

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
TUESDAY, MAY 1, 2007

9:05 a.m. Call To Order: Supervisor Thompson led the Pledge of Allegiance and offered the invocation.

PRESENT: David Tenney, Chairman; J.R. DeSpain, Vice-chairman; Jesse Thompson, Member; Jerry Brownlow, Member; Mel Bowers, County Attorney; and Darlene Fraley, Clerk of the Board. Vice-Chairman; Percy Deal, Member, joined the meeting in progress.

CALL TO THE PUBLIC: No response

CONSENT AGENDA: a) Vouchers; b) Name an existing road in the Pinetop Lakeside area “Withywindle Way” in Section 24, Township 9 North, Range 22 East; c) Name an existing road in Overgaard area “Star Path” in Section 30, Township 12 North, Range 17 East; d) Name an existing road in the Pinetop Lakeside area “Juanita Lane” in Section 9, Township 9 North, Range 22 East; e) Letter of sympathy to Gila County Manager, Steve Besich, in the death of his mother; f) County Attorney Quarterly Bad Check Report: **Supervisor DeSpain made a motion** to approve the Consent Agenda as presented authorizing the chairman to sign the documents; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor Deal absent for the vote.

HUMAN RESOURCES:

- a. Consideration and possible approval of Personnel Actions: Gail Calisen reviewed her written report of 24 items. She recognized Sherry Reed as promoted to the Public Fiduciary. Supervisors welcomed Sherry Reed to her position. **Supervisor DeSpain made a motion** to approve the Personnel Actions as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion with Supervisor Deal absent for the vote. Sherry Reed addressed the board thanking them for their trust.
- b. Consideration and possible approval of FY 2007-2008 employee health benefit plan, rates and approval of the funding level of employer contribution: Supervisor Deal joined the meeting during this presentation. Mark Alver of Erin Collins and Associates provided the history of the county’s association and contracting with Erin Collins and Associates. Mr. Alver reviewed:
- Retaining the current claim funding factors for both Medical and Dental plans as recommended by the Actuarial projections
 - An overall projection of 0.5% increase in the budget to cover additions to the program with a total increase of \$146,000
 - The changes to the medical plan that include an increase in the annual wellness allowance to \$500 and adding coverage for screening (wellness) colonoscopies in accordance with American Cancer Society Guidelines, subject to applicable deductible and coinsurance, only available when in-network providers are utilized
 - Add a hearing aid benefit at 50% of one hearing aid every three years, subject to Medical deductible with a \$1,000 maximum payable amount
 - Add coverage for scheduled Native American ceremonies
 - Revise the weight loss surgery language in the SPD
 - Purchase aggregate stop-loss coverage to protect NCEBT from an unexpected high frequency of smaller claims
 - Increase the dental annual maximum benefit to \$1,500
 - Consideration was given to adding orthodontia coverage and it was determined it would be too expensive to add at this time
 - Administrative recommendation to change the tier structure to make all benefits similar: Employee only, Employee + spouse; Employee + child/children; Employee + family

- Administrative recommendation to have only one open enrollment period per year consistent with IRS guidelines for pre-tax benefits
- No change to Life and Accidental Death & Dismemberment coverage; recommends that Navajo County continue to link medical coverage to this plan

Supervisor Thompson thanked the team for including the Native American benefit. He inquired why the hearing aid coverage is limited to \$1,000 and Mr. Alver stated that this level of benefit is consistent with Arizona Local, advising this will be evaluated on an ongoing basis as they evaluate all benefits. Supervisor Thompson suggested a notice go out to the employees that open enrollment is a one-time opportunity. In response to a question from Supervisor DeSpain, Mr. Alver reviewed the factors that made up the budget increase as added programs, aggregate insurance costs, increases in benefit coverage, and administrative factors. Mr. Alver thanked Mr. Jayne and his Senior Administrative Staff and the Board of Trustees for their support over the past year. Gail Calisen requested approval as presented. Mel Bowers inquired if these listings represent all of the plan changes over last year's plan and Ms. Calisen responded this is a summary of all recommended plan changes over the previous year. **Supervisor Brownlow made a motion** to approve the FY 2007-2008 employee health benefit plan, to retain the current claim funding factors for both Medical and Dental plans; continue the current schedule of employee contributions for Medical and Dental premiums; adopt a common 4-tier premium structure for Medical, Dental and Vision plans; implement the recommended Medical and Dental benefit changes as outlined; approve continuation of current vendor contracts; and accept renewal of Group Life policy with Standard Insurance and continue to link Group Life coverage to Medical Plan Participation; rates and approval of the funding level of employer contribution; motion seconded by Supervisor Thompson. Supervisor DeSpain inquired if the employees have seen these changes and Ms. Calisen advised some of the changes were discussed at Managers' meeting and following board approval notices of the changes will be sent to the employees. Supervisor DeSpain inquired what the total increase would be even though it will not be passed on to the employee and Mr. Alver stated it will be just over 3%. Supervisor DeSpain stated that, in prior years, there had been employee participation and requested to wait until employees have been notified before the board approves the plan. James Jayne stated that they are requesting approval of an enhanced insurance program for the employees without an increase for employees, stating this is the same as has been done in past years. Chairman Tenney stated that the board doesn't anticipate objections from employees since the program is enhanced at no cost to them. Vote unanimous approving the motion.

