

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

NOVEMBER 17, 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; Mel Bowers, Jr., County Attorney; Jimmy Jayne, County Manager; and Kathy Hieb, Deputy Clerk of the Board. (Supervisor Brownlow was not present due to an out-of-town appointment.)

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

CALL TO THE PUBLIC: Mr. Jerrold Hatch protested the County going out to bid on a screening plant. He said he believes it is not in the best interest of the County to purchase this piece of equipment as it will interfere with free enterprise.

CONSENT AGENDA: **Mr. Thompson made a motion** to authorize the Chairman to sign the items in the Consent Folder; motion seconded by Mr. DeSpain; vote unanimously carried. The following items were included in the Consent Agenda: Voucher List for Payment; Board Minutes: November 3, 2003; Assessment/Tax Roll Corrections; Letter of rejection for deeded land to Navajo County; Justice Court Reports: (September) Pinetop; Candy; Winslow; Snowflake; Show Low; Holbrook; (August) Snowflake; (October) Show Low; Snowflake; Constable Reports: (September) Winslow; Snowflake; Show Low; Pinetop; Holbrook; Appointment of Democratic Precinct Committee Persons for Pinetop #2 Precinct; Clerk of the Court Report (September); Juvenile Justice Report (September); Authorize Clerk to apply to ADOT Special Investigations for undercover plate for Sheriff.

BOARD OF SUPERVISORS: J.R. DeSpain, Vice Chairman: **Resolution #69-03** in Memoriam of Army Specialist Spencer Timothy Karol, who Lost his Life while Supporting Operation Iraqi Freedom: **Mr. DeSpain made a motion** to approve **Resolution #69-03** in memory of Army Specialist Spencer Timothy Karol, as presented; motion seconded by Mr. Shumway; vote unanimously carried. (Mr. Deal absent for the vote)

November Monthly Anniversary Employee Appreciation: Paul Jaster (24) Clyde Holyoak (23) Jack Brooks (23) Evelyn Marez (22); Lea Egnor (18) Lon Willis (15); Frank Nagle (14) Beverly Wilson (14) Shonna Bennett (13) Kathleen Hieb (13); Dave Ashton (13) Teresa Bakurza (12) Diana Gates (11) Pamela Searls (10) Marjorie Brakefield (10) Vernon Lewis (10) Dusty Parsons (10); Edward Gomez (9) Belinda Ahasteen (8) Heidi Person (7) Ben Arney (6) Emery LaBarge (6): **Certificates were presented.**

RECORDER/ELECTIONS: Mary Kelley, Elections Coordinator: 1) Present polling places for the Presidential Preference election to be held on February 3, 2004: Ms. Kelley presented the polling places. Mr. DeSpain noted that Sun Valley residents will be required to come into Holbrook to vote in this election and that could be a problem for some of them. He requested that Sun Valley have its own polling place. Ms. Kelley said that will not be a problem. It was also noted that the polling place in Cedar Hills is the Volunteer Fire Department. **Mr. DeSpain made a motion** to approve the polling places for the Presidential Preference Election as presented, with the corrections as noted ; motion seconded by Mr. Thompson; vote unanimous approving the motion.

2) Present polling places for the Primary and General Elections: Ms. Kelley presented the polling places for the primary and general elections, with the change regarding Taylor #2 as presented and approved in item #5 below. **Mr. DeSpain made a motion** to ; motion seconded by Mr. Shumway; vote unanimous approving the motion.

3) Inform Board of status of new voting equipment including delivery date and cost: Ms. Kelley advised that we will be receiving 80 new voting machines, which should be delivered December 1, 2003. Total cost is \$557,268.43, which will be covered by federal funding. Ms. Kelley demonstrated one of the machines for the Board. (No action taken; informational only)

4) Warehouse space to accommodate new equipment: Mr. Jayne explained that the current storage space in elections is inadequate to store the 80 machines. The only space that can accommodate all of the equipment is the purchasing warehouse. Therefore, to better meet the needs of the county, the Elections Department will be moved to the purchasing warehouse, and purchasing will be moved to the old Contel Building in Holbrook. Mr. Nagle's office will be relocated to the Administration area and Ms. Begay's office will move to the Contel Building. (No action taken; informational only)

5) Approval to move Taylor #2 from the elementary school to the old LDS church on Center Street: Ms. Kelly explained that utilizing the Taylor Elementary School for elections has proved to be a difficult task. She has determined that the old LDS church building on Center Street, which is now an office building, would be more than adequate for the task. Although she has not personally spoken to the owner, she believes there will not be a problem in obtaining permission to use space in the building. **Mr. DeSpain made a motion** to approve moving Taylor #2 from the elementary school to the old LDS Church on Center Street, *contingent upon permission being granted by the owner*; motion seconded by Mr. Shumway; vote unanimous approving the motion.

