

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, DECEMBER 2, 2008

PRESENT: J.R. DeSpain, Chairman; David Tenney, Supervisor; Jesse Thompson, Supervisor; Jerry Brownlow, Supervisor; and Percy Deal, Supervisor, are present.

9:03 a.m. Call to Order: Pledge of Allegiance and Invocation led by Chairman DeSpain.

Chairman DeSpain recognized Supervisor Jerry Brownlow and presented him with a birthday cake. Everyone sang Happy Birthday.

CALL TO THE PUBLIC: No response to call to the public.

CONSENT AGENDA: a) Amendment #2 of Contract #070095DC with AZ Department of Corrections to provide Correctional Officer Certification Training and extends the agreement an additional year through February 28, 2010 and increases the cost by \$20 per cadet to \$870 per cadet; b) Letter of Congratulations to Representative Bill Konopnicki; c) Sympathy letters for Nancy McAllester and Beverly Goodnight; d) Clerk of Superior Court, October report; e) Constable Reports: Holbrook #1 October; Winslow #2 October; Kayenta #4 October; Pinetop #6 October 2008; f) Justice Court Reports: Holbrook #1 October; Winslow #2 October; Snowflake #3 October; Kayenta #4 October; Show Low #5 October; Pinetop #6 October, 2008; g) Lobbyist contract for county initiatives; h) Name an existing road in the Heber/Overgaard area "Caprice Trail" in Section 29, Township 12 North, Range 17 East. **Supervisor Tenney made a motion** to approve the Consent Agenda as presented; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. **Quality Emulsions and Navajo County Recognizing Excellence:** Victoria Runyon from Superior Court was recognized for outstanding achievement and given a fruit basket and certificate by Carolyn Castillo.
- b. **Personnel service awards:** Stephen Birdsong, Dusty Parsons, Pamela Searls, and Vernon Lewis were recognized for their years of service to Navajo County.
- c. **Day of the Mustangs Proclamation:** Supervisor Tenney recognized the State Champion Mogollon Mustang Varsity Football Team and introduced Principal Rick Hunsinger who stated he and the team are honored to be here and gave credit to the team and coaches for their hard work and how they behaved both on and off the field this year. He then introduced Head Coach Ron Tenney who stated his appreciation and gave tee-shirts to the board members. The three senior Team Captains addressed the board and indicated that they made goals in May and have seen their hard work pay off and further thanked the coaches and their parents and school supporters. **Supervisor Tenney read and made a motion to adopt the proclamation for Day of the Mustangs.** Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.

The County Manager recognized and welcomed Dan Hinz back to work.

HUMAN RESOURCES: Consideration and action related to Personnel Action report: Gail Calisen reviewed 12 personnel actions. **Supervisor Brownlow made a motion** to approve the Personnel Action report as presented. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: CONSENT AGENDA: The following item(s) are considered to be of a routine or administrative nature and will be approved as group unless a member of the Board wishes to discuss a particular item: **Motion made by Supervisor Brownlow** to enter into the **NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session.** Motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

- a. Approval of Per Capita grant from the Arizona Department of Health to provide \$4,931 for local health work;
- b. Approval of Direct Grant from the Arizona Department of Health Services to provide \$35,407.69 for the provision of local health work, specifically to be expended for a public health nurse and/or a sanitarian; **Motion made by Supervisor Tenney** to approve the consent agenda as presented. 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.

ELECTIONS:

- a. Consideration and possible approval to conduct a polling place election for the Town of Snowflake, Primary Election to be held on March 10, 2009 and General Election to be held on May 19, 2009; Lisa McKee discussed the item. **Supervisor Tenney made a motion to** approve Navajo County to conduct a polling place election for the Town of Snowflake; Primary Election to be held on March 10, 2009. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
- b. Consideration and possible approval to call for an election for White Mountain Lake Special Road District #2 to be held as a precinct-based election on March 10, 2009; Lisa McKee discussed the item. **Supervisor Tenney made a motion to** approve Navajo County to call for an election for White Mountain Lake Special Road District #2 to be held as a precinct-based election on March 10, 2009. Supervisor Brownlow seconded the motion. Vote unanimous approving the motion.