NAVAJO COUNTY COOPERATIVE EXTENSION: Report of 2006 Sitgreaves Community Wildfire Protection Plan Summary: Lloyd Wilmes, Plan Administrator, introduced McKenzie Homedollar stating she did most of the work putting together the summary plan. Mr. Wilmes stated they looked at the whole community protection plan focusing on individual communities and jurisdictions on work done for fire mitigation. He reviewed private land treatments within Navajo County of 1,100 acres treated on private lands in the southern area of the county. Supervisors welcomed Ms. Homedollar to this program. Supervisor Brownlow stated that he and James Jayne met with Lloyd Wilmes and reviewed this report and recognized that private land has not been treated as much as desired because some people can not meet the matching requirement of grants. Supervisor Thompson inquired about the tamarisk problem and Mr. Wilmes indicated that is a separate program. Mel Bowers stated that it appears about 13% of the area has been treated and Mr. Wilmes stated that some of that work goes back to 2002 when the White Mountain Apache Tribe mitigated land adjacent to the Forest Service. He indicated the program is not ahead of the problem, they need to move faster. Mr. Bowers inquired if the land has to be retreated every 10 years and Mr. Wilmes said that is a good average. Mr. Bowers inquired if, as large developments are addressed, fire mitigation is addressed. Mr. Wilmes stated that they do recommend a county-wide ordinance to address this issue. In response to a question from Supervisor Deal, Mr. Wilmes stated that WMAT has put in \$6,000,000 and then discussed the cost per acre for other projects. Supervisor Deal inquired how much of the Congressional appropriation is still remaining to support other areas and what kind of support we can continue to expect from Congress. Mr. Wilmes said that funding is still open-ended; there are questions from the Attorney General as to whether it is within the scope of the federal

government to allocate funding for private lands. In response to a question from Supervisor Deal, Mr. Wilmes stated the State of Arizona is tentatively funding approximately \$5,000,000 for this project. Supervisor DeSpain advised that this report is for the Apache Sitgreaves and there are other plans under development for those zones that do not have forests.

TREASURER: Consideration and possible approval of application for Treasurer's deeds for the State of Arizona: Jackie Koon requested the board's approval of application for Treasurers' deeds for properties that have been delinquent for seven years. Supervisor DeSpain reviewed the listing of deeds orienting the board to the areas where the properties are, with most located in the Sun Valley area. **Supervisor DeSpain made a motion** to approve the Treasurer's deeds for the State of Arizona; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Jackie Koon introduced Alonna Larson who will do the deed work in the future. Ms. Koon reviewed the costs of the title searches related to these properties.

PUBLIC HEALTH SERVICES DISTRICT BOARD OF DIRECTORS' SESSION: **Supervisor Brownlow made a motion** to enter into the Public Health Services District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

a. **CONSENT AGENDA:**

- i. **Memorandum of Agreement between Pinetop Fire District and Navajo County Public Health Services District for mutual support in the event of a public health crisis:** **Supervisor DeSpain made a motion** to approve the Consent Agenda as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. **Consideration and possible approval of sub-contract with Anne Staffnik, R.D. for high-risk counseling services with the WIC Program in the amount of \$30.00 per hour:** Mary Tyler advised the board that this position is a part time dietician, advising there are funds in the budget for this service. **Supervisor Brownlow made a motion** to approve the sub-contract with Anne Staffnik, R.D. for high-risk counseling services with the WIC Program in the amount of \$30.00 per hour; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- c. **Consideration and possible approval of agreement between the National Association of County and City Health Officials and Navajo County Public Health Services District Medical Reserve Corps unit:** Don Walker reviewed the need for the recruitment of medical personnel for this unit. **Supervisor DeSpain made a motion** to approve the agreement between the National Association of County and City Health Officials and Navajo County Public Health Services District Medical Reserve Corps unit; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

