

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, June 23, 2009

PRESENT: J.R. DeSpain, Supervisor; David Tenney, Supervisor; Jonathan Nez, Supervisor; Jesse Thompson, Supervisor; and Jerry Brownlow, Chairman.

9:05a.m. Call To Order: The Pledge of Allegiance and Invocation was led by Chairman Brownlow.

CALL TO THE PUBLIC: Enzo DiMartino, owner of Enzo's Italian Restaurant in Snowflake and Richard G. Young of Holbrook, AZ spoke to the Board regarding Ordinance No. PHSD 01-09, the Public Health Services District Licensing Fees Ordinance passed on June 9, 2009. Mr. DiMartino stated he has less than 30 seats in his restaurant and his fee increased 300% and requested the Board reconsider the ordinance and postpone the fee increase until the economy has improved. Mr. Young indicated that the increase is excessive and that small businesses will be adversely affected.

CONSENT AGENDA: a) Sympathy letter to Leah Thomas, Lupe Bray, Tom & Suzie Robinson and Supervisor Jim Claw; b) Condolence letter to Deputy Bill Murray; c) Letters to Congresswoman Kirkpatrick, Senator McCain, Senator Kyl and Senator Baucus opposing "Black Liquor Tax Credit"; d) Clerk of Superior Court Report May 2009; e) Constable Reports: Winslow Precinct #2, May; Snowflake Precinct #3, May; and Show Low Precinct #5 May, 2009; f) Minutes: June 9, 2009; g) Receipt of \$111,871.00 of the Help America Vote Act (HAVA) block grant to be dispersed by June 30, 2009 by the Secretary of State; h) Approval to conduct an all mail ballot election for Silver Creek Flood Protection District #1 on October 7, 2009; i) Fiscal year 2010 Drug, Gang and Violent Program (Byrne Grant); j) Thank you letter to Sylvia Allen and Mike Anable; k) Cell phone stipend changes; l) Name an existing road in the Chevelon Canyon Ranches area "Gala Drive" in Section 35, Township 15 North, Range 16 East; m) Name an existing road in the Chevelon Canyon Ranches area "Outlook Road" in Section 25, 35, Township 15 North, Range 16 East; n) Name an existing road in the Chevelon Canyon Ranches area "Mojave Drive" in Section 35, Township 15 North, Range 16 East; o) Name an existing road in the Chevelon Canyon Ranches area "Pipestone Road" in Section 35, Township 15 North, Range 16 East; p) Name an existing road in the Chevelon Canyon Ranches area "Posada Drive" in Section 35, Township 15 North, Range 16 East; q) Name an existing road in the Chevelon Canyon Ranches area "Daystar Drive" in Section 25, Township 15 North, Range 16 East; r) Name an existing road in the Chevelon Canyon Ranches area "Lakewinds Road" in Section 25, Township 15 North, Range 16 East; s) Name an existing road in the Chevelon Canyon Ranches area "Keystone Drive" in Section 25, Township 15 North, Range 16 East; t) Name an existing road in the Chevelon Canyon Ranches area "Woodridge Drive" in Section 03, Township 15 North, Range 16 East; u) Name an existing road in the Chevelon Canyon Ranches area "Rock Point Drive" in Section 03, Township 15 North, Range 16 East; v) Name an existing road in the Chevelon Canyon Ranches area "Foxwood Road" in Section 03, Township 15 North, Range 16 East; w) Name an existing road in the Linden area "Clearview Lane" in Section 18, Township 11 North, Range 21 East **Supervisor DeSpain made a motion** to authorize the Chairman to sign the items on the consent agenda as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

Quality Emulsions and Navajo County Recognizing Excellence: Suzie Sandovahl was recognized for her outstanding contributions to the Health District.

HUMAN RESOURCES:

Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 20 item Personnel Action Report. **Supervisor DeSpain 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 a group unless a member of the Board wishes to discuss a particular item: Renewal of Professional Services Agreement between Navajo County Public Health Services District and Larson Waste, Incorporated for medical

waste pick up and disposal effective 7/1/09 to 6/30/2010. **Supervisor Tenney made a motion** to enter into the Navajo County Public Health Services District Board of Directors Session; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. Dr. Wade Kartchner presented the item. **Supervisor Tenney made a motion** to approve the item as presented; motion seconded by Supervisor DeSpain. 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.