FINANCE:

- a. Consideration and possible approval of award of design-build contract to Urban Edge Builders for new health building and site/building improvements at 9th Place property in Show Low. First phase consists of programming documentation and site master planning for a fee of \$38,000 Mary Springer presented the contract proposal and handed out a schedule for programming and master planning; a detailed cost will be presented to the Board in January, 2009. Tom Kilde from Urban Edge Builders and Joe Herzog from the architectural firm of Mertz Projects were introduced. Mr. Kilde explained the process for the board and introduced Mr. Herzog who indicated he is looking forward to the team process. **Supervisor Brownlow made a motion to award a contract to** Urban Edge Builders for new health building and site/building improvements at 9th Place property in Show Low with the First phase consisting of programming documentation and site master planning for a fee not to exceed \$38,000. Motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- b. **NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: Motion made to enter in to the Navajo County Health District Board of Directors Session by Supervisor Brownlow** and seconded by Supervisor Tenney. Vote unanimous approving the motion. Consideration and possible approval of expenditure of \$19,000 for portion of design build contract to Urban Edge Builders for new Health Building and site/building improvements at 9th Place property in Show Low. Mary Springer discussed the item and responded to question from the Board. **Supervisor Tenney made a motion to** approve the expenditure of \$19,000 for portion of design build contract to Urban Edge Builders for the new Health Building and site/building improvements at 9th Place property in Show Low. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion. **Motion made by Supervisor Brownlow** to enter into regular session. Motion

- seconded by Supervisor Thompson. Vote unanimous approving the motion.
- c. Finance Update: Mr. Menlove handed out a summary page and indicated that it is to intended to show what steps are being taken to insure fiscal health of the county. He explained what the columns headings mean and where the county currently stands with total revenues. He recognized the efforts of the department heads and elected officials to curtail spending due to the current state of the economy and that, with this combined effort, means the county will be able to continue to operate in a responsible manner. He responded to questions from the board and stated that a detailed report will be presented on January 13, 2009. No action.

SHERIFF'S OFFICE: EMERGENCY MANAGEMENT:

- a. Consideration and possible adoption of the Central Navajo County Community Wildfire Protection Plan (CWPP): Tommy Price discussed the item and introduced members of the working group as follows: Katie Jones, Wild Mountain Fire & Forestry; Clay Wood, Taylor Fire Chief; Dale Call, Snowflake Assistant Fire Chief; Steve Campbell, University of Arizona Navajo County Cooperative Extension; and Lloyd Wilmes, Sitgreaves Communities Wildfire Protection Plan. These individuals participated in the creation of the document and are available to answer any questions from the Board. Chairman DeSpain explained that this plan is for Zone 2, Central Navajo County, which covers the communities of Snowflake, Taylor, White Mountain Lake, Silver Lake Estates and Chevelon. Mr. Wilmas stressed that this plan not be a "shelf" plan but efforts be made to insure that oversight and implementation takes place. Supervisor Deal expressed his thanks to the team and requested that the names of the communities be placed on the map. **Supervisor Tenney made a motion to** adopt the Central Navajo County Community Wildfire Protect Plan; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
- b. Consideration and possible approval of Memorandum of Agreement (MOA) with the Department of Safety (DPS), Apache County Sheriff Office (ACSO) and Navajo County Sheriff Office (NCSO) for the establishment of a digital microwave link between DPS, ACSO and NCSO: Tommy Price discussed the item and, along with Tim Zaremba, answered questions from the Board. **Supervisor Brownlow made a motion to** approve the Memorandum of Agreement (MOA) with the Department of Safety (DPS), Apache County Sheriff Office (ACSO) and Navajo County Sheriff Office (NCSO) for the establishment of a digital microwave link between DPS, ACSO and NCSO. Motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- c. Consideration and possible approval of the reimbursable grant from the Department of Homeland Security funded under the Citizen Corps Program (CCP) in the amount of \$7,120.00 to be used to obtain equipment and training for the three local Citizen Emergency Response Teams in Navajo County; any future CERT teams that form may also receive part of these funds: Tim Zaremba presented the item and answered questions from the Board. **Supervisor Tenney made a motion to** approve the reimbursable grant from the Department of Homeland Security funded under the Citizen Corps Program (CCP) in the amount of \$7,120.00 to be used to obtain equipment and training for the three local Citizen Emergency Response Teams in Navajo County; any future CERT teams that form may also receive part of these funds. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion
- d. Consideration and possible approval of the reimbursable grants from the Arizona Emergency Response Commission (AZSERC) a division of the Arizona Division of Emergency Management (ADEM) as follows: 2009 Hazardous Material Emergency Preparedness (HMEP) grant in the amount of \$1,500 and 2009 Emergency Response Fund (ERF) grant in the amount of \$2,600.00: Tim Zaremba discussed the item. **Supervisor Tenney made a motion to** approve

