep up with all of the cases in a timely manner. These numbers have a great impact on the entire judicial branch. The Clerk of the Courts Office is greatly affected by this increase and are understaffed. Public Defender's office (seven attorneys) opened 1232 cases from January to September of this fiscal year; closed 1117 cases and currently have 334 open cases. Legal Defender's office (three attorneys) opened 528, closed 310 and currently have 191 open cases for the same time period. By statute, defense attorneys are supposed to hold their caseload at 250 cases per year and they are well over that number. Public Defender, Emery LaBarge added that she is declaring a moratorium on taking cases from the Winslow and Holbrook Justice Courts due to the overload. Judge Nielson added that he currently assigns conflict cases to outside attorneys. The cost for outside counsel is almost three times the cost for public defender defense. Judge Nielson discussed some of the possibilities to help with the caseloads and stated that major cost concerns were with indigent defense. Mr. Shumway stated that in light of the Legislature's 04/05 budget the problems will become even more serious. Mr. DeSpain asked how successful fee collections were. Ms. Myers stated she would get that information to the Board. Mr. Deal expressed his concerns with the increase in crime and the lack of assistance there is available to help those in trouble and our youth. Mr. Shumway added that the increase in population would be a factor in the increases the courts are seeing. Judge Nielson assures the Board he would continue to work on solutions and to work within the budget but would keep them apprised of his concerns. 2) Approval to expend funds from Fund 8036 for installation of security camera system for the Judicial wing: Ms. Myers asked for approval to expend funds from Fund

8036 for installation of security camera system (12 cameras) for the Judicial wing. Further, approve 50% prepayment of \$4829.79 as indicated in the quote dated 4/23/2003, and final payment of \$4829.79 upon completion of the job. The court sought and received three bids with the lowest bid at \$8,862.00 plus tax.

Mr. Thompson asked if this could possibly be funded out of Homeland Security grant funds. The Board suggested that Ms. Myers check into this possible alternative funding source and have the item placed back on the agenda at a later date.

WHITE CONE CHAPTER & VETERANS ORGANIZATION: Donna Boyd, Chapter Member: Funding assistance from District II Special Project Funds to assist with costs associated with the White Cone Veteran's Day Ceremony on November 11: Ms. Boyd and Mr. Attakai addressed the Board and thanked them for their contributions in the past and expressed their need for funding for this event and other projects that come up during the year with the Veterans' organizations. Mr. Thompson stated that the Indian Wells and White Cone Veterans' organizations work closely together and will share in the contribution. Mr. Thompson made a motion to approve \$400 from District II Special Project Funds to assist with costs associated with the White Cone Veteran's Day Ceremony; motion seconded by Mr. Shumway; vote unanimously carried.

CENTRAL PURCHASING: Frank Nagle, Purchasing Director: Approval pursuant ARS § 11-251 (9) to hold County Auction at the South County Road Yard on Saturday, November 15, 2003 to sell at Public Auction or donate to non-profit organizations surplus county equipment: Mr. Nagle request the Board approve an Auction of county property at the South County Road Yard on Saturday, November 15, 2003 to sell or donate to non-profit organizations, surplus county equipment. Mr. DeSpain made a motion to Approval pursuant ARS §11-251 (9) to hold County Auction at the South County Road Yard on Saturday, November 15, 2003 to sell at Public Auction or donate to non-profit organizations surplus county equipment; motion seconded by Mr. Brownlow; vote unanimously carried.

COUNTY ATTORNEY: Lance Payette, Chief Deputy County Attorney: Approval to hire temporary Legal Secretary II during current employees' 12 week FMLA leave: Mr. Payette explained that an experienced felony secretary resigned effective November 14th and as they are attempting to fill this position there is another experienced felony secretary taking a medical disability retirement and will be taking FMLA leave for twelve weeks. The office needs a temporary employee to fill in until a permanent secretary can be hired. Ideally, the temporary employee will be the individual we intend to hire permanently at the end of the 12 weeks. Mr. DeSpain made a motion to approve temporary Legal Secretary II for 12 weeks; motion seconded by Mr. Brownlow; vote unanimously carried.

SPECIAL DISTRICTS: Bob Howell, Accountant: Resolution fixing amount and approving the bond, fixing time and place of hearing on the Question of annexing additional real property adjacent to the Porter Mountain Domestic Water Improvement District (Hearing December 1, 2003 @ 10:00am): Mr. Howell explained that seven parcels would be affected and that a public notice would be given as well as a notice mailed to each property owner. Mr. Brownlow made a motion to approve Resolution #73-03 fixing amount and approving the bond, fixing time and place of hearing for December 1, 2003 @ 10:00 a.m. on annexing additional real property adjacent to the Porter Mountain Domestic Water Improvement District; motion seconded by Mr. DeSpain; vote unanimously carried.

