

**NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES  
NAVAJO COUNTY BOARD OF SUPERVISORS' CHAMBERS  
TUESDAY, AUGUST 7, 2007**

**9:00 a.m. Call To Order:** Chairman Tenney led the Pledge of Allegiance and offered the invocation.

**PRESENT:** David Tenney, Chairman; Jesse Thompson, Member; Percy Deal, Member; J.R. DeSpain, Member; and Jerry Brownlow, Member; Mel Bowers, County Attorney; James Jayne, County Manager; and Darlene Fraley, Clerk of the Board.

**CALL TO THE PUBLIC:** Everyone present sang Happy Birthday to Supervisor Deal and Donna Rescorla.

**BOARD OF SUPERVISORS:** County Supervisors Association Report to the Board of Supervisors regarding activities of the Association including a discussion of the recent legislative session: Chairman Tenney welcomed Craig Sullivan and Beth Lewallen of CSA. Craig Sullivan, CSA Director, addressed the Board discussing the role of CSA in relation to the Counties. He discussed the year-end report reviewing legislation, legislative activities that were effective and plans for future legislation. He advised of upcoming hot topic issues that will impact counties, expressed appreciation for the Supervisors' legislative activity and discussed the need for the Supervisors continued involvement in legislative issues. Supervisors thanked CSA staff for their efforts on behalf of the counties. Chairman Tenney recognized Brent Brown of the Governor's Office.

**CONSENT AGENDA:** a) Vouchers; b) Application for "Request for Redemption of Waiver" for APN 205-18-040C; c) Sympathy letter for the family of Ferrell H. Secakuku, former Hopi Tribal Chairman; d) Sympathy letter to employees Lilene Sanchez, Laura Sanchez, Reyes Sanchez, Billie Miller, Charalie Perkins and their families; e) Acceptance of Arizona Criminal Justice Commission Edward Byrne Justice Assistance Grant AC-07-180 of \$76,704 in Federal funds, \$126,960 in State Funds and including matching funds from the State RICO funds of \$56,136 to operate the Major Crimes Apprehension Team (MCAT); f) One year extension of the ABL Management, Inc. Food Service Agreement with Navajo County Sheriff's office with an increase in prices in conjunction with the consumer price index; g) Acceptance of grant funds of \$75,895.32 from the State of Arizona through the Arizona State Parks Board to fund a deputy position as authorized on 12-04-06 by Resolution Number 103-06 through the submission of the grant; h) Name an existing road in the White Mountain Lakes area "Antler Trail" in Section 13, Township 11 North, Range 23 East; i) Name an existing road in the Pinedale/Clay Springs area "Holyoak Lane" in Section 10, Township 11 North, Range 19 East; j) Name an existing road in the Heber Overgaard area "Natasia Drive" in Section 20, Township 12 North, Range 17 East; k) Approval of Amendment 8 to DES Contract #E7506009 to accept \$1,000 in set-aside monies as technical assistance awarded to Navajo and Apache Counties' Workforce Partnership; l) County Attorney Bad Check quarterly report; m) Constable Report: Winslow #2 June; Snowflake #3 June; Kayenta #4 June; Pinetop-Lakeside #6 June: **Supervisor Thompson made a motion** to approve the Consent Agenda as presented and authorize the Chairman to sign the documents; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

**HUMAN RESOURCES:** Consideration and possible approval of Personnel Actions: Human Resources Director Gail Calisen reviewed her 80 item Personnel Action Report. **Supervisor Thompson made a motion** to authorize the Chairman to sign the Personnel Actions as presented; motion seconded by Supervisor Deal; vote unanimous approving the motion.