the reimbursable grants from the Arizona Emergency Response Commission (AZSERC) a division of the Arizona Division of Emergency Management (ADEM) as follows: 2009 Hazardous Material Emergency Preparedness (HMEP) grant in the amount of \$1,500 and 2009 Emergency Response Fund (ERF) grant in the amount of \$2,600.00. Supervisor Deal seconded the motion. Vote unanimous approving the motion.

- e. Consideration and possible approval of reimbursable grants from the Arizona Department of Homeland Security under the 2008 Homeland Security Grant Program in the amount of \$199,500 as follows: #444102-03 Navajo County EOC Enhancement Computers \$25,000; 444109-04 Navajo County Sheriff's Office Night Vision and Thermal Imaging \$26,500; 444109-02 Navajo County Sheriff's Office 9-1-1 Workstation \$24,000; 444109-03 Navajo County Sheriff's Office Substation Enhance \$14,000; 444109-01 Navajo County Emergency Notification System \$85,000; and 444102-02 Navajo County CERT Equipment and Training \$25,000: Tim Zaremba discussed the item, explained the grant expenditures, and responded to questions from the Board. **Supervisor Tenney made a motion to** approve the reimbursable grants from the Arizona Department of Homeland Security under the 2008 Homeland Security Grant Program in the amount of \$199,500 as follows: #444102-03 Navajo County EOC Enhancement Computers \$25,000; 444109-04 Navajo County Sheriff's Office Night Vision and Thermal Imaging \$26,500; 444109-02 Navajo County Sheriff's Office 9-1-1 Workstation \$24,000; 444109-03 Navajo County Sheriff's Office Substation Enhance \$14,000; 444109-01 Navajo County Emergency Notification System \$85,000; and 444102-02 Navajo County CERT Equipment and Training \$25,000. Supervisor Brownlow seconded the motion. Vote unanimous approving the motion.
- f. Consideration and possible approval of reimbursable grants from the Arizona Department of Homeland Security, 2006 Homeland Security Grant Program in the amount of \$17,325 to obtain equipment to enhance deputy safety and crime prevention at night: Tim Zaremba discussed the item. **Motion made by Supervisor Brownlow to** approve reimbursable grants from the Arizona Department of Homeland Security, 2006 Homeland Security Grant Program in the amount of \$17,325 to obtain equipment to enhance deputy safety and crime prevention at night. Motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- g. Consideration and possible approval of Hazardous Material Response Plan as an annex to the Navajo County Emergency Response Plan: Tommy Price presented the item. **Supervisor Brownlow made a motion to approve the** Hazardous Material Response Plan as an annex to the Navajo County Emergency Response Plan. Motion seconded by Supervisor Tenney. Vote unanimous approving the motion. Supervisor Deal suggested it would be appropriate that a letter be provided congratulating former Governor Janet Napolitano on her appointment as Homeland Security Secretary.

PUBLIC WORKS:

The Chairman called for item 8 f. to be heard at this time. Supervisor Brownlow declared a conflict of interest and left the meeting. He has family living in the District.

- f. Mountain View Improvement District Board of Director's Session: Consideration and possible approval of: **Supervisor Tenney made a motion to** enter into the Mountain View Improvement District **Board of Director's Session**. Supervisor Deal seconded the motion. Vote unanimous approving the motion.
 - i. **Resolution _____-08, the Resolution of Intention to Perform the Improvements of Mountain View Improvement District;** Carol Fraley presented the item and responded to questions from the Board. Supervisor **Tenney made a motion to** approve **Resolution 72-08, the Resolution of Intention to Perform the Improvements of Mountain View**

Improvement District. Supervisor Thompson seconded the motion. Vote unanimous approving the motion.