PUBLIC WORKS: Bill Cox, Director: 1) Presentation to county, city and town officials re: the Website

and GIS/ Mapping Server: Jeff Cook, GIS Manager made a presentation to the Board and the city and town officials regarding the GIS Mapping Server, graphical displays, related data, and information for all parcels within the corporate limits of Winslow, Holbrook, Snowflake, Taylor, Show Low, and Pinetop/Lakeside. He explained that the outlines of each parcel will be shown on a seamless graphical display with data and information unique to the parcel linked thereto and the towns and cities can input any additional information pertaining to their community. This display and related data and information will be available on a website accessible in map form by Municipal employees and the public. Parcel displays will be updated by the County on the basis of splits, merges or other changes processed through the offices of the County Recorder and Assessor. Each parcel will be located according to its proper spatial coordinates to the best of the County's ability and will be linked to the Assessor's information (owner, street address, valuation, etc.) and such additional data and information as the Municipality chooses to provide (such as zoning, roads, and water and sewer lines). Parcel data and information will be updated on the basis of new data and information provided from time to time by the Municipality. The County will also provide to Municipal employees up to two hours of instruction and training per month concerning the use of the "ArcIMS" software on which the GIS/IMS is based. The first payment of \$7,000 shall be due upon notice from the County that services are available. Subsequent payments of \$7,000 shall be due each July 1st thereafter so long as this Agreement remains in effect. Mr. Cox explained that he was very excited about the possibilities of this new program in assisting with floodplain and other information that take a lot of staff time to research. Mayor Boles thanked Public Works for making this system available to the City of Winslow and other municipalities in the county. Fern Larson, Holbrook City Manager also thanked the County on behalf of her Council for making the IGA available. Mr. Cox stated that all municipalities within the county have agreed to the IGA and will be sending the originals into the County. Questions regarding the format and accessibility were presented. Mr. Cox said as information became available they would continue to improve the format. 2) (IGA) with Winslow, Holbrook, Snowflake, Taylor, Show Low and Pinetop/Lakeside for GIS Internet Mapping Services: The Board agreed that this was a good service to the citizens of the county and is pleased to have the IGA's coming in from each of the municipalities. 3) Proposal for Partnership with Trees for the Rim, Arizona Department of Environmental Quality, State Land Department & Natural Resource Conservation Service: The effects of the Rodeo-Chediski Fire are continuing to impact the county with flooding problems. The Trees for the Rim Committee is suggesting two pilot projects be completed in the Dreamy Draw & Hog Wash Drainage Areas to address drainage and forest restoration from the beginning of the watershed and entire drainage area. Work will be done on Forest Service land and private land, trees will need to be cut, chipped and drainage addressed and then replanted. The Trees for the Rim Program has an ADEQ grant for \$60,000 to assist and additional funds are expected for sponsors. There will be a direct benefit to the road system as the areas that are proposed to be addressed have caused a lot of problems since the fire. The county has spent more than \$100,000 in different locations due to flooding problems. Program criterion was discussed; property owners sign an agreement assuming all risk associated with operating chippers and the county will furnish at least one chipper for use in removing chippings on the two projects; the county will supply inmate labor with supervision and a small tree cutting crew; all labor that is used from the HURF will be reimbursed; the left over material could be donated; and the county will maintain and repair the chippers. Total estimated cost is \$30,000 and this amount will be reimbursed to the county. Everyone agreed to move forward with this partnership. 4) Assistance from District V Special Road Funds to purchase replacement fencing for the Pinetop Road Yard: Fencing at the Pinetop Road Yard is old and is ready to fall down in some areas and still used for material storage and staging area for projects. The sheriff's office uses it to store confiscated and other types of

equipment. Security is still needed. It is suggested that the fence be replaced with a screened chain link. This project was not included in the budget and Supervisor Brownlow has agreed to fund this replacement from his special road projects budget (estimated cost \$7,500.) Mr. Brownlow made a motion to approve \$7500 from District V Special Project Road Funds; motion seconded by Mr. DeSpain; vote unanimously carried.