**ARIZONA UTILITIES:** Presentation of Arizona Utilities CO<sub>2</sub> Storage Pilot Project: Dan Gradle, Cholla Power Plant Representative, stated that he represents WESTCARB who proposes putting together a CO<sub>2</sub> Storage Pilot Project in this area. He advised this proposal is to install a well nearly a mile underground in an area where the CO<sub>2</sub> could not come back above ground, that it would be sealed off from the water supply. He discussed the positioning of the project in a safe area; the cost of approximately \$3.9 million; the timeline to

begin the project within a year; the need to gather data to assure the safe storage of the CO<sub>2</sub>; the makeup of the WESTCARB group including some of the finest Universities in the nation, state agencies including ADEQ and ADWR, and major utility companies. Supervisor DeSpain stated that he had attended public meetings on this issue and is supportive of the project. Supervisor Thompson inquired what part of this project the county should be cautious of and Mr. Gradle stated they want to study the impact of putting CO<sub>2</sub> back into the earth. He stated this technique is used extensively during well drilling and putting out fires in coal mines. He said the technique is not new but they want to fully understand what happens underground in a safe environment. Supervisor DeSpain discussed the extensive research that has been done reviewing sites for this testing and, as a result, the US Department of Energy selected the Cholla site.

**NAVAJO COUNTY COALITION AGAINST DRUG ABUSE:** Consideration and possible authorization for future individual Supervisor signing of Proclamation declaring September 2007 National Alcohol and Drug Addiction Recovery Month in Northeastern Arizona: Debe Campbell, Coalition Coordinator, reviewed the history of the Navajo County Coalition Against Drug Abuse advising presentations had been made to over 7,000 residents of Navajo County, they had distributed 40,000 pieces of literature, public service announcements run continuously, articles are in the newspapers, they are delivering services valued at nearly \$250,000 with \$30,000 funding. She discussed efforts of direct contact with youth, advising this project will be presented at the national level. She invited all present to attend the Northeastern Arizona Summit Against Drug Abuse on September 5<sup>th</sup> at Northland Pioneer College in Snowflake and sign the proclamation. Supervisor Deal expressed appreciation to Debe Campbell for her efforts on behalf of all of Navajo County including the reservation areas. He requested that an invitation to the summit go to the appropriate tribal departments and he will provide contacts to Ms. Campbell. Supervisor Thompson thanked the coalition for their efforts, stating he has attended public meetings where the anti meth message was very clear to youth and adults. **Supervisor DeSpain made a motion** to authorize the Chairman and individual Supervisors to sign the Proclamation declaring September 2007 National Alcohol and Drug Addiction Recovery Month in Northeastern Arizona at the summit; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**NAVAJO COUNTY TREASURER:** Presentation of Annual Report of collections and delinquencies including settlement of accounts: Treasurer Manuel Hernandez reviewed the FY 2006-2007 written report as submitted to the Supervisors which remains on file with the Treasurer. He reviewed the annual report of collections and delinquencies, settlement of accounts; total tax collections as \$59,353,721.52 representing 95.8% of taxes, which is up 0.3% from last fiscal year; taxing entities and revenues within the county; the Request for Authorization to Invest Funds; the investment portfolio advising there is a 52% increase of interest revenue over the previous year discussing the unpredictability of the money market; and the Treasurer's Processing Fund when he hopes to sell approximately \$750,000 in tax liens. He advised the Board that he can bring a report on a monthly basis if desired. Supervisor DeSpain thanked Treasurer Hernandez for the fine job he is doing as evidenced by the diversity of investments with a substantial interest rate. **Supervisor DeSpain made a motion** to acknowledge the annual report including collections and delinquencies; authorize the treasurer to re-invest excess county funds acknowledging the treasurer did report estimates of his processing fund; and authorize the Chairman to sign the Treasurer's Annual Report; motion seconded by Supervisor Brownlow. Supervisor Tenney stated the annual report is sufficient for him but if there are changes the Treasurer would like to report throughout the year, feel free to do so. Supervisor DeSpain inquired if there is a monthly report to all departments that is done throughout the system and Treasurer Hernandez said that is correct; that fulfills the intent of the law. Vote unanimous approving the motion. Supervisor DeSpain acknowledged Jackie Koon as the new Chief Deputy for the Treasurer.