- ii. Notice of Proposed Improvements and distribution of the notice as required: Carol Fraley discussed the item. **Supervisor Tenney made a motion to approve** the Notice of Proposed Improvements and distribution of the notice as required. Supervisor Thompson seconded the motion. Vote unanimous approving the motion. **Supervisor Tenney made a motion to** return to regular session. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

The Chairman called for item 8e. to be heard at this time.

- e. Consideration and possible approval of acceptance of the filing of a petition requesting establishment of Mountain View Drive and West Settlers Lane as County Highways and set the public hearing at 9:00 a.m. on December 16, 2008: Carol Fraley presented the item. **Supervisor Tenney made a motion to** approve the acceptance of the filing of a petition requesting establishment of Mountain View Drive and West Settlers Lane as County Highways and set the public hearing at 9:00 a.m. on December 16, 2008. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

Supervisor Brownlow returned to the meeting. Supervisor Tenney left the meeting at 11:05 a.m.

- a. **PUBLIC HEARING:** Consideration and possible approval of Resolution # -08 establishing Hilltop Drive, Ox Bow Drive, Pioneer Lane, Happy Trail Lane, Frontier Lane, Lacie Lane and Hilltop Lane as County Highways in the Hilltop Drive Improvement District: A Public Hearing was declared by the Chairman. Carol Fraley presented the item and responded to questions. The Public Hearing was closed with no comments for or against. **Supervisor Brownlow made a motion to** approve **Resolution #73-08** establishing Hilltop Drive, Ox Bow Drive, Pioneer Lane, Happy Trail Lane, Frontier Lane, Lacie Lane and Hilltop Lane as County Highways in the Hilltop Drive Improvement District. Supervisor Thompson seconded the motion. Vote unanimous approving the motion.
- b. **PUBLIC HEARING:** Consideration and possible approval of Resolution # -08 establishing a portion of Silver Lake Boulevard from Huggins Drive to Bourdon Ranch Road as a County Highway: A Public Hearing was declared by the Chairman. Carol Fraley presented the item. The Public Hearing was closed with no comments for or against. **Supervisor Thompson made a motion to** approve of **Resolution #74-08** establishing a portion of Silver Lake Boulevard from Huggins Drive to Bourdon Ranch Road as a County Highway. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
- c. Hilltop Drive Improvement District Board of Director's Session: Consideration and possible approval of: **Supervisor Thompson made a motion to** enter into the Hilltop Drive Improvement District Board of Director's Session. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
 - i. **Resolution Number _____-08**, the Resolution of Intention to Perform the Improvements of Hilltop Drive Improvement District, and **Supervisor Brownlow made a motion to** approve **Resolution 75-08**, the Resolution of Intention to Perform the Improvements of Hilltop Drive Improvement District. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - ii. the Notice of Proposed Improvements and direct distribution of the Notice as required: Carol Fraley presented the item. **Supervisor Brownlow made a motion to** approve the Notice of Proposed Improvements and direct distribution of the Notice as required and start the 20-day protest period. 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.
- d. Victory Heights Roads Maintenance District Board of Director's Session: Consideration and possible approval of: **Supervisor Brownlow made a motion to** enter into the Victory Heights Road Maintenance District Board of Director's Session. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - i. Acceptance of resignation of Joyce Patterson from the Victory Heights Advisory Committee, Carol Fraley discussed the item. **Supervisor Thompson made a motion to** accept the resignation of Joyce Patterson from the Victory Heights Advisory Committee. Supervisor Brownlow seconded the motion. Vote unanimous approving the motion.
 - ii. Appointment of Bill Kenney to the Victory Heights Advisory Committee: Carol Fraley discussed the item. **Supervisor Brownlow made a motion to** appoint Bill Kenney to the Victory Heights Advisory Committee. 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.
 - g. Consideration and possible approval of acceptance of the filing of a petition requesting establishment of roads in the North Whistle Stop Loop Improvement District as County Highways and set the public hearing at 9:00 a.m. on December 16, 2008: Carol Fraley presented the item. **Supervisor Brownlow made a motion to** accept the filing of a petition requesting establishment of roads in the North Whistle Stop Loop Improvement District as county highways and set the public hearing for 9:00 a.m. on December 16, 2008. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
 - h. North Whistle Stop Loop Improvement District Board of Director's Session: Consideration and possible approval of: **Supervisor Thompson made a motion to** enter into the North Whistle Stop Loop Improvement District Board of Director's Session. Supervisor Brownlow seconded the motion. Vote unanimous approving the motion.
 - i. **Resolution Number -08,** the Resolution of Intention to perform the Improvements of North Whistle Stop Loop Improvement District, Carol Fraley discussed the item. **Supervisor Brownlow made a motion to** approve **RESOLUTION 76-08,** the Resolution of Intention to perform the Improvements of North Whistle Stop Loop Improvement District. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion; and
 - ii. The Notice of Proposed Improvements and distribution of the notice as required: Carol Fraley discussed the item. **Supervisor Brownlow made a motion to** approve the Notice of Proposed Improvements and distribute the notice as required. Supervisor Thompson seconded the motion. 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.
 - i. Consideration and possible approval of Amendment One to the IGA with the Navajo Nation for the development of two (2) new road yards: Homero Vela passed out a revised copy of the item and presented the item. **Supervisor Deal** introduced Kendall Long, Assistant to Tom Platero, Manager of the Navajo Nation Department of Transportation (NDOT) and **made a motion to approve Resolution 77-08,** Amendment One (attachment B) to the IGA with the Navajo Nation for the development of two new road yards. Supervisor Thompson seconded the motion and thanked Mr. Long for being in attendance. Mr. Long, Program Manager of NDOT Road Maintenance Department, indicated that Dilkon and Pinon will be the first two of 21 road yards to be established within the next five years. Vote unanimous approving the motion.

