

**NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
THURSDAY, SEPTEMBER 11, 2008**

1:37 P.M. Chairman DeSpain called the meeting to order.

PRESENT: J. R. DeSpain, Chairman, Percy Deal, Supervisor, Jesse Thompson, Supervisor, Darlene Fraley, Clerk of the Board, and Lance Payette, legal counsel, were present in chambers. Jerry Brownlow, Vice Chairman, and David Tenney, Supervisor, participated by telephone which was on speaker in the chambers so all comments were audible to supervisors and participating audience members.

ELECTIONS: Consideration and possible approval of the Official Canvass of the Primary Election conducted September 2, 2008: Lisa McKee reviewed the Canvass of Elections of the 2008 Primary. **Supervisor Thompson made a motion** to approve the Official Canvass of the Primary Election conducted September 2, 2008; motion seconded by Supervisor Deal; vote unanimous approving the motion. Supervisors Deal and Thompson advised of difficulties experienced during the primary election on the reservation, encouraged Ms. McKee to have additional poll worker training sessions for reservation polling places, and counseled her that if there is a need for additional funding she should come back before the board with a request. Supervisor Deal requested that Ms. McKee consider making the oval outlines darker on the ballots and she stated she would research to see if this is feasible, advising there is the possibility that a darker oval could create a false vote. Ms. McKee advised the touch screen is available to all voters with larger print with an audible Navajo translation of everything on the ballot. Supervisor Deal advised that the brochure the three counties are circulating with Navajo written language can not be read by most Navajo people. Supervisor Tenney left the meeting at this time.

COUNTY ATTORNEY: Consideration and possible adoption of **Resolution Number - 08** authorizing the Chairman to sign the FY2009 Byrne Justice Assistance Grant agreement with the Arizona Criminal Justice Commission for the benefit of the County Attorney's office and authorizing matching funds in the amount of \$24,835.00 to be paid from State RICO monies: Lance Payette advised this is a recurring grant and that while funding is decreasing, it does still fund the salary and benefits for a prosecutor and senior secretary. He said the \$24,835.00 matching funds comes from criminal forfeiture funds. **Supervisor Deal made a motion** to approve **Resolution Number 59 - 08** authorizing the Chairman to sign the FY2009 Byrne Justice Assistance Grant agreement with the Arizona Criminal Justice Commission for the benefit of the County Attorney's office and authorizing matching funds in the amount of \$24,835.00 to be paid from State RICO monies; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor Tenney absent for the vote.

At 2:00 p.m., EXECUTIVE SESSION pursuant to ARS § 38-431.03(A)(3) and (A)(4) for legal advice and consultation regarding proposed settlement of EEOC Charge and Notice of Claim filed by employee of Navajo County Sheriff's Office: At 2:00 p.m., **Supervisor Thompson made a motion** to enter into executive session as listed on the agenda; motion seconded by Supervisor Deal; vote unanimous approving the motion with Supervisor Tenney absent for the vote. At 2:08 p.m. the Board of Supervisors reconvened with all present as previously listed with the exception of Supervisor Tenney.

Discussion and possible action on proposed settlement of EEOC Charge and Notice of Claim: Lance Payette requested that the board approve a settlement agreement to satisfy an EEOC claim and Employee's Notice of Claim as outlined in executive session. **Supervisor Brownlow made a motion** to approve the settlement agreement as outlined by legal counsel in executive session; motion seconded by Supervisor Thompson; vote unanimous with Supervisor Tenney absent for the vote.

ADJOURN: At 2:09 p.m., **Supervisor Thompson made a motion** to adjourn; motion seconded Supervisor Deal; vote unanimous approving the motion.

APPROVED:

DATE:

J. R. DeSpain, Chairman

October 7, 2008

ATTEST:

Darlene Fraley, Clerk of the Board