**FINANCE:** Consideration and possible award of Contract RFP B07-060-003 to purchase remittance processing equipment for County Treasurer: Deputy Finance Director Mary Springer advised the tax remittance software

was bid for the Treasurer which will allow quicker processing with less personnel. She advised the only company to submit a responsive bid was Creditron. Treasurer Hernandez described the process that this software will provide to streamline the tax collection process while making the office a more efficient operation, advising the equipment will pay for itself in three years as he will not have to hire temporary employees. **Supervisor DeSpain made a motion** to approve the award of Contract RFP B07-060-003 to Creditron for the remittance processing equipment for County Treasurer; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**NAVAJO COUNTY ATTORNEY:** Authorization for Chairman to sign grant agreement with Arizona Criminal Justice Commission for "Byrne Justice Assistance Grant" for the benefit of the County Attorney's office authorizing matching funds in the amount of \$26,217.00 to be paid from State RICO monies: County Attorney Mel Bowers advised this is an annual, ongoing grant with a county match from RICO funds. **Supervisor Deal made a motion** to authorize the Chairman to sign the grant agreement with the Arizona Criminal Justice Commission for "Byrne Justice Assistance Grant" for the benefit of the County Attorney's office, authorizing matching funds in the amount of \$26,217.00 to be paid from State RICO monies; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

**NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT:** Board of Directors Session: **Supervisor DeSpain made a motion** to enter into the Navajo County Public Health Services District; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- a. Consideration and possible action related to Oral Health Community Development grant #HP761133 with the Arizona Department of Health Services for 7/1/07 to 12/31/07 for \$37,584.00: Mary Tyler advised this contract will provide funding to develop a community dental health program funding a dental hygienist and operating expenses. **Supervisor Brownlow made a motion** to approve the Oral Health Community Development grant #HP761133 with the Arizona Department of Health Services for 7/1/07 to 12/31/07 for \$37,584.00; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. Consideration and possible action related to Subcontract with Registered Dental Hygienist Julia Barton for services for the Oral Health Community Development grant at the rate of \$35.00 per hour from 7/1/07 to 12/31/07: Mary Tyler advised this contract would provide services for the previously approved Oral Health Community Development grant. Supervisor Tenney inquired where this hygienist travels and Ms. Tyler stated that this person will gather oral health community people in Navajo County together to coordinate educational activities. **Supervisor Deal made a motion** to approve the subcontract with Registered Dental Hygienist Julia Barton for services for the Oral Health Community Development grant at the rate of \$35.00 per hour from 7/1/07 to 12/31/07; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- c. **HEALTH DISTRICT CONSENT AGENDA:** Supervisor DeSpain inquired if the Memorandum of Understanding is a trend in the health department to have them in place for public health emergencies and Mary Tyler advised that is the case with the bioterrorism program. **Supervisor DeSpain made a motion** to approve the Health District Consent Agenda and authorize the Chairman to sign the contracts; motion seconded by Supervisor Deal; vote unanimous approving the motion.
  - i. Consideration and possible action related to Memorandum of Understanding between Whiteriver Service Unit, Indian Health Service and Navajo County to cooperate in the event of a public health emergency
  - ii. Consideration and possible action related to Memorandum of Understanding between Show Low Fire Department and Navajo County to cooperate in the event of a public health emergency
  - iii. Consideration and possible action related to Memorandum of Understanding between Holbrook's EMS, Holbrook, AZ and Navajo County to cooperate in the event of a public health emergency

