

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, August 24, 2010

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

9:04 a.m. Call To Order: Pledge of Allegiance and Invocation was led by **Supervisor DeSpain**.

CALL TO THE PUBLIC: Trudy Lipsys from Antelope Valley spoke in opposition to the proposed wind ordinance. Gary Gumbel addressed the Board and asked if the ordinance also included the Bio Mass. **Chairman Thompson** indicated it does not include the Bio Mass. Sandy Verduin from Antelope Valley spoke in opposition of the proposed wind ordinance. Lana Hansen from Antelope Valley spoke in opposition to the proposed wind ordinance and spoke of the blasting and water supply. Kay Turner spoke in opposition of the proposed wind ordinance. Karen Ingersoll spoke in opposition of the proposed wind ordinance and indicated that she has not received any answers to any of her questions. **Supervisor DeSpain** indicated that he would supply her with answers from staff by the end of this week. Itasca Small spoke in opposition of the wind ordinance. Eleanor A. Clark spoke in opposition of the proposed wind ordinance. Lois Hunt spoke in opposition of the proposed wind turbine.

Supervisor Nez is present telephonically at 9:37 am.

Susan Molloy spoke in opposition of the proposed wind turbine. Steen Hviid spoke against the proposed wind ordinance. Del Lewis spoke in opposition of the proposed wind ordinance.

CONSENT AGENDA: a)Justice Court Reports: Holbrook #1, July; Winslow #2, June and July; Kayenta #4, July; Show Low #5, July; and Pinetop #6, June and July, 2010 b)Clerk of Superior Court Report July 2010 c)Juvenile Justice System Report July 2010 d)Constable Reports: Holbrook Precinct #1, July; Snowflake Precinct #3, July; and Show Low Precinct #5, July, 2010 e)Tax exemptions filed pursuant to A.R.S. §42-11153 as a Request for Redemption of Waiver f)Arizona Public Employers Health Pool Membership Agreement g)FY 2011 Victims' Rights Program (VRP) h)County Attorney Bad Check Program Quarterly Report i)Authorize the Navajo County Attorney's office to negotiate to hire Tom Watson of Gust Rosenfeld to represent Navajo County in a Property Tax appeal Quality Hills Phase II Owners Association, Inc., TX2008-00879 j)Adopt **Resolution Number 48-10**, canceling the election and appointing the persons listed on Exhibit A who filed nominating petitions or a nomination paper for a write-in candidate for Governing Board for Winslow USD #1, Joseph City USD #2, Holbrook USD #3 (Ward 1 and 2), Pinon USD #4, Snowflake USD #5, Heber/Overgaard USD #6, Cedar USD #25, Blue Ridge USD #32, NAVIT Districts – Winslow USD #1, Joseph City USD #2, Snowflake USD #5, Show Low USD #10, Whiteriver USD #20 and Blue Ridge #32, NATIVE Districts – Pinon USD #4 and Kayenta USD #27 because the number of candidates who filed were equal to or less than the number of positions open for each school district k)Adopt **Resolution Number 49-10**, canceling the election and appointing the positions for the Clay Springs, Heber, Joseph City, Ponderosa, Porter Mountain, Porter Creek, Three-O-Three, Wonderland Acres and Woodruff Domestic Water Improvement District for which the number of candidates filed were equal to or less than the number of positions open for each District l)Adopt **Resolution Number 50-10**, canceling the election and appointing the positions for the Mogollon Domestic Waste Water Improvement District for which the number of candidates filed were equal to or less than the number of positions open for the District m)Adopt **Resolution Number 51-10**, canceling the election and appointing the positions for the Clay Springs/Pinedale Fire District, the Mc Laws Road Fire District, Pinetop Fire District, Show Low Fire District, Sun Valley Fire District and the Woodruff Fire District for which the number of candidates filed were equal to or less than the number of positions open for each District n)Adopt

Resolution Number 52-10, canceling the election and appointing the position for the Navapache Hospital District for which the number of candidates filed is equal or less than the number of positions open o) Adopt **Resolution Number 53-10**, canceling the election and appointing the positions for the Navajo County Community College District for which the number of candidates filed were equal to or less than the number of positions open for the District p) Adopt **Resolution Number 54-10**, canceling the election and appointing the positions for the Heber-Overgaard Sanitary District and the Joseph City Sanitary District for which the number of candidates filed were equal to or less than the number of positions open q) Approve changes to the WIA WIB Board r) Approve contract #DE091202-001 amendment 1 between Arizona Department of Economic Security and Navajo County to extend the timeframe to expend Stimulus funding s) Acceptance of LSTA award in the amount of \$5,000 for the Navajo County Library District t) Application for Temporary Extension of Premises/Patio Permit to the Arizona Department of Liquor Licenses and Control for the Wild Women Saloon and Grill for the Oktoberfest celebration to be held on September 17-19th, 2010 u) Response letter to the Community Rating System Recertification v) Reappointment of Joel Lawson to the Planning & Zoning Commission for District III w) Reappointment of Bob Hall to the Planning & Zoning Commission for District III x) Reappointment of Bill Rawlings to the Planning & Zoning Commission for District V y) Reappointment of Jason Hatch to the Planning & Zoning Commission for District IV z) Letter of support to the Hopi Tribe for submission of the Transportation Investments Generating Economic Recovery (“TIGER II”) Grant applications for the BIA H-60 and South Mesa Rail Spur projects: **Supervisor Brownlow** asked about item (r); Judy Bratcher discussed the item. **Supervisor Brownlow** asked about item (i); Mr. Carlyon explained the item. **Supervisor Brownlow made a motion** to authorize the Chairman to sign the items in the consent agenda as presented; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Quality Emulsions and Navajo County Recognizing Excellence: Mary Tyler recognized Irene Hunt who developed a program for a challenge to students for a poster contest on how they made a difference to be more physically fit and eat healthy and the winner would ride in the float in the Show Low 4th of July Parade. **Chairman Thompson** thanked them.
- b. Consideration and possible approval of a proclamation declaring September 15 through September 19, 2010 as “Navajo County Fair Days”: Supervisor DeSpain and Melissa Buckley discussed the item. **Supervisor DeSpain made a motion** to approve the proclamation declaring September 15 through September 19, 2010 as “Navajo County Fair Days”; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 33 item personal action report. **Supervisor Tenney made a motion** to have the Chairman sign off on the personnel items as presented; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