Supervisor Thompson made a motion to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

SILVER CREEK COUNTY ROAD IMPROVEMENT DISTRICT BOARD OF DIRECTORS' SESSION: **Supervisor DeSpain made a motion** to enter into the Silver Creek County Road Improvement District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. It was noted for the record that no one was present for this item. **Supervisor DeSpain made a motion** to reconvene; motion seconded by Supervisor Thompson; vote unanimous approving the motion. Noting the entrance of the presenter, **Supervisor DeSpain made a motion** to enter into the Silver Creek County Road Improvement District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- a. **Consideration and possible approval of acceptance of resignation of Lem Cook from Advisory Committee:** **Supervisor DeSpain made a motion** to accept the resignation of Lem Cook from the Advisory Committee; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. **Consideration and possible approval of appointment of John Hager & Marc Silliman to Advisory Committee:** John Hager advised that these are the only two applicants who completed applications and are residents of the district. Mr. Hager advised that he had been designated chairman. **Supervisor DeSpain**

made a motion to approve the appointment of John Hager & Marc Silliman to the Silver Creek County Road Improvement District Advisory Committee; motion seconded by Supervisor Deal; vote unanimous approving the motion.

- c. Consideration and possible approval of a specific spending limit without Board of Directors' approval: John Hager advised that this action will facilitate the operation of the Advisory Committee. Mel Bowers advised there is no statutory provision for an Advisory Board so it is difficult to infer they have authority to spend funds but it is a logical activity. **Supervisor DeSpain made a motion** to approve the spending limit as presented with expenditures under \$200.00 requiring approval by two Advisory Committee members, \$201.00 to \$999.00 requiring approval by the entire Advisory Committee and any expenditure over \$1,000.00 requiring Board of Supervisor approval; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- d. Consideration and possible acceptance of FY 07-08 budget: John Hager reviewed the proposed budget, advising the District takes in over \$8,000 per year, adding an additional \$4,000 for culverts that must go in. **Supervisor DeSpain made a motion** to accept the FY07-08 budget; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

Supervisor DeSpain reminded Mr. Hager to keep the community aware of the district activities. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

WHITE MOUNTAIN LAKE RECREATION DISTRICT BOARD OF DIRECTORS' SESSION:

Supervisor DeSpain made a motion to enter into the White Mountain Lake Recreation District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- a. Consideration and possible approval of the 2007 update to the intergovernmental agreement with the Silver Creek Irrigation District: John Hager advised that the agreement was re-written in 2003 for the electricity to run the pumps for the lake and this adjustment is made to meet the costs of the electricity for an increase to set the annual fee of \$50,000 plus the existing \$10,000 for additional wear and tear on the equipment with twelve monthly payments. He advised the Irrigation District is in agreement. **Supervisor DeSpain made a motion** to approve the 2007 update to the intergovernmental agreement with the Silver Creek Irrigation District as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. Consideration and possible action to:
- i. Accept resignation of Rose Alter from Advisory Committee: In response to Mr. Hager's recommendation, **Supervisor DeSpain made a motion** to accept this resignation; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
 - ii. Approve recommended new member, Frank Chirumbolo to Advisory Committee: Mr. Hager advised Mr. Chirumbolo is a lake front owner and his membership was approved by the Committee on March 21. **Supervisor Brownlow made a motion** to approve the appointment of Frank Chirumbolo to the Advisory Committee; motion seconded by Supervisor Thompson. Supervisor DeSpain commended the committee for their participation and suggested that all community member needs are considered. Mr. Hager advised there is an applicant from the Voyager Group who did not own property at the time of application but now participates in their meetings. Former Supervisor Pete Shumway stated the advisory group serves community involvement well and encourages that approach. Mr. Hager advised he meets with the Irrigation District to coordinate efforts between the committees. Vote unanimous approving the motion.
 - iii. Approve future staggering of Advisory Committee member terms: John Hager discussed the difficulty of continuity when the terms are not staggered. He advised the committee would track the terms with all new members having four year terms from the date their membership is approved. **Supervisor DeSpain made a motion** to approve future staggering of Advisory Committee member terms; motion seconded by Supervisor Deal; vote unanimous approving the motion.
- c. Consideration and possible approval of:

- i. 5% increase in District assessment: John Hager advised that the area is growing and the assessment per lot does not address the issue since, as the lots are built out, there is a need for the additional amenities. He discussed the conservative approach to assessments since he has been on the advisory committee. **Supervisor DeSpain made a motion** to approve the recommended 5% increase in the District assessment; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- ii. Accept recommended FY 07-08 budget: John Hager reviewed the budget as presented, reporting the community really appreciated the dock that was installed last year. **Supervisor DeSpain made a motion** to accept the recommended budget from the Advisory Committee; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

