

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, November 13, 2012

PRESENT: David Tenney, Supervisor; Jesse Thompson, Supervisor; Jerry Brownlow, Supervisor; and J.R. DeSpain, Chairman are present in person. Jonathan M. Nez, Supervisor was present telephonically.

9:00 a.m. Call To Order: Pledge of Allegiance and Invocation was led by **Supervisor Brownlow.**

CALL TO THE PUBLIC: Penny Pew from Congressman Gosar's office thanked the Board for the opportunity to work with Navajo County. She indicated that their office will be relocating down to the San Tan Valley. Supervisor Thompson wished everyone a happy National Native American month. James Menlove introduced Paige Peterson as the new accountant for the finance department.

CONSENT AGENDA: a) Constable Reports: Winslow Precinct #2, September 2012; Show Low Precinct #5, October 2012; and Pinetop-Lakeside Precinct #6, October 2012 b) Clerk of Superior Court Report October 2012 c) Juvenile Probation Report September 2012 d) Justice Court Reports: Holbrook Precinct #1, October 2012; Winslow Precinct #2, September 2012; Snowflake Taylor Precinct #3, October 2012; Kayenta Precinct #4, October 2012; Show Low Precinct #5, October 2012; and Pinetop-Lakeside Precinct #6, October 2012 e) Assessment and Tax Roll Corrections for data tax year 2012 f) Navajo County Penrod Facility Lease Agreement between Navajo County and the Arts Alliance of the White Mountains, Inc., and the White Mountain Life Church, Inc. g) By Quit-Claim Deed, transfer any and all of Navajo County's potential right, title and interest in Navajo County Parcel Number 309-52-015A h) Name an existing road in the Show Low/Linden area to "Pioneer Trail" in Section 7, 9, 11, 13, 15, 17, Township 11 North, Range 23 East i) Contracts signed by County Manager per Board of Supervisors Resolution: Contract for services as a Planning & Zoning/Code Enforcement Hearing Officer; Contract for Professional Services agreement with TGI Systems for NCIS/Web Database Updates; Engagement of the Law Offices of Patrick J. Cunningham, LLC regarding the Catalyst Paper Corporation j) Letter to Ms. Julia Lee regarding her report to the Board k) Sympathy Letters to Debra Chapman and the family of Councilman Gerry Whipple: **Supervisor Thompson 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.

EMPLOYEE RECOGNITION: Navajo County Recognizes Lou Tobin, Michael Sandoval, Christine Starns, and Deputy Shawn Willoughby for their excellence in personal performance far exceeding organizational expectations: Pam Phillips recognized Lou Tobin, Christine Starns, Shawn Willoughby and Michael Sandoval.

HUMAN RESOURCES:

- a. Personnel Service Awards: Patrick Shinn recognized Teresa Cameron, 5 years; Timothy Norton, 5 years; Shaun Hughes, 5 years; Mike Stump, 5 years; Kimberley Willis, 5 years; Amy Stradling, 10 years; Linda Larson, 10 years; Lea Land, 15 years; and Beverly Paddock, 20 years.
- b. Consideration and possible approval of Personnel Actions: Patrick Shinn reviewed the 30 item personnel action report. **Supervisor Brownlow made a motion** to approve the Personnel Action report as presented; motion seconded by **Supervisor Tenney.** Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Recognition of retired employee Nancy McAllester: Chairman DeSpain and Homero Vela recognized Nancy McAllester for her dedication and years of service to Navajo County. Nancy thanked Navajo County for her years of service. James Jayne and Jerry Brownlow spoke of Nancy.
- b. United Way Employee Recognition: Supervisor Brownlow pulled the name of Lori McCandlish for the December parking spot.
- c. United Way Presentation: Christine Pierce recognized Delila Edwards with Frontier Communications, Dave Roberts and James Jayne for their work with United Way. Christine Pierce gave a brief presentation of United Way and what it has done for Navajo County. Supervisor DeSpain had questions that Ms. Pierce answered. Mr. Jayne spoke of the partners. There will be a Kinder Camp here in Holbrook for incoming Kindergartners four weeks before school starts. Mr. Jayne encouraged all to participate again this year. Supervisor Thompson asked about the Navajo Nation being covered. Ms. Pierce recognized the Navajo Nation does have their own United Way program.

ADMINISTRATION: Presentation on Federal Sequestration: Hunter Moore gave a presentation on the Federal Budget Sequestration. He gave a brief synopsis of what this means to Navajo County. Sequestration is defined as automatic, across the board cuts mandatory and discretionary in federal spending. Supervisor Nez thanked Hunter and Supervisor Tenney. He spoke of the Federal Budget Sequestration and the need to send information to our congressional delegation. Supervisor Thompson made comments.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: Consideration and possible approval of a contract with the Arizona Partnership for Immunization (TAPI) to bill for vaccine services: **Supervisor Tenney made a motion** to enter into the Navajo County Public Health Services District Board of Directors Session; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion. Dr. Wade Kartchner discussed the item. **Supervisor Brownlow made a motion** to approve the contract with the Arizona Partnership for Immunization to bill for vaccine services; 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.

FINANCE: Consideration and possible approval of interim agreement with North Country Health Care for inmate medical care: Mary Springer and Commander Garcia discussed the item. **Supervisor Tenney made a motion** to approve the interim agreement with North Country Health Care for inmate medical care; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion. Mr. Jayne made comments and thanked the team working on this.