LIBRARY DISTRICT: Geneva Durkee, County Librarian: Approve and accept four federal LSTA grants awarded to Navajo County Library District from the Arizona State Library, Archives and Public Records: Mr. Shumway made a motion to enter into a Board of Directors Session; motion seconded by Mr. DeSpain; vote unanimously carried. Adult Literacy Enhancement in Navajo County (\$45,750). Arizona Department of Education's figures show that in Navajo County, 6,018 adults cannot communicate effectively in the English languages. In Navajo County, 24,743 out-of-school adults do not have a high school diploma or GED; Library & Small Business Cooperation to Promote Business Development & Tourism on the Hopi Reservation (\$16,490). Working in conjunction with several entities of the Hopi Tribe, Navajo County Library District and the Hopi Public Library will undertake this project to establish the Hopi library as the focal point locally for small business research and development. The grant will fund two additional workstations for the library to support the increased need for online access to business information. A major portion of this grant will also purchase a core collection of small business materials to be housed in the library; Online Book Clubs & Newsletters Compliments of Your Public Library (\$4,800). This grant will make available books online. People can sign up for any or all of the eleven book clubs, which brings them a daily E-Mail of the beginning chapters of popular books ostensibly from their local library; Promoting Public Online Access in the White Mountain Apache Libraries (\$18,243). This grant will enable the three libraries to remain full-fledged participants in county wide library services and technology with the other nine libraries in the county. This will empower members of the White Mountain Apache Tribe to take advantage of the rich online resources available at the library to enhance their life skills. There will be funds to purchase nine new computers - five for Whiteriver, and two each for McNary and Cibecue - and funds to hire the trainer to hold the workshops. All of the grant funds have to be spent by August 1, 2004. Mr. Despain made a motion to approve the four federal LSTA grants from the Arizona State Library, Archives and Public Records; motion seconded by Mr. Thompson; vote unanimously carried. Mr. DeSpain made a motion to return to regular session; motion seconded by Mr. Shumway; vote unanimously carried.

PUBLIC HEALTH SERVICES DISTRICT: Dr. Stanley Warner, Director: Board of Directors Session: 1) Update on collection of Environmental Fees: Mr. Thompson made a motion to enter into a Board of Directors Session; motion seconded by Mr. Shumway; vote unanimously carried. Status of Establishments and Permits: Annual Permit Cost : Tax Exempt (\$6,385) Paid (\$31,345) Not Paid (\$5,775) Closed (\$15,630) Total \$59,135; Fee Charged: Tax Exempt (\$134) Paid (\$21,304) Not Paid (\$4,379) Closed (\$12,223) Total \$38,040; Late Fee: Paid (\$775) Total \$775; Number of Establishments: Tax Exempt (76) Paid (419) Not Paid (79) Closed (286) Total 860. Dr. Warner noted that establishments that had not paid would be contacted one last time to collect the fees and if they did not pay, the inspector would begin the process to close the establishment until the fees were paid. Mr. DeSpain asked if this could wait until the newspaper had given notice of this process. Dr. Warner agreed they could wait a week or so to begin. 2) FY 03/04 Direct Grant for public health nurse and/or sanitarian for local health work: Mr. Thompson made a motion to approve FY 03/04 Direct Grant for public health nurse and/or sanitarian for local health work (\$35,407.69); motion seconded by Mr. DeSpain; vote unanimously carried.

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

BOARD OF SUPERVISORS: Resolution expressing concern and support for those affected by the devastating wildfires that have struck the California counties of Los Angeles, San Bernardino, San Diego and Ventura: The resolution reflected the latest numbers with six fires that had burned out of control and left 20 people dead, consumed 690,967 acres and destroyed 3,346 homes. An original resolution will be sent, with a cover letter, to each of the California counties. Mr. Shumway made a motion to Resolution # 74-03 expressing concern and support for those affected by the devastating wildfires that have struck the California counties of Los Angeles, San Bernardino, San Diego and Ventura; motion seconded by Mr. DeSpain; vote unanimously carried.

BOARD/ADMINISTRATION: Jimmy Jayne, County Manager: Monthly Financial Report (Joan Mickle, Interim Director): The county is 34% into the year and total general fund balance is at 26.09% which is a positive number. Cash balance for General Fund is \$2,165,865.49; Unreserved Fund Balance \$2,160,940.90; Total Revenue to date \$6,285,656.06; Total Expense to date (\$6,280,731.47) and Net Cash/Fund Balance \$2,165,865.49. Discussion was held regarding a few of the departments that were above the 34%. 2) Approval to extend Accounts Payable temporary position until November 30, 2003: Mr. Deal made a motion to approve extending the Accounts Payable temporary position as requested; motion seconded by Mr. DeSpain; vote unanimously carried. 3) Review and discussion of Navajo County's position on 2003 CSA Legislative Priorities: The Board agreed to place this item back on the November 17 Agenda for final review and comment. 4) County Manager Report - Current Events: 1) Flu Shots will be held today at the South County Complex and the South County Road Yard; tomorrow at the Holbrook Road Yard and the Holbrook Complex; the Health Forest legislation passed; the State fiscal for 05 already has a shortfall of \$960M according to the JLPC; received 18 applications for Finance Director, Human Resource Director is going through the applications and will rank them for review, looking for a mid-November date to interview. The board will be contacted for a full update on date and times of interview; the newsletter "The Communicator" was published and will continue to be an insert with the last of the month paychecks.