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

**SHERIFF DEPARTMENT:**

- a. Consideration and possible authorization for Sheriff's office to enter into agreement with the Office of Attorney General for grant totalling \$18,500 for partial funding for one clerk for mandated victims' rights' services: Chief Deputy Bernard Huser reviewed this agreement to partially fund the victim's right clerk covering about 54% of the salary. **Supervisor DeSpain made a motion** to authorize the Sheriff's office to enter into an agreement with the Office of Attorney General for a grant totalling \$18,500 for partial funding for one clerk for mandated victims' rights services; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. Consideration and possible action authorizing purchase of un-budgeted vehicle for jail costing \$17,946.00 and expensed out of Jail Enhancement funding: Chief Deputy Bernard Huser advised the request for this vehicle is being made because, through recycling vehicles throughout the department, there is a need for this vehicle for the Jail Commander. **Supervisor Brownlow made a motion** to authorize the purchase of an un-budgeted vehicle for the jail costing \$17,946.00 and expensed out of Jail Enhancement funding; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

**EMERGENCY MANAGEMENT:**

- a. Consideration and possible action to accept funds awarded by Arizona Department of Emergency Management in the amount of \$19,125.50 for an additional 9-1-1 dispatcher work station: Tim Zaremba, Emergency Manager, requested approval of this request. **Supervisor DeSpain made a motion** to accept funds awarded by the Arizona Department of Emergency Management in the amount of \$19,125.50 for an additional 9-1-1 dispatcher work station; motion seconded by Supervisor Deal; vote unanimous approving the motion.
- b. Consideration and possible action related to drought conditions in Navajo County: Tim Zaremba, Emergency Manager, discussed research he conducted regarding grants available for drought and found there are currently no grants available for humans or livestock but reported there is a competitive grant coming up in September. He stated he recommends that Navajo County put together a Drought Contingency Plan. He advised individual farmers and ranchers (not the county) are eligible for assistance as Navajo County was declared a 2005 Drought Disaster County. Supervisor Deal thanked Mr. Zaremba for doing the research and encouraged him to continue to look for grant opportunities and helpful resources even though currently there is moisture. He stated he would like to see renewable energy resources grants, especially solar, for the windmills to pump water. Additionally he would like to see resources for repair of the dirt water tanks on the reservation and the establishment of new ones to capture water. Mr. Zaremba said there are funds available for these types of projects if the county establishes a Drought Contingency Plan. He stated he plans to work on this project after the first of the year and the plan will be placed on a future agenda. Supervisor Thompson inquired if flooding results from the current weather if there would be funds available and Mr. Zaremba said there are. Supervisor DeSpain requested a Drought Declaration be put on a future agenda.

**WORKFORCE INVESTMENT:**

- a. Consideration and possible acceptance of the following Workforce Investment Board Member resignations: David Anderson, Geraldine Davis, Eric Duthie, Ron Interpreter, Christine Throop: WIA Director Gail Sadler advised that all vacancies created and nominations for appointment for the Navajo/Apache Workforce Investment Board must be approved by this Board. **Supervisor Brownlow made a motion** to accept the resignations of David Anderson, Geraldine Davis, Eric Duthie, Ron

Interpreter, and Christine Throop; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

- b. Consideration and possible approval of the following nominations to serve three year terms on the Navajo and Apache Counties' Workforce Investment Board with term to begin August 7, 2007: Todd White; Byron Smith; Ernie Tomlinson; and Roxanne Dean: **Supervisor Deal made a motion** to approve the nominations to serve three year terms on the Navajo and Apache Counties' Workforce Investment Board with terms to begin August 7, 2007: Todd White; Byron Smith; Ernie Tomlinson; and Roxanne Dean; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