6) Approve Health & Human Services Grant funds for new signage that will bear universal handicapped symbols for the election polling sites: Ms. Kelley advised that this grant will provide \$7000 to allow for new signs bearing the universal handicap symbol, and to replace old "Vote Here" signs if necessary. **Mr. Thompson made a motion** to approve the application for a Health & Human Services Grant for new signage that will bear universal handicapped symbol; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

BOARD OF SUPERVISORS/PINETOP JUSTICE COURT #6: Judge David Widmaier: Appointment of Ryan Reinhold to fill the vacancy of the Constable position in Pinetop Justice Court Precinct #6: Judge Widmaier explained that three applications were received for the constable position. Of those, only two were of the Democratic party. Only one of those persons lives in the precinct and that applicant is Ryan Reinhold, the current Show Low Magistrate. Although Supervisor Jerry Brownlow was unable to be present today, he did leave a memo, indicating his full support of the appointment of Judge Reinhold to the vacant constable position. Judge Reinhold was present, and advised that he was the constable at one time, so is aware of the duties and responsibilities of the position. He asked that, if appointed, he be allowed to take office on December 4, 2003 in order to give the City of Show Low ample time to replace him as Magistrate. **Mr. Shumway made a motion** to appoint Ryan Reinhold to the vacant constable position in the Pinetop Justice Court, effective December 4, 2003; motion seconded by Mr. Deal; vote unanimous approving the motion.

BIOTERRORISM DEFENSE MANAGEMENT: Ann Bailey, Interim Director: Approval to establish a Tribal Liaison for the Office of Bio-Defense; liaison will be a tribal member and reside on the reservation, and will act as a spokesperson to represent all tribal emergencies and Bio-Defense concerns: Ms. Bailey explained that this position will be temporary, part-time (30 hours/week), with funding to come from the Bioterrorism Grant. The money is available and has been approved by the State. The Human Resources

Department will be preparing a job description and pay range for the advertisement. The successful applicant must be a tribal member and reside on the reservation, and should be able to assist the Bioterrorism Defense department in the coordination and administration of all health and emergency preparedness issues on Navajo County Tribal Lands. The person will act as a spokesperson to provide awareness, information and training to chapter leaders, community representatives and tribal community members. Mr. Deal and Mr. Thompson expressed their belief that this position be full time rather than part time. Ms. Bailey said that although this was proposed as part time, she has no objection to the position being full time as requested. **Mr. Deal made a motion** to approve establishing a Tribal Liaison for the Office of Bio-Defense as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

SHERIFF: Chief Deputy Greg Eavenson: **Resolution** approving the application to the Arizona State Parks, Law Enforcement and Boating Safety Fund (LEBSF) to fund one deputy for law enforcement and boating safety enforcement: Sheriff Butler advised that this is an annual grant, and the application requires a resolution from the Board. **Mr. DeSpain made a motion** to approve **Resolution #75-03** for application to the Arizona State Parks, Law Enforcement and Boating Safety Fund (LEBSF) to fund one deputy as presented; motion seconded by Mr. Thompson; vote unanimous approving the motion.

COUNTY ATTORNEY: Lance Payette, Chief Deputy: Approval of DUI Abatement Council Grant Request Proposal No. 2003-2004 to assist with the purchase of specific equipment in court presentations in DUI cases: Mr. Payette advised that this is a one-time grant for drug abatement, and there is no match required. **Mr. Thompson made a motion** to approve DUI Abatement Council Grant for FY03-04 in the amount of \$31,170, as presented; motion seconded by Mr. Deal; vote unanimous approving the motion.

PUBLIC HEALTH SERVICES DISTRICT: Mary Tyler, Nutrition Director & Tracy Letcher, Nursing Supervisor: **Board of Directors Session: Mr. Thompson made a motion** to enter into a Board of Directors Session; motion seconded by Mr. Deal; vote unanimous approving the motion. 1) Approval of Contract Amendment for Local Incentive Award 2003-2004, Contract #HI461241 #1 for building space (October 1, 2003 - September 31, 2004): Ms. Tyler advised that this amendment adds \$2340 to the original contract for rental of building space in Snowflake. **Mr. Deal made a motion** to approve Contract Amendment for Local Incentive Award 03-04, Contract #HI461241, Amendment #1; motion seconded by Mr. Shumway; vote unanimous approving the motion.