Supervisor Brownlow made a motion to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

FINANCE/PURCHASING:

- a. Consideration and possible approval of Resolution Number ____ - 07 renewing the lease with the Town of Pinetop-Lakeside for the Billy Creek Natural Area: Mary Springer advised this lease is similar to the original lease with the Town of Pinetop Lakeside and advised no other bids were submitted to the Clerk of the Board. **Supervisor Brownlow made a motion** to approve **Resolution Number 31 - 07** renewing the lease with the Town of Pinetop-Lakeside for the Billy Creek Natural Area; motion seconded by Supervisor DeSpain. Supervisor Brownlow advised that a survey was done to confirm the boundaries. Vote unanimous approving the motion.
- b. Consideration and possible approval of award of contract for professional services to Ricker, Atkinson, McBee, Morman and Associates for geotechnical investigation for the construction of new domestic water tanks for the Holbrook Complex: Mary Springer advised a geotechnical survey is required to determine the appropriate setting for the previously approved domestic water tanks. **Supervisor Deal made a motion** to approve the award of a contract for professional services to Ricker, Atkinson, McBee, Morman and Associates for geotechnical investigation for the construction of new domestic water tanks for the Holbrook Complex; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- c. Consideration and possible approval of award of contract for professional services to Ricker, Atkinson, McBee, Morman and Associates for geotechnical investigation for the Mogollon Complex: Mary Springer advised a geotechnical investigation for the Mogollon Complex must be done prior to engineering the foundation for that building. **Supervisor Brownlow made a motion** to approve the award of a professional services contract to Ricker, Atkinson, McBee, Morman and Associates for geotechnical investigation for the Mogollon Complex; motion seconded by Supervisor Deal; vote unanimous approving the motion.
- d. Consideration and possible approval of Resolution Number ____ - 07 to allow County Manager to approve and sign contracts on behalf of the Board of Supervisors for budgeted items under \$50,000 and for routine contracts that are required during the course of normal operations: Mary Springer advised that this authorization was previously addressed and the resolution was drafted by Lance Payette including the provision requested by Supervisor Deal that a report be made back to the board as actions are taken. **Supervisor DeSpain made a motion** to approve **Resolution Number 32 - 07** to allow the County Manager to approve and sign contracts on behalf of the Board of Supervisors for budgeted items under \$50,000 and for routine contracts that are required during the course of normal operations; motion seconded by Supervisor Thompson. Chairman Tenney clarified that this action is for previously approved budget items. Vote unanimous approving the motion.
- e. Consideration and possible approval of Resolution Number ____ - 07 appointing Jesse J. Tuvell, Jr. and Bradley Click as members of the Board of Directors for the Navajo County, Arizona Pollution Control Corporation: **Supervisor Brownlow made a motion** to approve **Resolution Number 33- 07** appointing Jesse J. Tuvell, Jr. and Bradley Click as members of the Board of Directors for the Navajo County, Arizona Pollution Control Corporation; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

- f. Consideration and possible approval of CDBG Applicant Certifications for FY 2007: Randy Sullivan advised these certifications are to assure the county has the legal authority to apply for this funding. **Supervisor Thompson made a motion** to approve CDBG Applicant Certifications for FY 2007; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- g. Consideration and possible approval of **Resolution Number** _____ - **07** adopting the Owner Occupied Housing Rehabilitation Program Guidelines: Randy Sullivan discussed the policies and guidelines together stating these have not changed from the last round of CDBG funding. **Supervisor DeSpain made a motion** to approve **Resolution Number 34 - 07** adopting the Owner Occupied Housing Rehabilitation Program Guidelines; motion seconded by Supervisor Brownlow. Supervisor Deal stated that section 1.2 indicates that homes can be rehabilitated even if they do not have all utilities. Mr. Sullivan stated this verbiage was inserted to verify that the home as a whole may not meet requirements but the work completed does. Supervisor Deal discussed that the verification by the Chapter of the domicile could be accepted because many properties do not have leases and Mr. Sullivan stated that if the verification by the tribe is there they can move forward with rehabilitation. Vote unanimous approving the motion.
- h. Consideration and possible approval of **Resolution Number** _____ - **07** adopting the Owner Occupied Housing Rehabilitation Program Policies: **Supervisor Brownlow made a motion** to approve **Resolution Number** ____ - **07** adopting the Owner Occupied Housing Rehabilitation Program Policies; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- i. Consideration and possible approval of **Resolution Number** _____ - **07** authorizing the submission of applications of FY 07 CDBG funds certifying that applications meet the communities' previously identified housing and community development needs and the requirements of the State CDBG program and authorizing all actions necessary to implement and complete the activities outlined in applications: **Supervisor Thompson made a motion** to approve **Resolution Number** ____ - **07** authorizing the submission of applications of FY 07 CDBG funds certifying that applications meet the communities' previously identified housing and community development needs and the requirements of the State CDBG program and authorizing all actions necessary to implement and complete the activities outlined in applications; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- j. Consideration and possible approval of **Resolution Number** _____ - **07** adopting a residential Anti-Displacement and Relocation assistance plan as required under section 104(D) of the Housing and Community Development Act of 1974 as amended: Randy Sullivan advised that this plan would allow assistance in the event that residents must be relocated. Supervisor Thompson stated there is a case where a house burned down and those residents moved into housing, they could only remain a short period of time there and had to relocate and are dislocated now. He inquired how they would fit into this program. Mr. Sullivan advised he would follow up on this question, stating that this relocation plan deals with areas that must be demolished due to slum and blight. **Supervisor Thompson made a motion** to approve **Resolution Number 37 - 07** adopting a residential Anti-Displacement and Relocation assistance plan as required under section 104(D) of the Housing and Community Development Act of 1974 as amended; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