#### **FINANCE:**

- a. Update on Community Development Block Grant funding: Randy Sullivan distributed an updated listing of submitted CDBG projects and an application update. He advised the State is almost finished reviewing projects and within the next few weeks will submit questions regarding the project; following that process, they will send out letters of approval. He reported he did inquire about the grievance that Mr. Bunker submitted and it has not yet been reviewed. He advised he and Mary Springer will work together when contracts are signed to begin this process, stating they will also start marketing the owner rehabilitation program so they can start accepting applications for that program. He stated that when those applications are received they will be ranked so they can select the projects; Mary Springer will do another environmental review for each house and then go out to bid for the projects. Supervisor DeSpain inquired if the grievance by White Mountain Lakes includes a dollar figure and Mr. Sullivan stated he is unsure. He discussed the grievance procedures at each level. Supervisor Brownlow thanked Mr. Sullivan for this update and expressed appreciation that he and Mary Springer went to Cibecue. He said he is concerned for these people who have roof problems in this weather. Supervisor Deal thanked Mr. Sullivan for the update, stating the modular building has been turned over to the community by the school district; the district wants to move it out and it is up to the community to cover this expense. He said they want to assure the school district the building is definitely needed but the resources are not yet available. He inquired if, in the owner rehabilitation program, assistance can be provided to families that have no infrastructure because it is not economically affordable, yet solar panels could be placed in the home with a special refrigerator and specially designed lights for a total cost of \$7,000 to \$8,000. He asked Mr. Sullivan to research if this type of owner rehabilitation would qualify under this program and Mr. Sullivan stated he did believe that type of rehabilitation will qualify. Supervisors thanked Mr. Sullivan for his update and Mr. Sullivan stated he will come back before the board when the award letters are issued.
- b. Consideration and possible adoption of Navajo County budget for 2007-2008: Finance Director James Menlove thanked Elected Officials for their participation in the budget process, stating that the budget before the board is essentially the same as presented last May with some minor line item adjustments since the tentative adoption in July. He reviewed the tax levy reports as included in the budget book. He reviewed each section of the budget with a total budget of \$119,637,665.00. He discussed the new schedule F as a summary of department expenditures and expenses. He advised this budget complies with promises made in Proposition 400 addressing transportation and public safety issues. Supervisor Tenney stated that this has been a good budget process and excellent presentation and explanations have been made throughout this process. The other Supervisors concurred with this statement. Supervisor Tenney recognized the members of the Timberland Acres Board of Directors that were present. Supervisor DeSpain inquired if there were any tax rate issues and Mr. Menlove said there are not. Superintendent Linda Morrow advised there have been no tax increases in the schools and the JTEDs were mandated by law to maintain their tax rate. Mr. Menlove advised the tax rate for the county as a whole is going down almost 2 cents. **Supervisor DeSpain made a motion** to adopt the Navajo County budget for 2007-2008; motion seconded by Supervisor Deal; vote unanimous approving the motion.

Chairman Tenney thanked Mr. Menlove and his staff for their efforts.

- c. Consideration and possible adoption of the following tax rates to support adopted 2007-2008 budget:
  - i. Navajo County tax rates: Mr. Menlove stated the proposed tax rate for the county is 0.6041. **Supervisor Brownlow made a motion** to approve the Navajo County tax rate as presented; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. Copy of adopted tax rates available through the Finance Department as filed with the Arizona Department of Revenue.
  - ii. Navajo County Schools' tax rates: Superintendent Linda Morrow reviewed the county school tax rates with the Board. **Supervisor DeSpain made a motion** to approve the Navajo County Schools' tax rates as presented for 2007-2008; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Superintendent Morrow thanked Chief Deputy Tami Phillips, Mr. Menlove and Mr. Jayne for their assistance in this process. Copy of adopted tax rates available through the Finance Department as filed with the Arizona Department of Revenue.
- d. **Board of Directors' Sessions:**
  - i. Consideration and possible adoption of 2007-2008 budgets within each session:
  - ii. Consideration and possible adoption of 2007-2008 tax rate within each session to support adopted 2007-2008 budget:
    1. Little Colorado River Flood Control District: **Supervisor Thompson made a motion** to go into the Little Colorado River Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 Little Colorado River Flood Control budget as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; 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.
    2. Navajo County Flood Control District: **Supervisor Brownlow made a motion** to go into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the Navajo County Flood Control District 2007-2008 budget as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Thompson; 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.
    3. Silver Creek Flood Protection District: Supervisor **DeSpain made a motion** to go into the Silver Creek Flood Protection District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to approve the Silver Creek Flood Protection District 2007-2008 budget as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
    4. Navajo County Public Health Services District: **Supervisor Brownlow made a motion** to go into the Navajo County Public Health Services District **Board of Directors' Session**; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the Navajo County Public Health Services District 2007-2008 budget as presented; motion seconded by Supervisor Thompson; vote unanimous

- approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; 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.
5. Navajo County Library District: **Supervisor Brownlow made a motion** to go into the Navajo County Library District **Board of Directors' Session**; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. James Menlove stated that because there is a 2 cent decrease in the Navajo County tax rate, this district will increase by one cent to assist the libraries in the communities. **Supervisor Deal made a motion** to approve the Navajo County Library District 2007-2008 budget as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion. Supervisor DeSpain inquired if this is the only district for which the Board acts that raised its rates and Mr. Menlove stated it is. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
  6. Silver Creek County Road Improvement District: **Supervisor DeSpain made a motion** to go into the Silver Creek County Road Improvement District **Board of Directors' Session**; motion seconded by Supervisor Deal; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the Silver Creek County Road Improvement District 2007-2008 budget as presented; motion seconded by Supervisor Deal; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; 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.
  7. White Mountain Lakes Recreation District: **Supervisor DeSpain made a motion** to go into the White Mountain Lakes Recreation District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the White Mountain Lakes Recreation District 2007-2008 budget as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to return to regular session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
  8. Victory Heights Road Maintenance District: **Supervisor Brownlow made a motion** to go into the Victory Heights Road Maintenance District **Board of Directors' Session**; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor Brownlow made a motion** to approve the Victory Heights Road Maintenance District 2007-2008 budget as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Thompson; 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.
  9. Overgaard Townsite Wastewater Improvement District: **Supervisor DeSpain made a motion** to go into the Overgaard Townsite Wastewater Improvement District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the Overgaard Townsite Wastewater Improvement District 2007-2008 budget; motion seconded by Supervisor Thompson; vote

unanimous approving the motion. **Supervisor DeSpain made a motion** to approve the 2007-2008 tax rate as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

All Supervisors thanked Mr. Menlove and his staff for their efforts on the budget and tax rates.

*NOTE: Copy of adopted tax rates available through the Finance Department as filed with the Arizona Department of Revenue.*