COUNTY ATTORNEY: Consideration and possible approval of Criminal Justice Commission Crime Victim Assistance Grant Agreement. County Attorney Brad Carlyon presented the item. **Supervisor Thompson made a motion** to approve the item as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

TREASURER: Consideration and possible approval of abatement of personal property taxes and removal from tax roll. Treasurer Manny Hernandez presented the item. **Supervisor Tenney made a motion** to approve the item as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

WHITE MOUNTAIN LAKES FIRE DISTRICT: Consideration and possible adoption of Resolution Number -09 expanding the governing board of the White Mountain Lakes Fire District from three members to five members pursuant to A.R.S. §48-803(A) Deputy County Attorney Jason Moore discussed the item and introduced John Flynn, Director of the White Mountain Lakes Fire District who explained the recommendations of the Advisory Board. **Supervisor Tenney made a motion** to adopt **Resolution Number 46-09** expanding the governing board from three to five members; motion seconded by Supervisor Nez. Vote unanimous approving the motion.

ADMINISTRATION: Consideration and possible approval of the request from Park Elementary School for assistance in a new outdoor restroom and equipment storage building in the amount not to exceed \$50,000 from District III Secure Rural Schools Funding. Dusty Parsons presented the item. **Supervisor Tenney made a motion** to approve the item as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

ADMINISTRATION: Consideration and possible approval of the request from Indian Wells Elementary School for assistance in new playground equipment in an amount not to exceed \$60,000 from District II Secure Rural Schools Funding; Dusty Parsons discussed the item. **Supervisor Thompson made a motion** to approve the request from Indian Wells Elementary School for assistance in new playground equipment in an amount not to exceed \$60,000 from District II Secure Rural Schools Funding; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

FACILITIES MANAGEMENT: Consideration and possible approval to extend temporary janitorial position up to ninety (90) days. Steve Slade presented the item. **Supervisor Thompson made a motion** to approve the item as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

PUBLIC WORKS:

- a. **NORTH WHISTLE STOP LOOP IMPROVEMENT DISTRICT Board of Directors Session:** Consideration and possible adoption of Resolution Number -09, authorizing the issuance of a Bond Anticipation Note in the principal amount of \$76,347.50 to be sold to the Navajo County Improvement District Revolving Fund, the proceeds to be used to pay the Contractor for work performed pending the completion of the cash collection period, and authorizing the Superintendent of Streets to execute said Note. **Supervisor Tenney made a motion** to enter into the North Whistle Stop Loop Improvement District Board of Directors Session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Roger Beecroft discussed the item. **Supervisor Tenney made a motion** to

adopt **Resolution 47-09** as presented; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

- b. Consideration and possible approval of purchase by the Navajo County Improvement District Revolving Fund of a Bond Anticipation Note in the principal amount of \$76,347.50 to be issued by the North Whistle Stop Loop Improvement District, the proceeds to be used to pay the Contractor for work performed pending the completion of the cash collection period. Roger Beecroft presented the item. **Supervisor Tenney made a motion** to return to approve the item as presented; motion seconded by Supervisor Nez. Vote unanimous approving the motion.
- c. Consideration and possible approval of continuing the current four (4) day work week schedule for Public Works Offices for the next two (2) months. Public Works Director Homero Vela presented the item. **Supervisor DeSpain made a motion** to approve the item as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- d. Consideration and possible award of Contract #B09-04-029 Supply of various roadway materials to Brimhall Sand & Rock and Building Materials, Cholla Ready Mix, Inc., Hatch Construction and Paving, Inc. and Perkins Cinders, Inc. Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve award of Contract #B09-04-029 Supply of various roadway materials to Brimhall Sand & Rock and Building Materials, Cholla Ready Mix, Inc., Hatch Construction and Paving, Inc. and Perkins Cinders, Inc.; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- e. **Public Hearing:** Consideration and possible adoption of **Resolution Number -09**, concerning a special use Permit with conditions for the Perkins Roping Arena. Greg Loper discussed the item. Letters of support and concern were identified and Mr. Loper stated the Planning & Zoning Commission voted unanimously in favor of this item. Former owner of the property, Joy Pierce, stated he is highly in favor of the proposed Special Use Permit and indicated he is impressed with the way the Perkins family has cleaned up the area. Brandon Perkins spoke in favor of the permit and introduced Cory Johnson, events producer, who discussed the need for a facility of this type in this area. No one spoke in opposition. **Supervisor Tenney made a motion** to adopt **Resolution Number 48-09** for a Special Use Permit for the Perkins Roping Arena; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- f. **Public Hearing:** Consideration and possible adoption of **Ordinance Number -09**, amending Article 27 of Ordinance Number Z90-1, the Navajo County Zoning Ordinance. Homero Vela discussed the code enforcement and hearing officer process and gave a power point presentation. Wendell DeCross, Chairman of the Planning & Zoning Commission, addressed concerns that had been raised at the P & Z Commission meeting regarding individuals who cannot afford to pay for clean-up of their property. Lance Payette, Deputy County Attorney, responded to questions from the Board regarding grandfathering. **Supervisor Tenney made a motion** to adopt Ordinance Number 02-09 amending Article 27 of Ordinance Number Z90-1, the Navajo County Zoning Ordinance; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- g. **Public Hearing:** Consideration and possible adoption of **Resolution Number -09** adopting the Navajo County Hearing Officer Rules of Procedure for code enforcement cases. Homero Vela discussed the item and responded to questions from the Board. Deputy County Attorney Lance Payette responded to questions from board members. **Supervisor DeSpain made the motion** to adopt **Resolution 50-09** adopting the Navajo County Hearing Officer Rules of Procedure for code enforcement cases; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