BOARD OF SUPERVISORS: Consideration and possible approval of funding from District V LTAF II funds to assist the Town of Pinetop/Lakeside with the equipment and operating cost for the Four Seasons Connection rural transit system: Dusty Parsons discussed this transit system as having been previously approved by the Board. **Supervisor Brownlow made a motion** to approve funding from District V LTAF II funds not to exceed \$20,000 to assist the Town of Pinetop/Lakeside with the equipment and operating cost for the Four Seasons Connection rural transit system; motion seconded by Supervisor Deal; vote unanimous approving the motion.

PUBLIC WORKS:

- a. Navajo County Flood Control District Board of Directors' Session: Supervisor DeSpain made a motion to enter into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- i. Consideration and possible authorization for the Navajo County Flood Control District to partner with Creative Design Builder, Inc. (Woodland Villas) in order to minimize the flooding hazard downstream of the development: Homero Vela displayed a site map of the area and advised that in a previous meeting residents of this area were concerned about the flooding in Lee Reese Drive where storms of less than a 10-year intensity were creating difficulties. He stated the developer of this property is creating a detention basin that will meet the 100 year flood storm requirement which is greater than the current Navajo County 50 year requirement. He stated that in addition to creating the on-site detention the developer is willing to partner with the county to address off-site water retention. He advised residents will see a significant diminishing of water running down Lee Reese Drive. He stated the theater retention basin is improving and Pinetop Lakeside is considering improving retention at another business in the area. Mr. Vela said with the board's approval today they will meet with residents in the area within the next couple of weeks to make them aware of this plan. Chairman Tenney stated that neither the county nor the developer are required to do this and he appreciates the willingness to work together to alleviate some flooding. **Supervisor Brownlow made a motion** to authorize the Navajo County Flood Control District to partner with Creative Design Builder, Inc. (Woodland Villas) in order to minimize the flooding hazard downstream of the development; motion seconded by Supervisor DeSpain. Supervisor DeSpain inquired if this project can be done prior to the monsoons and Mr. Vela responded they will push it as hard as they can but the design must be finished before the installation of the culvert. Dusty Parsons clarified that they will move forward with the board's approval and bring the agreement back to the board for information. Vote unanimous approving the motion.
 - ii. Consideration and possible approval of the use of the "Zone D" designation with the implementation of the DFIRMS for unincorporated areas of Navajo County to identify those areas of the County that have not been studied designating these areas as having an undetermined flood risk: Homero Vela distributed material outlining the Zone D as previously presented to the board. He advised that counties with large unstudied areas are considering a Zone D designation. He discussed a repetitive loss area where the people could have built their home not realizing it is in a potential flood area and displayed a report that is issued with a follow up discussion of the hazard. He noted that the adoption of a Zone D designation provides the resident the full story. He said that FEMA allows each entity to independently designate a Zone D and advised that Snowflake had already done so. Supervisor Thompson inquired if the Bird Springs community where there was no study ever made would fall under this designation. Mr. Vela stated that none of the Navajo Nation has been mapped by FEMA and there are no DFIRM designations and no resulting Flood Zone map. Mr. Parsons stated that a portion of Bird Springs would be in the flood plain. Supervisor DeSpain thanked Mr. Vela for his presentation and reported that in the levee committee presentation last week it was agreed the Zone D would better tell the story to the resident. **Supervisor DeSpain made a motion** to approve the use of the "Zone D" designation with the implementation of the DFIRMS for unincorporated areas of Navajo County to identify those areas of the County that have not been studied and designating these areas as having an undetermined flood risk; motion seconded by Supervisor Brownlow; 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.
- b. Consideration and possible approval of Task Agreement #3 of the Memorandum of Agreement between Bureau of Indian Affairs, Fort Apache Agency and Navajo County for a partnership in purchasing a 140 H Caterpillar Motorgrader utilizing District V Special Road funds: Dusty Parsons discussed the need for this agreement. Supervisor Brownlow advised this is a partnership with the White Mountain Apache and BIA. **Supervisor Brownlow made a motion** to approve the Task Agreement #3 of the Memorandum of Agreement between Bureau of Indian Affairs, Fort Apache Agency and Navajo County for a partnership in purchasing a 140 H Caterpillar Motorgrader utilizing District V Special Road funds; motion seconded by

