

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, September 22, 2009

PRESENT: David Tenney, Supervisor; Jonathan M. Nez, Supervisor; and J.R. DeSpain, Supervisor were present. Jerry Brownlow, Chairman and Jesse Thompson, Supervisor were not present. Supervisor DeSpain chaired the meeting.

9:00 a.m. Call to Order: Pledge of Allegiance and Invocation were led by Supervisor Tenney.

CALL TO THE PUBLIC: There was no answer to the call to the public.

CONSENT AGENDA: a) Minutes: September 8, 2009 b) Letter to Congresswoman Ann Kirkpatrick in support of the Four Forest Initiative c) Clerk of Superior Court Report August, 2009 d) Constable Reports: Winslow Precinct #2, August; Snowflake Precinct #3, August; Show Low Precinct #5, August, 2009 e) Justice Court Reports: Kayenta #4, August 2009 f) Letter of request to the US Army Corps of Engineers to include the Winslow Levee in their Rehabilitation and Inspection Program for Non-Federal Flood Control Works: **Supervisor Tenney made a motion** to authorize the Chairman to sign the items in the consent agenda as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. ~~Quality Emulsions and Navajo County Recognizing Excellence (James Jayne/Mary Springer)~~ Item pulled
- b. Consideration and possible approval of a Proclamation declaring September 21-25, 2009 as National RC&D Week in Navajo County, Arizona: Dennis Chandler discussed the item and asked that the Board to approve the Proclamation declaring the week of September 21 as National RC&D Week in Navajo County, Arizona. **Supervisor Tenney made a motion** to approve a Proclamation declaring September 21-25, 2009 as National RC&D Week in Navajo County, Arizona; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- c. Consideration and possible adoption of Resolution Number -09, declaring a local drought emergency: Rod Ross discussed the item and answered questions of the Board. Mr. Ross read into the record the Resolution. **Supervisor Tenney** asked about the incorporated areas of Navajo County. **Supervisor Nez** asked if this Resolution includes the reservation areas. Mr. Carlyon indicated that the Board has the authority to strike unincorporated areas. Mr. Carlyon suggested that the language be stricken. **Supervisor Tenney made a motion** to adopt **Resolution Number 71-09**, declaring a local drought emergency for all areas of Navajo County with the language "unincorporated areas" being stricken; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- d. Consideration and possible adoption of Resolution Number -09, supporting the White Mountain Apache Tribe's application for the United States Department of Commerce Economic Development Administration Grant: Byron McNeil discussed the item and answered question of the Board. Mr. McNeil read the resolution into the record. **Supervisor Tenney made a motion** to adopt **Resolution Number 72-09**, supporting the White Mountain Apache Tribe's application for the United States Department of Commerce Economic Development Administration Grant; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. **Supervisor Nez** indicated that he would like to see a letter of support from the Apache Reservation.
- e. Public Hearing Liquor License: Discussion and possible action regarding recommendation of application for Liquor License #12093071 for an Interim Permit and New License, Individual, APN 212-23-005A for William Ransier Barrington doing business as the Islander Eatery & Pub located at 3068 W. White Mountain Blvd., Lakeside, Arizona 85929: Lorinda Brown discussed the item and answered questions of the Board. **Chairman DeSpain opened the Public Hearing**. Seeing no public comment the public hearing was closed. **Supervisor Tenney made a motion** to recommend approval of application for Liquor License #12093071 for an interim permit and new license, individual, APN 212-23-005A for William Ransier Barrington doing business as the Islander Eatery & Pub located at 3068

W. White Mountain Blvd., Lakeside, Arizona 85929; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 21 item personnel action report. **Supervisor Tenney made a motion** to approve the personnel action report as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: CONSENT AGENDA: Approve lease agreement between Baldwin Jones Properties, LLC and Navajo County Public Health Services District for office space in Snowflake for the WIC and Nutrition Programs for October 1, 2009 through September 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 Nez**. Vote unanimous approving the motion. **Supervisor Tenney made a motion** to approve the lease agreement between Baldwin Jones Properties, LLC and Navajo County Public Health Services District for office space in Snowflake for WIC and Nutrition Programs for October 1, 2009 through September 30, 2010; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. **Supervisor Tenney** made a motion to return to regular session; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

PUBLIC SAFETY PUBLIC RETIREMENT SYSTEM LOCAL BOARD: Consideration and possible approval to amend Joinder Agreement between Navajo County and the Fund Manager for Public Safety Public Retirement System: Bobbie Ortega discussed the item and answered questions of the Board. **Supervisor Tenney made a motion** to amend joinder agreement between Navajo County and the Fund Manager for Public Safety Public Retirement System; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