2) Approval of Contract with Northern Arizona Radiology to provide X-ray services for the Tuberculosis Program (July 1, 2003 through June 30, 2004: Ms. Letcher explained that this contract is for the period

from July 1, 2003 to June 30, 2008. **Mr. DeSpain made a motion** to approve Contract with Northern Arizona Radiology to provide X-ray services for the Tuberculosis: Program; motion seconded by Mr. Thompson; vote unanimous approving the motion. **Mr. DeSpain made a motion** to return to regular session; motion seconded by Mr. Deal; vote unanimous approving the motion.

PUBLIC DEFENDER: Emery La Barge, Public Defender: Approval to extend leave of absence for employee and temporary receptionist until December 10, 2003: Ms. LaBarge explained that the employee on leave of absence has been with the county for 14 years, and due to her medical condition at this time, she may not be able to return to work until February. **Mr. Thompson made a motion** to approve the extension of leave of absence for employee and temporary receptionist until December 10, 2003 as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

2)Request funds from "Fill the Gap" grant be used to purchase a color printer/document scanner, video phone and copy machine and fax for the jail: Ms. LaBarge advised that the "Fill the Gap" funds may not be available next year, and she would like to purchase this equipment while the funding is still in place. Mr. Jayne said he fully supports this request, but would like the MIS Department to review the equipment list to ensure it is compatible with current systems. **Mr. Deal made a motion** to approve purchase a color printer/document scanner, video phone and copy machine and fax for the jail with Fill the Gap Funds; motion seconded by Mr. Thompson; vote unanimous approving the motion.

CANDY TOWNSHIP: Anthony Peterman, Project Consultant: Funding assistance from District I Reservation Road Funds to construct an airport access road: Mr. Peterman explained that the Township is working on a Master Plan to develop the local airport in order to attract more tourism to the area. Plans include developing a public access road to accommodate the need for airport hangars. This would allow Eagle Air Med to set up a permanent hangar to provide security for its aircraft. Eagle Air Med, which provides air support for critically injured patients throughout Navajo County, will build the hangar and parking areas. Candy Township will provide matching funds for the airport taxiway, and other grant funds will be available through the FAA. Mr. Peterman advised that they are requesting \$30,000 from Navajo County to complete the necessary access road. He also advised that the road right-of-way has been dedicated to the public. County Attorney Mel Bowers advised that we must have a copy of that right-of-way for our records. **Mr. Deal made a motion** to approve funding assistance in the amount of \$30,000 from District I Special Project Road Funds for construction of an airport access road; motion seconded by Mr. Shumway; vote unanimous approving the motion.

BUREAU OF INDIAN AFFAIRS: Joan Greiser, Engineer and Jeff Senna, Contracting Officer: Approval of the master Memorandum of Agreement to be used as a single master document with the various funding projects attached as exhibits: Mr. Deal advised that Ms. Greiser was unable to be here today. Therefore, he requested this matter be continued to December 1, 2003. **No action taken.**

ADMINISTRATION: Jimmy Jayne, County Manager: Review and discussion of Navajo County's position on 2003 CSA Legislative Priorities: Mr. Jayne advised he had sent the entire packet of proposals from the other counties to the Elected Officials and Department Directors to review and comment on. Only one department (Development Services) responded. Mr. Jayne presented a summary of the various proposals,

which will be reviewed at the CSA meeting this week.

2) Update on Housing Rehab Program in Navajo County: Ms. Mickle presented information regarding the number of applications per district as follows: **District I**-49 applications received; 22 approved; 12 on hold (qualified but ranked too low on the ranking list to receive rehab services); 3 were late; 12 were denied. **District II**-89 applications received; 35 approved; 36 on hold; 2 received late; 16 denied. **District III**-19 applications received; 1 on hold; 1 received late; 4 denied. **District IV**-41 applications received; 20 approved; 10 on hold; 2 received late; 9 denied. **District V**-296 applications received; 41 approved; 140 on hold; 7 received late; 108 denied. **Totals**-494 applications received; 131 approved; 199 on hold; 15 received late; 149 denied. In response to questions from the Board, Ms. Mickle said she will find out whether there is a cap on the funding for each project, and when the next round of applications will open up. She did advise the Board that the applications are being revamped to make them easier to fill out. **No action taken; informational only.**