- j. Consideration and possible approval of a Professional Services Contract with Johnson Walzer Associates, LLC to provide architectural and engineering services for the creation of two new Road Yards for the Navajo Nation Department of Transportation in an amount not to exceed \$207,600.00: Homero Vela discussed the item. **Supervisor Thompson made a motion to** approve a Professional Services Contract with Johnson Walzer Associates, LLC to provide architectural and engineering services for the creation of two new Road Yards for the Navajo Nation Department of Transportation in an amount not to exceed \$207,600.00. Motion seconded by Supervisor Brownlow. Vote unanimous approving the motion Supervisor Deal expressed his appreciation to Homero Vela, Norman Cody and Dusty Parsons for their efforts.
- k. Consideration and possible approval of **Resolution # -08** amending an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation for the Reservation Roadway Maintenance Funding to include \$110,880 for FY-08: Homero Vela discussed the item. **Supervisor Deal made a motion to** approve **Resolution 78-08** amending an Intergovernmental Agreement (IGA) with the Arizona Department of Transportation for the Reservation Roadway Maintenance Funding to include \$110,880 for FY-08. Supervisor Thompson seconded the motion. Vote unanimous approving the motion. Mr. Vela recognized his support team of Norman Cody, Clyde Holyoak, Jeannette Carruthers and Veronica Deal for their efforts.
- l. Consideration and possible award of contract #B08-10-007 Supply and Delivery of Cattle Guards to Smith Pre-Cast, Inc. dba US Concrete, Precast Group and W W Cattle Guards, LLC: Homero Vela discussed the item. **Supervisor Brownlow made a motion to** award contract #B08-10-007 for the Supply and Delivery of Cattle Guards to Smith Pre-Cast, Inc. dba US Concrete, Precast Group and W W Cattle Guards, LLC. Motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

BOARD BUSINESS – Supervisor Thompson indicated a plaque of appreciation was received from the White Cone Senior Citizens Center thanking the board for their support. Supervisor Brownlow indicated he and Supervisor Tenney and Chairman DeSpain attended the County Supervisors Association Legislative Summit in Rio Rico and stated it was a good event. Chairman DeSpain reminded the board that Arizona Association of Counties is this week in Glendale. Supervisor Deal introduced Harry Begay, Chapter Coordinator, from the Hardrock Chapter and indicated that the county is moving forward with the snow removal program and will be meeting next week to put the finishing touches on the agreement. The County Manager indicated that the legislature will be going into special session and we are still pushing for the inclusion of the alternative work week in that session.

ADJOURN: At 12:15 p.m. **Supervisor Brownlow made a motion** to adjourn; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

APPROVED:

DATE: September 8, 2009

Jerry Brownlow, Chairman

ATTEST:

Melissa W. Buckley, Clerk of the Board

**Electronic recording of the Board of Supervisors Meeting is available for review
upon a Public Records Request**