PAYROLL ACTIONS: Gail Sandoval, Human Resource Director, presented a list of payroll actions. Some discussion was held regarding payroll changes and wording that needed to be changed. Ms. Sandoval assured the Board the changes would be made. Mr. Thompson made a motion to approve the payroll actions as submitted; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

BOARD BUSINESS: Mr. Brownlow inquired about the Transportation Bill. Mr. Jayne stated there was really no specifics to date, but he would be bringing that to the Board when he received information. Mr. Thompson asked about the school bus routes equal funding issue. Mr. Jayne stated it would remain the same until another proposal came out of the House. Mr. DeSpain reported that he had been nominated for AACo 3rd Vice President and would appreciate the Board's support at the AACo meeting in November and that you have to be present to vote. Additionally reminded the Board of the Inter-faith Thanksgiving Prayer Breakfast in Snowflake at 7:00 am on November 11. Mr. Shumway stated that he thought it would be a good idea if he and Mr. DeSpain both attended the November 10, Governor's Drought Task Force meeting to get acquainted.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, November 17, 2003, upon a motion made by Mr. Shumway; motion seconded by Mr. DeSpain; vote unanimously carried. The meeting adjourned at 12:20 p.m.

APPROVED:

Pete Shumway, Chairman

DATE:**ATTEST:**

Judy Jones, Clerk of the Board

The following Navajo County demands were audited, approved and ordered paid by the Board:USPS \$12000;AT&T\$39793.56;ahardy\$3500;AZDptPubSfty\$1135.21;APS3257.07;AZSTTTreas\$25898;bar&bar\$1885;bcarlock\$1071.20;brnhll\$5604.71;cholliday\$2840.50;cell1\$2368.44;cleach\$1328.66;showlow\$1831.94;CCSO\$16768.63;comm1bnk\$10000;compbcm\$1471.89;ctchcon\$16774.35;djones\$4166.66;dmartin\$2916.67;dmccoy\$5692.97;drmcomm\$11372.82;e&esvc\$1397.53;ESR\$7200;gfabok\$3168.10;KSBM\$1623.03;gforsyth\$3576.67;mratner\$1015;m&glcks\$1262.68;NCRF\$2868.75;NCSO\$6000;NRM C\$2724.43;ptco4995.22;PLPD3151.64;sallen\$2133.52;spcldr\$3578.43;BNAP\$32000;pplc\$2229.11;tram\$1573.27;trncmp\$12170.79;vw\$1141.36;vsnsprd\$1648.08;wtzt&a\$6019.35;wHopkins\$4614.40;rWood\$2916.67;Xerox\$2573.26;Kachina\$1785.47;ACIP\$102,809.13;StateComp\$1475.88;Com1stBk\$3045.28;DOR\$2402.10;Avaya\$1452.27;DOC\$1500;APS\$6747.57;BBarker\$1013.80;Bradco\$5899.19;Carquest\$2787.8;CellOne\$1195.81;ChollaRdyMx\$10,188.48;ClrkCrt\$5436.03;CombsCnst\$102,328.14;CCC\$1738.80;Cybertrail\$1871.52;DFarrBldrs\$4500;DiamondPhmcy\$5771.65;E&EServ\$1540.52;Frontier\$2431.28;FrontierCom\$\$6761.88;GRosenfeld\$10,327.93;IronAgCorp\$7877.10;JantPharm\$3850;KayentaUSD\$45,574.99;LbrtyFnc\$3075;LPearceCnst\$10,868.78;MMProf\$4390.37;MasterBldg\$2187.60;NCRF\$5,195.15;SrfNCRF\$1002.48;NavapacheMed\$1468.82;PvmntMrkngs\$14,749.35;PetrlmTrdrs\$5805.42;PinonUSD\$9903.47;PraxirDst\$1098.66;RSCRntl\$8220.83;SWTrans\$1898.08;StirlngFnc\$29,922;Transrce\$6187.64;UntdMtro\$1236.07;Viking\$1542.27;WhtMtnCnsl\$1407;WnslwHmneSoc\$2485;SentryFire\$1404