

**NAVAJO COUNTY BOARD OF SUPERVISORS SPECIAL MEETING MINUTES  
THURSDAY, AUGUST 24, 2006**

**10:02a.m. CALL TO ORDER:** Supervisor Brownlow led the Pledge of Allegiance and offered the invocation.

**PRESENT:** Jesse Thompson, Chairman; J.R. DeSpain, Member; David Tenney, Member; Jerry Brownlow, Member; Mel Bowers, County Attorney; James G. Jayne, County Manager, and Darlene Fraley, Clerk of the Board. Percy Deal, Vice-Chairman, was not present.

**CALL TO THE PUBLIC:** There was no response to the Call to the Public.

**NORTHLAND PIONEER COLLEGE:** Consideration and possible approval of a letter of support for Northland Pioneer College program, Education Makes Power: Peggy Belknap, Dean of Workforce Development, reviewed the Northland Pioneer EMPOWER program as a Department of Labor allocation for education purposes. She advised the grant is requesting approximately \$4,000,000 for a mobile skills lab to meet education and training needs of the Power Generation and Supply industry of northeastern Arizona. She discussed the partnerships that collaborated on this grant with submitted letters of support. Supervisor DeSpain expressed appreciation to NPC for their efforts on behalf of the workforce of Navajo County. **Supervisor DeSpain made a motion** to authorize the chairman to sign a letter of support for Northland Pioneer College program, Education Makes Power; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

**ELECTIONS:** (Kelly Dastrup)

- a. Consideration and possible approval of Resolution Number \_\_\_\_\_ - 06 canceling the elections and appointing the persons who filed nominating petitions for Governing Board for Winslow USD #1; Joseph City USD #2; Holbrook USD #3 Ward #1, Ward #2, Ward #4; Snowflake USD #5; Heber/Overgaard USD #6; Cedar USD #25; Kayenta USD #27; Blue Ridge USD #32; Northern Arizona Institute of Technology (NAVIT); and Northeast Arizona Technological Institute of Vocational Education (NATIVE) because the number of candidates who filed were equal to or less than the number of positions open for each school district: Kelly Dastrup reported the presented items qualify for cancelling the election and appointing school district positions accordingly; the challenge period ended last night at 5:00 p.m. and no challenges have come forward. Supervisor Tenney inquired if Superintendent Morrow will appoint for positions where there are not enough candidates and Ms. Dastrup advised that by declaring these positions vacant she will be able to do so. **Supervisor Tenney made a motion** to approve by **Resolution Number 74 - 06** cancellation of the elections and appointing the persons who filed nominating petitions for Governing Board for Winslow USD #1; Joseph City USD #2; Holbrook USD #3 Ward #1, Ward #2, Ward #4; Snowflake USD #5; Heber/Overgaard USD #6; Cedar USD #25; Kayenta USD #27; Blue Ridge USD #32; Northern Arizona Institute of Technology (NAVIT); and Northeast Arizona Technological Institute of Vocational Education (NATIVE) because the number of candidates who filed were equal to or less than the number of positions open for each school district; motion seconded by Supervisor Brownlow; vote unanimous approving the motion to appoint the following:  
**Winslow Unified School District #1,** (4-year term expires 12/31/10) Josephine (Dodie) Montoya and Loren Sadler; **Joseph City Unified School District #2,** (4-year term expires 12/31/10), Ralph Bushman and Hartley Turley; **Holbrook Unified School District #3,** (4-year term expires 12/31/10) Ward #1 Rosie Sekayumtewa, (4-year term expires 12/31/10) Ward #2 Linda Yazzie, (2-year term expires 12/31/08) Ward #4 (*NO CANDIDATE*); **Snowflake Unified School District #5** (4-year term expires 12/31/10), Travis N. Tenney, (2-year term expires 12/31/08) (*NO CANDIDATE*); **Heber/Overgaard Unified School District #6** (4-year term expires 12/31/10)

Lorin D. (Lon) Porter and Paul Reidhead; **Cedar Unified School District #25** (4-year term expires 12/31/10) Maye Bigboy and Danny Sage; **Kayenta Unified School District #27** (4-year term expires 12/31/10) Raymond Laughter, (2-year term expires 12/31/08) (*NO CANDIDATE*); **Blueridge Unified School District #32** (4-year term expires 12/31/10) Margaret Gabe and George Turner; **Northern Arizona Institute Of Technology (NAVIT)** (4-year term expires 12/31/10) Winslow (*NO CANDIDATE*); (4-year term expires 12/31/10) Joseph City (*NO CANDIDATE*), (4-year term expires 12/31/10) Holbrook Roy White, (4-year term expires 12/31/10) Show Low (*NO CANDIDATE*), (2-year term expires 12/31/08) Whiteriver (*NO CANDIDATE*), (4-year term expires 12/31/10) Blue Ridge Trish Pullin; **Northeast Arizona Technological Institute Of Vocational Education (NATIVE)** (4-year term expires 12/31/10) Pinon Mary J. Tom, (4-year term expires 12/31/10) Kayenta(*NO CANDIDATE*).