FINANCE:

- a. Consideration and possible authorization of Bank of the West to offer a line of credit to the Show Low, Lakeside, Pinetop, Linden, Heber/Overgaard and White Mountain Lake Fire Districts, pursuant to A.R. S. § 11-604.01. Finance Director James Menlove presented the item and responded to questions from the board. County Attorney County Attorney Brad Carlyon and Deputy County Attorney Jason Moore responded to questions regarding lines of credit from Supervisor DeSpain. **Supervisor Tenney made a motion** to authorize Bank of the West to offer a line of credit to the Show Low, Lakeside, Pinetop, Linden,

Heber/Overgaard and White Mountain Lake Fire Districts; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

- b. Consideration and possible approval of take home and commuting vehicles for Fiscal year 2010. James Menlove presented the list of take home vehicles to the board for approval. **Supervisor Tenney made a motion** to approve the list of take home and commuting vehicles for FY-2010; motion seconded by Supervisor Nez. Supervisor DeSpain asked that his name be removed from the list. Ron Bish and Erin Amos from Taylor spoke to the board regarding employees that drive county vehicles home. Supervisors Tenney, Thompson and DeSpain responded to those comments. Supervisor Tenney amended the motion removing Supervisor DeSpain's name from the list; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- c. Consideration and possible adoption of Revised Travel Policy. Cris Parisot explained the item and the County Manager clarified that on page four (4) the two sentences following the highlighted section are stricken and that in-state and out-of-state travel are treated equally in the approval process. **Supervisor Tenney made a motion** to approve the item as presented; motion seconded by Supervisor Nez. Vote unanimous approving the motion.
- d. Discussion of costs associated with an Early Retirement Incentive Plan (discussion only). Cris Parisot presented the item and responded to questions from the board. No action.
- e. Consideration and possible adoption of cost saving measures that may include salary reductions and furloughs. James Menlove discussed the item and provided information showing budget projections which explained the budget deficit of \$700,000 to \$800,000, and after presenting the two options, asked that some type of cost savings measure be considered, including furloughs. Erin Amos from Taylor spoke to the board and suggested that other options be considered, one of which would be input from a citizen's committee. County Attorney Brad Carlyon, Assessor Cammy Darris, School Superintendent Linda Morrow and Judge Ruechel recommended Option B. Judge Ruechel also suggested that employees be kept informed with quarterly financial reviews and raised the question as to how 24/7 shift operation employees will be treated. The County Manager responded that the Sheriff had provided a list of those employees affected. Also included are the Chief Deputies of elected officials.

Supervisor Tenney made the motion that a temporary 2.5% reduction in salary be imposed for the upcoming fiscal year and that each employee, where the salary reduction is imposed, receive 52 hours of additional personal time. Excluded from the 2.5% salary reduction are the three categories:

1. Chief Deputies of the Elected Officials;
2. The list of patrol officers and detention officers submitted by the Navajo County Sheriff's Office; and
3. The list of Juvenile Detention officers submitted by the Navajo County Superior Court and the two medical examiners who work for the Navajo County Health Department.

The motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: BOARD BUSINESS: Report from Board Members: The County Manager, County Attorney and members of the board gave brief reports.

ADJOURN: At 12:35 p.m. **Supervisor Thompson made a motion** to adjourn; motion seconded by Supervisor Nez. Vote unanimous approving the motion.

APPROVED:

DATE: July 14, 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**