NAVAJO COUNTY HEALTH SERVICES DISTRICT: Board of Directors Session CONSENT AGENDA: **Supervisor DeSpain made a motion** 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) 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, 2010 through September 30, 2011 b) Amendment #2 of Contract #HI050085 with the Arizona Department of Health Services for the Arizona Nutrition Network Program in the amount of \$343,301.00 for October 1, 2010 through September 30, 2011: Mary Tyler commented on both consent items adding that there has been no changes to item (a) and by approving item (b) the amount will increase for next federal fiscal year. **Supervisor Brownlow**

made a motion to approve the items in the consent agenda; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion. James Jayne congratulated Mary, Dr. Kartchner and their team on the approval of the new health building in South County. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

TREASURER: Acknowledgement of annual report of collections, delinquencies and settlement of accounts: Manny Hernandez discussed the item. Manny thanked Rick Sander, Accountant and Jackie Koon Chief Deputy. **Chairman Thompson** and **Supervisor DeSpain** thanked them also. Manny Hernandez added tax rates have been approved and tax bills should be going out in September. **Supervisor DeSpain made a motion** for acknowledgment and re authorize to invest and reinvest Settlement of accounts and the authorization to invest of funds pursuant to ARS 35-327G; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

FINANCE: County Finance Update: James Menlove discussed the item and answered questions of the Board members. Handouts were given to each board member. Mr. Jayne indicated that James and his team have tried to outline to folks that we are still trying to provide levels of services with substantially reduced revenue.

PUBLIC WORKS:

- a. Consideration and possible approval of a Memorandum of Agreement between the Bureau of Indian Affairs (BIA), Fort Apache Agency, Transportation Department and Navajo County for road related activities: Homero Vela discussed the item. **Supervisor Brownlow made a motion** to approve the Memorandum of Agreement between the Bureau of Indian Affairs (BIA), Fort Apache Agency, Transportation Department and Navajo County for road related activities; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.
- b. Consideration and possible approval of an amount not to exceed \$21,125.78 from District II Special Road Funds for an emergency purchase of Diesel fuel for the Bureau of Indian Affairs, Hopi Agency: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve an amount not to exceed \$21,125.78 from District II Special Road Funds for an emergency purchase of Diesel fuel for the Bureau of Indian Affairs, Hopi Agency; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- c. Discussion and request for guidance from the Board of Supervisors on suggested revisions to the draft Ordinance for "Renewable Energy Generation Facilities": Greg Loper discussed the item. Mr. Loper gave a summary of where we are at today and indicated that the next Public Hearing will be on September 16th in front of the Planning & Zoning Commission at 6 pm. **Supervisor Tenney** made comments. **Supervisor Brownlow** made comments. **Supervisor DeSpain** asked questions about blasting. Lance Payette made comments. **Chairman Thompson** made comments. Homero Vela made comments. Discussion was held. Greg Loper indicated that he would bring back a summary and reminded everyone of the Public Hearing set for September 16th. He further indicated that this would come back to the Board in October. Homero Vela made comments.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: **Supervisor Brownlow** indicated that he is thankful for the rain; **Supervisor DeSpain** indicated that there was a little too much rain for Joseph City area; **Supervisor Tenney** reported on his meeting with the Governor and indicated that he will be in attendance at the 4FRI meeting tomorrow in Pinetop. He further encouraged everyone to go vote. **Chairman Thompson** gave a report on water. Brad Carlyon indicated that Navajo County has been designated a HIDTA (High Intensity Drug Trafficking Area) County. He explained that we are the first County in ten years to receive \$150,000.00 for this year. He further explained that Navajo County can play an

intricate role in State Rt. 87 through Payson. Mr. Jayne thanked the Board for their support. Supervisor Nez thanked Sheriff Clark and Brad Carlyon for their work on the HIDTA designation.

ADJOURN: At 11:45 a.m. **Supervisor Brownlow made a motion** to adjourn; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

APPROVED:

DATE: May 10, 2011

David Tenney, 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**