FINANCE: Public Hearing: Consideration and possible adoption of **Resolution Number -09**, authorizing the Chairman to execute a Cable Communications License Agreement renewing the cable television license of Cable One, Inc., for a period of 15 years: Mary Springer discussed the item and answered questions of the Board. Brad Dorsey Operations Manager from Cable One was present. Chairman opened the public hearing. There being no public comment the public hearing was closed. **Supervisor Tenney made a motion** to adopt **Resolution Number 73-09**, authorizing the Chairman to execute a Cable Communications License Agreement renewing the cable television license of Cable One, Inc., for a period of 15 years; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

ADMINISTRATION: Presentation on forest issues: Rod Ross and Don Berry discussed the item and gave a brief presentation on forest issues. **Supervisor DeSpain** and **Supervisor Tenney** thanked Mr. Berry and Mr. Ross for their efforts.

PUBLIC WORKS:

- a. **Consideration and possible authorization for the Public Works Department to submit the SFY 10 – Local Transportation Assistance Fund II (LTAF II) grant application for a total amount of \$124,683.80:** Homero Vela discussed the item and answered questions of the Board. **Supervisor Nez made a motion** to approve the authorization for Public Works to submit the SFY 10-Local Transportation Assistance Fund II grant application for a total amount of \$124,683.80; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- b. **Consideration and possible approval of Amendment Two to the professional services contract with Johnson Walzer Associates, LLC (JWA) to include additional Construction Administration Services for the development of the Navajo Nation Road Yards, in the amount not to exceed \$71,500.00:** Homero Vela discussed the item and answered questions of the Board. **Supervisor Nez made a motion** to approve amendment two to the professional services contract with Johnson Walzer Associates, LLC

(JWA) to include additional construction administration services for the development of the Navajo Nation road yards in the amount not to exceed \$71,500.00; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

- c. Consideration and possible rejection of all bids on Navajo County Bid #B09-07-016, the Navajo Nation North County Road Yards project, and authorize the Public Works Department to re-bid this project: Homero Vela discussed the item and answered questions of the Board. **Supervisor Nez** indicated that this is a great project to partner with Navajo Department of Transportation and Navajo County. He further noted that Navajo Department of Transportation has now become a Division. **Supervisor Nez made a motion** to reject all bids on Navajo County Bid #B09-07-016, the Navajo Nation North County Road Yards project, and to authorize the Public Works Department to re-bid this project; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion. Mr. Jayne thanked Mr. Vela for his representation of Navajo County.

d. **MOUNTAIN VIEW IMPROVEMENT DISTRICT Board of Directors Session:**

- i. Consideration and possible approval to issue a warrant (check) for \$7,500.00 to William R. and Margot V. Dupuy at 4183 E Meadowview Drive, Gilbert, AZ 85297: **Supervisor Tenney made a motion** to enter into the Mountain View Improvement District **Board of Directors Session**; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. Roger Beecroft discussed the item. **Supervisor Tenney made a motion** to issue a warrant (check) for \$7,500.00 to William R. and Margot V. Dupuy at 4183 E Meadowview Drive, Gilbert Arizona; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

- ii. **EXECUTIVE SESSION** pursuant to A.R.S. §38-431.03(A)(7) for discussions and consultations with designated representatives in order for the Board to consider its position and instruct its representatives regarding negotiations for the purchase of real property needed for right of way in connection with the West Settlers Lane road improvement project: **NO EXECUTIVE SESSION NEEDED.**

Supervisor Tenney made a motion to return to regular session; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: Report from Board Members, County Attorney and County Manager: Supervisor Tenney reported on the last County Supervisors Association meeting. Supervisor Nez reported on the Western Agency Council meeting and thanked all that helped. Mr. Jayne gave an update on the Show Low High School Varsity Soccer team. Mr. Carlyon reported on an Ethics Seminar sponsored by Navajo County Attorney's office and Pinetop Lakeside Town Attorney's office. He further reported on the Western Agency passing a resolution supporting HIDA status for Navajo County and a resolution for cross certification with the BIA law enforcement of the Navajo County deputies to assist all three reservations. He further reported on the 3rd Annual Drug Summit. Supervisor DeSpain thanked everyone for coming out to the 78th Annual Navajo County Fair.

ADJOURN: At 10:36 a.m. **Supervisor Tenney made a motion** to adjourn; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

APPROVED:

DATE: October 13, 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**