- b. Consideration and possible approval of Resolution Number \_\_\_\_\_ - 06 canceling the election and appointing the positions for the Joseph City Sanitary District for which the number of candidates who filed were equal to or less than the number of positions open: **Supervisor DeSpain made a motion** to approve **Resolution Number 75-06** canceling the election and appointing the positions for the Joseph City Sanitary District for which the number of candidates who filed were equal to or less than the number of positions open; motion seconded by Supervisor Brownlow; vote unanimous approving the following appointments: **Joseph City Sanitary District** Randy Baird, Andrew Bushman, and William Roberson. In response to a question from Supervisor Brownlow, Ms. Dastrup advised other sanitary districts had not called for an election and those positions will carry over.
- c. Consideration and possible approval of Resolution Number \_\_\_\_\_ - 06 canceling the election and appointing the positions for the Clay Springs/Pinedale Fire District; the Lakeside Fire District; the Linden Fire District; the Pinetop Fire District; the White Mountain Lake Fire District; and the Woodruff Fire District for which the number of candidates who filed were equal to or less than the number of positions open: **Supervisor Tenney made a motion** to approve by Resolution Number 76-06 the cancellation of the election and appointing the positions for the Clay Springs/Pinedale Fire District; the Lakeside Fire District; the Linden Fire District; the Pinetop Fire District; the White Mountain Lake Fire District; and the Woodruff Fire District for which the number of candidates who filed were equal to or less than the number of positions open; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. Approved cancellation: **Clay Springs/Pinedale Fire District** Bill Peterson and Robert Quackenbush; **Lakeside Fire District** Kayle McNeil and Lloyd Wilmes; **Linden Fire District** Loran DeWitt, Merwyn Fish, and Bill Vallery; **Pinetop Fire District** George R. Leech and Ken Walker; **White Mountain Lake Fire District** Gus Gilman Jr. and one vacancy; **Woodruff Fire District** Sandra Heward and one vacancy.
- d. Consideration and possible approval of Resolution Number \_\_\_\_\_ - 06 canceling the election and appointing the positions for the Navapache Hospital District for which the number of candidates who filed were equal to or less than the number of positions open: **Supervisor DeSpain made a motion** to approve **Resolution Number 77 - 06** canceling the election and appointing the positions for the Navapache Hospital District for which the number of candidates who filed were equal to or less than the number of positions open; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Appointment: **Navapache Hospital District** Philip Johnson.
- e. Consideration and possible approval of Resolution Number \_\_\_\_\_ - 06 canceling the election and appointing the positions for the Clay Springs Domestic Water Improvement District; the Overgaard Domestic Water Improvement District; the Ponderosa Domestic Water Improvement District; the Porter Creek Domestic Water Improvement District; the Porter Mountain Domestic Water Improvement District; the Three-O-Three Domestic Water Improvement District; the Wonderland Acres Domestic Water Improvement District; the Woodruff Domestic Water Improvement District; the Mogollon Domestic Wastewater Improvement District; and the Overgaard Townsite Domestic Wastewater Improvement District for which the number of candidates who filed were equal to or less

than the number of positions open: Ms. Dastrup advised this is a dual purpose resolution since they all fall under the same statutes. **Supervisor DeSpain made a motion** to approve **Resolution Number 78 – 06** canceling the election and appointing the positions for the Clay Springs Domestic Water Improvement District; the Overgaard Domestic Water Improvement District; the Ponderosa Domestic Water Improvement District; the Porter Creek Domestic Water Improvement District; the Porter Mountain Domestic Water Improvement District; the Three-O-Three Domestic Water Improvement District; the Wonderland Acres Domestic Water Improvement District; the Woodruff Domestic Water Improvement District; the Mogollon Domestic Wastewater Improvement District; and the Overgaard Townsite Domestic Wastewater Improvement District for which the number of candidates who filed were equal to or less than the number of positions open; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Supervisor Tenney inquired if the listed Judy Jones was the previous Clerk of the Board and was advised she is not. Supervisor Brownlow inquired how the Porter Creek Domestic Water Improvement District can conduct business without a board. Mel Bowers advised the county could not step in and be the board. Ms. Dastrup and Mel Bowers indicated that staff is working with this board to assist in filling these positions. Positions appointed were: **Clay Springs Domestic Water Improvement District** Lowell Jackson, Douglas Lonnie, Bill Parker, Gary Perkins, and Marlin Perkins; **Overgaard Domestic Water Improvement District** No candidates; **Ponderosa Domestic Water Improvement District** William Ball and Dan Reagles; **Porter Creek Domestic Water Improvement District** No candidates; **Porter Mountain Domestic Water Improvement District** Ross G. Griswold; Robert J. Heinrich and Carolyn Wuertz; **Three-O-Three Domestic Water Improvement District** Judy Jones and Charles R. Scott III; **Wonderland Acres Domestic Water Improvement District** Donn Maule; **Woodruff Domestic Water Improvement District** John Hatch, Jerald W. Scorse and one vacancy; **Mogollon Domestic Wastewater Improvement District** No candidates; **Overgaard Townsite Domestic Wastewater Improvement** No candidates.