Supervisor DeSpain. Supervisor Deal inquired if the BIA has their share of the money and Mr. Parsons stated they do and no check will be cut until the funding from the BIA is there. Vote unanimous approving the motion.

- c. **PUBLIC HEARING:** Consideration and possible approval of Resolution Number ____ - 07 for the proposed Special Use Permit request by Jimmie Petersen for a 1.87 acre portion of parcel 208-18-003J in Township 11 North, Range 19 East, Section 23 in the Clay Springs area: Bill Fraley advised that Mr. Petersen is in ill health and due to the lack of opposition, staff advised him it was not necessary to be present. Telford Chapman oriented the board to the property on a site map and reviewed the staff report for this property. The Chairman invited public comment and there was none. **Supervisor DeSpain made a motion** to approve **Resolution Number 38- 07** for the proposed Special Use Permit request by Jimmie Petersen for a 1.87 acre portion of parcel 208-18-003J in Township 11 North, Range 19 East, Section 23 in the Clay Springs area; motion seconded by Supervisor Brownlow. In response to a question, Mr. Chapman stated the stipulations are included on the resolution. Vote unanimous with Supervisor Thompson absent.
- d. Consideration and possible approval of Resolution Number ____ - 07 accepting Tumbleweed Trail, Shilo Trail, Buckskin Circle, Wagon Train Pass, Dusty Saddle Trail, Saloon Trail, Arrowhead Pass, Stagecoach Pass and Outlaw Pass in the Linden area into the County road maintenance system: Dusty Parsons advised the board that these roads are part of the Linden Trails subdivision approved by the county several years ago but they did not find a resolution accepting the roads. He stated they are paved roads that were built to county standard. **Supervisor DeSpain made a motion** to approve **Resolution Number 39 - 07** accepting Tumbleweed Trail, Shilo Trail, Buckskin Circle, Wagon Train Pass, Dusty Saddle Trail, Saloon Trail, Arrowhead Pass, Stagecoach Pass and Outlaw Pass in the Linden area into the County road maintenance system; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- e. Consideration and possible approval of Resolution Number ____ - 07 accepting a portion of Ponderosa Drive in the Linden area into the County road maintenance system: Dusty Parsons advised that these roads are gravel roads and oriented Chairman Tenney to the length of the road on a site map. **Supervisor DeSpain made a motion** to approve **Resolution Number 40 - 07** accepting a portion of Ponderosa Drive in the Linden area into the County road maintenance system; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- f. Consideration and possible approval of Resolution Number ____ - 07 accepting Whispering Pine Drive, Pine Ridge Drive, Tall Pine Circle, Pinetop Drive, Pine Drive and a portion of Panorama Drive in the Heber area into the County road maintenance system: Dusty Parsons outlined the roads on a site map, stated they meet county standards and the residents have been doing their own maintenance. Chairman Tenney advised he and Mr. Parsons met with residents in the area and they pay dues into the community for road maintenance. He expressed appreciation for their partnership. **Supervisor Brownlow made a motion** to approve **Resolution Number 41 - 07** accepting Whispering Pine Drive, Pine Ridge Drive, Tall Pine Circle, Pinetop Drive, Pine Drive and a portion of Panorama Drive in the Heber area into the County road maintenance system; motion seconded by Supervisor Thompson. In response to a question, Mr. Parsons stated that the county will accept the maintenance and the residents will chip seal the roads; a future agreement will come back to the board. Vote unanimous approving the motion.
- g. Victory Heights Road Maintenance **District Board of Directors' Session:** **Supervisor Thompson made a motion** to enter into the Victory Heights Road Maintenance **District Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Consideration and possible approval of appointment of the following to establish the Victory Heights Advisory Committee: Larry Kennedy, Jim Wortham, Joyce Patterson, Jim Weeldreyer and Dale McClain: Carol Fraley addressed the board, stating the named people had expressed a willingness to serve. **Supervisor Deal made a motion** to approve the appointment of the following individuals to establish the Victory Heights Advisory Committee: Larry Kennedy, Jim Wortham, Joyce Patterson, Jim Weeldreyer and Dale McClain; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