3) County Manager Report - Current Events: Mr. Jayne reported that there were 19 applications received for the Finance Director position, with 10 of those meeting the necessary criteria. Mr. Jayne said he and Ms. Sandoval will interview these people on November 24, 25 & 26th. The top 3-5 will be scheduled for interview by the Board on December 1st. Hopefully, the new Finance Director can be hired by December 15th. Mr. Jayne thanked the Public Works Department for all the hard work they put into the auction which was held on November 15th. Almost everything was sold for a total of approximately \$31,000. **No action taken; informational only.**

WORKSESSION - DRAFT NAVAJO COUNTY COMPREHENSIVE PLAN: Dave Ashton, Development Services Director - Board of Supervisors: Planner Lissa Davis explained that the Growing Smarter legislation was passed in 1998, and refined in 2000. All counties were requested to prepare and adopt a comprehensive plan for the next 50 years. Public meetings were held to get input from the citizens of the county. The issues were grouped into three areas: 1) growth and livability; 2) code enforcement; and 3) roads. Staff believes that these issues can be addressed by pursuing only those elements required for a county of our size: Land Use and Circulation. Regarding Land Use, the main concern expressed was that property owners would be allowed to do with their land. The Plan will not affect minor land divisions, nor will it limit the uses allowed within the current zoning regulations. The plan is not "hard law", it is simply a guide mainly for zone change requests. Another concern expressed was how the I-40 communities were dealt with. It was noted that this is not a Winslow, Holbrook, Snowflake, Taylor or Show Low Plan; it is a comprehensive, county-wide plan, designed for the unincorporated areas. It was felt that the southern part of the county is mostly built out, with very little land left for future residents. Therefore, the area running roughly north to Snowflake/Taylor, and running east and west from there, will become more desirable. It was felt that most of the commercial and residential development will take place in these areas in the coming years.

Regarding the Circulation aspect, there have been concerns raised regarding projected future roads. Input was received from the major landowners regarding roadways they would like to see pursued across their land in the future. Concerns from existing municipalities were expressed that these roadways would bypass their communities. Another concern was the possibility of future development of a regional/international airport on the flat land somewhere between Holbrook and Snowflake. The cities of Holbrook and Winslow felt their municipal airports could be expanded to better serve local citizens as well as to meet future commercial air service.

Trevor Barger of Swaback, and Scott Higginson of FourSquare Group, addressed the Board. They explained that the expected growth in the county in the next 50 years could be 40,000 to 60,000 people. Where will these people live? The county must be prepared to meet future needs. Public meetings were held regarding this plan, and input was received. This plan as it stands is not etched in stone; it is merely guidance for the county.

This plan is scheduled to go before the Planning & Zoning Commission on November 20th, and to the Board of Supervisors for formal adoption on December 15th. The deadline for adoption is December 31, 2003. Once the plan has been adopted, it must be reviewed every 10 years, although the county is encouraged to review it every 5 years. Mr. Shumway suggested that when our draft is complete, we ask for input from the cities as well as the tribal communities. Ms. Davis advised that the county plan can reference the community plans, but they are separate from our plan. **No action taken at this time.**

BOARD OF SUPERVISORS/BOARD OF EQUALIZATION: Board of Equalization Session: The

Assessor Appraisers and Petitioners were sworn by the Deputy Clerk. (Mr. Deal absent for the hearings)

Hearings on Petition for Review of Notice of Change: Gilbert Bemus-204-58-052F; (petitioner not