### **PUBLIC WORKS:**

- a. **NAVAJO COUNTY FLOOD CONTROL DISTRICT: Board of Directors' Session:** Consideration and possible action to rescind previous Board approval of the use of the "Zone D" designation with the implementation of DFIRMS: **Supervisor DeSpain made a motion** to enter into the Navajo County Flood Control District **Board of Directors' Session**; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Mr. Vela reviewed information that impacted the decision to request rescinding this action. He said that in the effort of trying to promote citizens buying flood insurance, they are requesting that the board rescind the previously taken action. **Supervisor DeSpain made a motion** to rescind previous Board approval of the use of the "Zone D" designation with the implementation of DFIRMS; motion seconded by Supervisor Thompson. County Attorney Mel Bowers inquired if the "D Zones" would be identified as not having been studied, inquired if this would be considered furnishing incomplete information and asking if the implication exists that it is outside the 100 year flood area. Mr. Vela said that will be addressed through the ordinance and developers must still do a flood plain study under certain conditions. Mr. Bowers inquired if residents will be well aware of the possibility of flooding in an area. Mr. Vela stated they would be and discussed the difference between insurance requirements and flood plain building requirements, advising that staff goes beyond the requirements to one foot above adjacent grade or two feet above depending on the hazard. He said that from the flood plain perspective they will still protect those homes, citing the standards used to determine the watershed. Mr. Bowers inquired if FEMA maps due out in September 08 will include these studies and Mr. Vela stated they would. Mr. Bowers inquired when studies are done if properties will be re-designated so a person will have more confidence the designation is correct and Mr. Vela said they would be. Mr. Vela discussed the lack of authority to govern a Zone C, X or D, stating Zone D is most of Navajo County. He said that a Zone A designation gives authority. Mr. Vela stated that not all Cs and Xs have been studied and Ds would be a subset of Cs and Xs. He stated that everything inside a flood plain is an A area and outside of flood plain are C areas. He said there is not enough money to map all of Navajo County and cited areas labelled Cs (Example: Hogwash) even though known parts of Hogwash outside Zone A are potential flood areas. He stated that staff believes rescinding Zone Ds to be the best solution. Mel Bowers inquired if the same safeguards are in place so they can deal with zones on a case-by-case basis and Mr. Vela said that was correct and FEMA is okay with that. James Jayne stated that a case by case basis creates flexibility for staff to provide better service and enables them to compile information county-wide. Mr. Vela stated that every city and town now concurs that the cost of flood insurance outweighs the advantage of having this designation. Vote unanimous approving the motion. Mr. Vela discussed river flow information within the county as depicted on displayed graphs indicating where the rivers will be at bank flow, stating that most have reached their peak and are now dropping down. Supervisor Brownlow inquired if, when 19' is reached, it is over the top and Mr. Vela stated that is the theory. He said that when they have a bank full, they will check the accuracy of this information. **Supervisor Brownlow made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- b. **Consideration and possible action related to award of Contract #B07-06-025 Supply and Delivering Liquid Asphalt Products to Hawker & Evans Asphalt Company and Cactus Transport as presented in the official bid tabulation:** Dusty Parsons advised this firm was the over all low bidder. **Supervisor DeSpain made a**

**motion** to approve the award of Contract #B07-06-025 Supply and Delivering Liquid Asphalt Products to Hawker & Evans Asphalt Company and Cactus Transport as presented in the official bid tabulation; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- c. Consideration and possible action related to amend Contract #B06-05-150 for Supply of Aggregate for Cover Material with Brimhall Sand and Rock to extend an additional year (6/26/07 through 6/25/08): Dusty Parsons advised this cover material is chip seal. **Supervisor DeSpain made a motion** to approve this item as presented; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- d. Consideration and possible action authorizing the Public Works Department to submit the SFY 08 LTAF II grant application in an amount of \$147,220.01: Dusty Parsons reviewed the LTAFII grant application with the board, stating the amount listed includes the county match. **Supervisor DeSpain made a motion** to authorize the Public Works Department to submit the SFY 08 LTAF II grant application in an amount of \$147,220.01; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

Supervisor Thompson expressed appreciation to Dusty Parsons and James Jayne for their vision regarding flooding and roads. Supervisor DeSpain inquired about the rock that is currently being hauled from SR 77. Mr. Parsons stated that the Holbrook road yard was 60 feet from the river but with recent rains is now about 20 feet from the river so they are hauling rock to stabilize the boundary.

**BOARD BUSINESS:** All Supervisors reported on activities within their districts and on issues that impact the county. Supervisor Brownlow thanked the Public Works staff for their response to flooding in his district. He recognized Brent Brown's attendance at the Small Counties Legislative Retreat and his presence at this meeting today. Supervisor DeSpain thanked administration and finance for an outstanding budget process. Supervisor Deal thanked Dusty Parsons for the partnerships created that can work together for regular road maintenance and emergency situations. Chairman Tenney thanked Dusty Parsons for his efforts in helping County Supervisors understand the impact of Title 34 at the recent retreat. The Wellness Works group presented water bottles and invited everyone to attend a lunch.

**ADJOURN:** At 12:29 **Supervisor DeSpain made a motion** to adjourn; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

**APPROVED:**

**DATE:**

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**J. R. DeSpain, Vice-Chairman**

**ATTEST:**

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**Darlene Fraley, Clerk of the Board**