Supervisor Deal made a motion to re-enter regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

The Board of Supervisors recessed for lunch at 11:55 a.m. and reconvened at 12:15 p.m. with all as listed above present.

h. Study Session:

- i. Results of the regional transportation study: Dusty Parsons introduced Mike Gorton of Wilson and Company who conducted this regional transportation study for White Mountain Lakes along the Bourdon Ranch Road corridor, Linden and Lone Pine Dam Road corridor, Show Low, Pinetop-Lakeside, Snowflake, Taylor and parts of Apache County. He stated their firm is currently doing the small-area transportation study for Holbrook and that the only areas still unstudied will be studied in the near future. The referenced preliminary study is on file in the Public Works Department for those who wish to review it. Mr. Gorton reviewed the submitted study and those present participated in a discussion, reviewing the boundary of the model area and estimated population density by traffic analysis zone from 2006 to 2030. It was acknowledged that this study compiled all existing studies from the county, city and towns to bring all existing valid data to one data base and this model has been validated to ADOT, County and municipal areas. It was noted that Navajo County is a second home market with a 57% occupancy rate of existing homes. The study utilized a high growth option showing a compound growth rate anticipating 93,500 dwelling units by 2030 with 50,000 jobs in the study area with a gradual growth pattern and balloon growth at the end. Those present reviewed the levels of service outline depicting the traffic description and congestion/delay patterns. Mr. Gorton reported that under a no-growth pattern with the existing transportation routes there will be a total system failure and discussed the proposed traffic model including four lane roads on 77 south and Bourdon Ranch roads. He advised that between Show Low and Pinetop the roads are 50% over capacity and the study was not done during peak traffic so the forecast is based on about 50% occupancy. Mr. Gorton advised the technical advisory committee had requested no six lane roads. He discussed proposed alternatives to the existing traffic model that include adding additional east/west arteries and north/south arteries and projected costs that include funding Alternative Plan A with Navajo County's share for 190 lane miles at \$24.1 million; Apache County \$89 million; ADOT \$166 million; and municipalities \$79 million. He said his firm will assist in prioritizing projects and will look at grades/lanes in specific areas to help identify right-of-way needs. Dusty Parsons advised the completed study will be the Comprehensive Plan for Navajo County. Supervisors discussed the best alternatives for the re-alignment of specific roads. Supervisors and Mr. Parsons thanked Mr. Gorton for his presentation and Mr. Parsons commended this company on their study. James Jayne stated this study is a great example of regionalization with 9 cities and towns and 2 counties coming together to determine how this region will look in a couple of decades and plan for the future. He commended Dusty Parsons for his leadership in this process and Mr. Brownlow who sits on the White Mountain Transportation Committee for his efforts. Supervisor DeSpain inquired if we have a seat at the Holbrook transportation study and Mr. Parsons advised the county paid for half of that study and his department would be involved in the future. Supervisor Deal encouraged the county transportation department to interact with the developers of land use plans for regional planning on the reservation. Dusty Parsons stated that is critical as NDOT may be taking over maintenance from BIA in October which is a major step in being successful at taking a regional approach. He reported Supervisor Brownlow and he met with the White Mountain Apache tribe to coordinate with them and he believes that meeting with Tom Platero of NDOT will foster a better relationship.
- ii. Five year capital improvement plan: Dusty Parsons reviewed the five year capital improvement plan that is available for review in the Public Works department. He reported this plan covers next year and 2008-2009 and it is simply a recommendation to the board to assure what is planned is appropriate and acceptable to the board. Mr. Parsons discussed the funding advising that there are still funds available for the Lone Pine Dam Bridge from those appropriated by Congressman Renzi. He advised that if the board adopts impact fees a capital plan is required and impact fees will offset some costs included in this