present) **Mr. Thompson made a motion** to accept the Assessor's decision to lower the FCV to \$126,552; motion seconded by Mr. DeSpain; vote unanimous approving the motion. William & Wendy Muller - 211-12-114; (petitioners not present) **Mr. Thompson made a motion** to accept the Assessor's decision to lower the FCV to \$108,956; motion seconded by Mr. DeSpain; vote unanimous approving the motion. William & Meriam Hewel - 209-63-013A (petitioners not present); **Mr. Thompson made a motion** to accept the Assessor's decision to lower the FCV to \$67,322; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Richard Coquillard - 206-28-223; (petitioner not present) **Mr. DeSpain made a motion** to accept Assessor's decision to lower FCV to \$64,235; motion seconded by Mr. Thompson; vote unanimous approving the motion. Balbro Inc 209-29-004Q, R & S; (petitioner not present) **Mr. DeSpain made a motion** to accept Assessor's decision to lower FCV on parcel Q to \$37,025; to lower FCV on parcel R to \$44,231; and to lower FCV on parcel S to \$32,304; motion seconded by Mr. Thompson; vote unanimous approving the motion. Steve Hendrix - 203-57-015C; (petitioner not present) **Mr. DeSpain made a motion** to accept Assessor's decision to lower FCV to \$81,864; motion seconded by Mr. Thompson; vote unanimous approving the motion. Silver Creek Farm - 202-13-083; (petitioner not present) **Mr. DeSpain made a motion** to accept Assessor's decision to lower FCV to \$7719; motion seconded by Mr. Thompson; vote unanimous approving the motion. Jack & Lorena Pearce - 209-21-037A; (petitioners not present) **Mr. Thompson made a motion** to accept Assessor's decision to lower FCV to \$99,519; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Penny Leslie -205-31-023B; (petitioner present) **Mr. Thompson made a motion** to uphold Assessor's recommendation of no change; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Richard & Mary Fore- 203-11-006; (petitioners not present) **Mr. DeSpain made a motion** to uphold Assessor's recommendation of no change; motion seconded by Mr. Thompson; vote unanimous approving the motion. Buffalo Thomas (Deloitte & Touche) - 210-19-060; (petitioner not present) **Mr. Thompson made a motion** to accept Assessor's decision to lower FCV to \$3,163,109; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Jerry & Gudrun Carmen Tokoph - 209-62-215; (Mr. Tokoph present) **Mr. DeSpain made a motion** to lower FCV to \$835,000; motion seconded by Mr. Thompson; vote unanimous approving the motion. Quentin Bryson - 209-51-126B; (petitioner present) **Mr. Shumway made a motion** to accept Assessor's decision to lower

FCV to \$570,842; motion seconded by Mr. DeSpain; vote unanimous approving the motion. Bison Communities (Baskin & Assoc.) - 209-51-126B; (petitioner not present) **Mr. DeSpain made a motion** to uphold Assessor's recommendation of no change; motion seconded by Mr. Thompson; vote unanimous approving the motion. The Hopi Tribe (Thayne Lewis) - 111-01-001D & 111-06-003A; (petitioner not present) **Mr. DeSpain made a motion** to accept Assessor's decision to lower FCV on parcel 111-01-001D to \$7805; and to lower FCV on parcel 111-06-003A to \$14,019; motion seconded by Mr. Thompson; vote unanimous approving the motion.

PAYROLL ACTIONS: In Ms. Sandoval's absence, Ms. Karen Bray, Payroll Supervisor, presented a list of payroll actions. **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. Thompson requested an update on HB 2019.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, December 1, 2003, upon a **motion made by Mr. Thompson**; motion seconded by Mr. Shumway; vote unanimously carried. The meeting adjourned at 3:30 p.m.

APPROVED:

DATE: _____

Pete Shumway, Chairman
ATTEST:

Judy Jones, Clerk of the Board

The following Navajo County demands were audited, approved and ordered paid by the Board:
AWHardy\$3500;ADI\$2693.70;AvayaInc\$3181.47;ACIP\$3471.50;AP\$1809.78;AzStTreasurer\$25898;BK
iser\$1055;Bradco\$14527.67;Carquest\$1073.63;Carquest\$2935.33;Carquest\$2259.37;CellOne\$3774.50;Cty
Hlbrk\$3800;ClrkSupCrt\$8571.74;CoCoCntyMedExmnr\$4198.50;CoopExt\$5410;DJones\$4166.66;DMartin
\$3164.17;Davidsons\$3809.02;EmpireMach\$280145.48;FrontierComm\$1401.02;GallsInc\$2193.48;HRishel
MD\$1000;HlbrkExtCare\$4264;HughesLakeside\$1284.90;IronAgeCorp\$1822.51;JCrampton\$1000;KnsStB
nk\$1628.03;KayentaUSD\$18806.25;GForsyth\$2916.67;Legaledge\$11150;LindenPearce\$7155.24;Motorola
\$7436.13;NCRF\$5427.60;NCSD\$2000;NCSU\$6000;Norchem\$1399.84;PntpFireDept\$1000;SelleInsulation
\$5152;SLPblcLib\$2112.25;SpecLdrs\$3388.39;TetraTech\$1513.55;NavNatOfc\$60073.89;Unisource\$2491.
94;Wearguard\$11727.82;WonderlicInc\$1099.10;WoodLawOfc\$2916.67;KachinaOfcBldg\$1785.47