#### **FINANCE:**

- a. Consideration and authorization to set the Tax Rates for Navajo County and Taxing Entities within the County: James Menlove reviewed the tax rates for the taxing entities within the county and advised Board of Directors' sessions would be needed for some entities. (All county tax rates are available in the clerk's office.)
- b. **Board of Directors' Sessions**: Consideration and authorization to set the 2006-2007 tax rates
  - i. Little Colorado River Flood Control District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor DeSpain** made a motion to adopt the tax rate as presented for the Little Colorado River Flood Control District; motion seconded by Supervisor Tenney; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
  - ii. Navajo County Flood Control District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Tenney made a motion** to adopt the tax rate as presented for the Navajo County Flood Control District; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
  - iii. Navajo County Public Health Services District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Tenney made a motion** to adopt the tax rate as presented for the Navajo County Health Services District; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular

- session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- iv. Navajo County Library District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. James Menlove advised they are increasing the tax rate to provide additional resources to the county library. **Supervisor DeSpain made a motion** to adopt the tax rate as presented for the Navajo County Library District; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
  - v. Silver Creek County Road Improvement District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to adopt the tax rate as presented for the Silver Creek County Road Improvement District; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
  - vi. White Mountain Lakes Recreation District: **Supervisor Tenney made a motion** to go into the Board of Directors Session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to adopt the tax rate as presented for the White Mountain Lakes Recreation District; motion seconded by Supervisor Tenney; vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

Mr. Menlove advised that the Clay Springs Pinedale Fire District adopted a budget that would be supported by less than the tax rate they requested. The tax rate would be 1.4020; however they requested the tax rate to remain the same at 1.6759. He stated he met with Mel Bowers who advised that A.R.S. 48-807 requires the board to levy the tax based on the budget submitted by the district. Supervisor Tenney inquired if there has been contact with fire board and Mr. Menlove stated both he and Joan Mickle did discuss the issue with them advising the budget drives the tax rate. Supervisor Tenney inquired if there would be a similar situation with NATIVE. Mel Bowers stated that Lance Payette felt this was a different situation because in today's situation it is the board's responsibility to set the rate and in the NATIVE situation statute set the limit.

**Supervisor Tenney made a motion** to approve all Navajo County tax rates for all entities as presented; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

**BOARD OF SUPERVISORS: PUBLIC HEARING:** Consideration and possible board action regarding Liquor License Application Amendment #06090043 reflecting transfer of ownership requested by Gloria Giansanti for Giansanti's located at 2381 Highway 260, Lakeside: Darlene Fraley advised the Board that when memos were sent to the departments seeking recommendations, the Sheriff's office raised a question over a previous action regarding a liquor license for the Giansanti's based on information received from the state liquor license department. Gloria Giansanti and John Giansanti addressed the board, advising that when they worked with Gary Martinson to take over the operation they were told they had to file as a manager of that license for that property and later found out that the law says that if they take over the license and reap the benefits they have to have ownership. They stated there were two or three liquor licenses on that property that created confusion. They said they believe there will be a fine levied against Martinson's operation for not providing appropriate information. Supervisor Tenney noted the address on the agenda was Lakeside and Mr. Bowers stated that was a clerical error and would not affect today's action. Mr. Bowers advised that the board only makes a recommendation to the liquor license board and the board could consider the non-endorsement by the Sheriff and consider the explanation made today in making their recommendation. **Supervisor Tenney** stated he accepts the Giansantis' explanation and **made a motion** to recommend approval of Liquor License Application Amendment #06090043 reflecting

transfer of ownership requested by Gloria Giansanti for Giansanti's located at 2381 Highway 260, Overgaard, AZ; motion seconded by Supervisor Brownlow . In response to a question from Supervisor Thompson, Mel Bowers advised there is no legal impediment to recommending approval. Vote unanimous approving the motion. Mr. and Mrs. Giansanti thanked the board for their recommendation and stated they have been in business since 1954 and have never been in any kind of violation.

At 10:55 a.m., **Supervisor Tenney made a motion** to adjourn, motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

**APPROVED:**

**DATE:**

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**Jesse Thompson, Chairman**

**ATTEST:**

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**Clerk of the Board**