plan. He discussed the D.I.R.T. project as an avenue for the Navajo Nation Joint Project. He advised the total budget for these projects over the next two years is just over \$10,000,000 and there is a need for an additional revenue stream in the future to fulfill this plan. Supervisor Thompson thanked Dusty Parsons for his past efforts on the reservation and encouraged him to be innovative in maintaining reservation roads for public safety and school attendance. Supervisor Deal thanked Dusty Parsons for his efforts on joint projects on the Navajo and Hopi reservations stating that the 2007-2008 budget only includes \$200,000, which is insufficient now that BIA appears to be going out of business in October of this year and they will leave behind old junk equipment that is 25-30 years old. He said he recommends doubling the amount in the road projects in 2007-2008 as there will be a big demand for equipment immediately upon turning it over to the Navajo Nation, discussing the limited funding the Nation will have. Mr. Parsons pointed out that since there is \$200,000 in each year the full amount could be spent in next year's budget as they are approving a two-year project budget that could be finished in one year. He advised the philosophy has always been to budget for two years but any projects that can be completed in the first year will be done. Chairman Tenney inquired if \$400,000 is used the first year, if that district could get another \$400,000 the next year and Mr. Parsons stated it would depend on what the Board approved. Supervisors thanked Dusty Parsons for his presentation and efforts.

iii. Public Works organizational improvements: Dusty Parsons reviewed the re-organization to include a Deputy Director for Fleet Management that would not include adding any personnel but would provide for better control over the fleet. He discussed the Organizational Chart for Fleet Operations advising that Montana Slack will be the acting director for that department. He reviewed the business reasons for this change to include better management in the following areas: assets, maintenance, vehicle fuel, risk, financial, and maintaining fleet information. He advised customer service will be improved with maintenance occurring in vehicle appropriate areas. Supervisor DeSpain inquired if the secretary position will be added to do the paperwork and Mr. Parsons and Mr. Jayne advised that it will be a transfer of an employee from another area. Mr. Jayne advised that there will be website friendly participation for scheduling vehicles and he considers these organizational changes as improvements with no additional employees. Mr. Jayne stated this is an evolving process to maintain the vehicles in a more efficient way and believes this to be a good first step. Mr. Parsons advised the building department will go to 4-10 hour days and will be open 5 days per week from 7-5:30 at all locations with the intent to have a one-stop shop at South County a minimum of two days per week. He said there will be some title changes in the planning and building department and they will start advertising positions that are vacant after May 15 for a July 1 beginning date.

i. Development Fees

i. Review and discuss Development Fee Feasibility Study: Dusty Parsons discussed the definition of Development Fees as included in the study report, which is on file in the Public Works department. He reviewed the timelines surrounding implementing development fees, advising that if approved the soonest this project could be moved forward would be six to seven months. He advised that when capital projects are funded, the county must participate in funding if impact fees are utilized. He advised that municipalities should be encouraged to implement fees for capital items supporting public safety.

ii. Consideration and possible authorization to enter into a Phase II Contract with TischlerBise for the implementation of Development Fees with a cost not to exceed \$167,000.00: Dusty Parsons advised that for all of the reasons discussed previously in this and earlier meetings, he recommends entering into this contract. **Supervisor Brownlow made a motion** to authorize entering into a Phase II Contract with TischlerBise for the implementation of Development Fees with a cost not to exceed \$167,000.00; motion seconded by Supervisor DeSpain; vote unanimous approving the motion with Supervisor Deal absent for the vote.

BOARD BUSINESS: Supervisors discussed activities impacting the county and their districts that included:

- A healthy journey for wellness in Dilkon

- Progress report on the White Mountain Stewardship Contract for forest health
- The impending drought will have a very negative effect on reservation communities both for public consumption and crops/livestock and Supervisors should begin to think how some assistance could be rendered financially to maintain some of those wind mills.
- Chairman Tenney attended a ceremony at the legislature recognizing Jeff Groscost where they honored him for his years of service to the State; he was not able to go on the floor of the Senate but did go with Representative Brown to the House Floor.

Mr. Jayne, Supervisors and Mr. Parsons discussed legislative issues: The Navajo County Planning and Zoning bill for alternates has been signed; health care for retirees has been sent for the Governor's signature; the elected official salary bill has hit a snag and there is cause for concern to the counties; the House version of the budget maintains the \$10,000,000 for HURF; rural counties will continue not being charged for restoration of competency; ALTCS will continue; the proposed use of the STAN formula for transportation funding will negatively impact the rural counties.

Mel Bowers reported that Kate Roberts, a long-time attorney in his office, was in a serious accident over the weekend and while her injuries are not life threatening she will have a long recovery period.

ADJOURN: At 2:16 p.m., **Supervisor DeSpain made a motion** to adjourn; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor Deal absent for the vote.

APPROVED:

DATE:

David Tenney, Chairman

ATTEST:

Clerk of the Board