NAVAJO COUNTY LIBRARY DISTRICT Board of Directors Session: Consideration and possible approval of the amended Intergovernmental Agreement between Navajo County, Navajo County Library District and the White Mountain Apache Tribe concerning the SGIA for Construction potential award for a library building in McNary, Arizona: **Supervisor Tenney made a motion** to enter into the Navajo County Library District Board of Directors Session; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion. Geneva Durkee discussed the amended Intergovernmental Agreement. Supervisor Brownlow thanked Geneva. **Supervisor Brownlow made a motion** to approve the amended Intergovernmental Agreement between Navajo County, Navajo County Library District and the White Mountain Apache Tribe concerning the SGIA for Construction potential award for a library building in McNary, Arizona; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

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

PUBLIC WORKS:

- a. Consideration and possible approval of an amount not to exceed \$24,000.00 from District I Navajo Nation Road Partnership Project funding for the crushing and excavating of red dog material at the Peabody Western Coal Company (PWCC): Homero Vela discussed the item. **Supervisor Nez made a motion** to approve an amount not to exceed \$24,000.00 from District I Navajo Nation Road Partnership Project funding for the crushing and excavating of red dog material at the Peabody Western Coal Company; motion seconded by **Supervisor Thompson**. Supervisor Nez extended a thank you to the Board from former Supervisor Percy Deal and the community for their support and work done on the roads. Vote unanimous approving the motion.
- b. Consideration and possible approval of the expenditure of an amount not to exceed \$25,000.00 from District I Special Road Funds to support labor and hauling expenses related to the Red Dog Project: Homero Vela discussed the item. **Supervisor Nez made a motion** to approve the expenditure of an amount not to exceed \$25,000.00 from District I Special Road Funds to support labor and hauling expenses related to the Red Dog Project; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- c. Consideration and possible approval to reimburse Public Works in the amount of \$19,251.19 from District II Navajo Nation Road Partnership Project funding for the hauling of millings provided by the Arizona Department of Transportation (ADOT) to BIA public roads (White Cone area): Homero Vela discussed the item. Supervisor Thompson commented on the item. **Supervisor Thompson made a motion** to reimburse Public Works in the amount of \$19,251.19 from District II Navajo Nation Road Partnership Project funding for the hauling of millings provided by the Arizona Department of Transportation (ADOT) to BIA public roads (White Cone area); motion seconded by **Supervisor Brownlow**. Vote unanimous approving the item.
- d. Consideration and possible approval of an amount not to exceed \$45,391.56 from District IV Special Road Funds to be utilized for the Timberland Acres Special Road District #1 Winter Storm 2010 road repairs: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve an amount not to exceed \$45,391.56 from District IV Special Road Funds to be utilized for the Timberland Acres Special Road District #1 Winter Storm 2010 road repairs; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- e. Consideration and possible approval of funding in an amount not to exceed \$151,021 from District V Special Road Funds to assist the Town of Pinetop-Lakeside with road improvements on Woodland Road and Woodland Lake Road: Homero Vela discussed the item. Tom Thomas from Pinetop-Lakeside Public Works spoke in favor of the item. **Supervisor Brownlow made a motion** to approve funding in an amount not to exceed \$151,021 from District V Special Road Funds to assist the Town of Pinetop-Lakeside with road improvements on Woodland Road and Woodland Lake Road; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- f. Consideration and possible approval of Task Agreement No. 10 to the Memorandum of Agreement between Bureau of Indian Affairs (BIA), Fort Apache Agency and Navajo County for the purchase of 7,500 gallons of diesel fuel in an amount not to exceed \$35,000 from District V Special Road Funds: Homero Vela discussed the item. **Supervisor Brownlow made a motion** to approve Task Agreement No. 10 to the Memorandum of Agreement between Bureau of Indian Affairs (BIA), Fort Apache Agency and Navajo County for the purchase of 7,500 gallons of diesel fuel in an amount not to exceed \$35,000 from District V Special Road Funds; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

- g. Consideration and possible award of Contract #B12-10-004 purchase of (1) or more Conventional 10 Wheel Dump Trucks to Freightliner Sterling Western Star of Arizona in the amount of \$187,812.30: Homero Vela discussed the item. **Supervisor Brownlow made a motion** to award Contract #B12-10-004 purchase of (1) or more Conventional 10 Wheel Dump Trucks to Freightliner Sterling Western Star of Arizona in the amount of \$187,812.30; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Consideration and possible approval of the Memorandum of Understanding, Roles and Responsibilities, for cooperative management of the Mexican Wolf Reintroduction Project: **Supervisor Brownlow** discussed the item and **made a motion to** approve the Memorandum of Understanding, Roles and Responsibilities, for cooperative management of the Mexican Wolf Reintroduction Project; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- b. Consideration and possible approval to move the regularly scheduled December 18th Board of Supervisors meeting to December 11, 2012: Melissa Buckley discussed the item. **Supervisor Tenney made a motion** to approve to move the regularly scheduled December 18th Board of Supervisors meeting to December 11, 2012; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- c. Consideration and possible approval of all properties sold as auctioned on the back tax land on-line auction and approval to allow the Clerk of the Board to sell the unsold properties over the counter for the amount due: Melissa Buckley discussed the item. **Supervisor Tenney made a motion** to approve of all properties sold as auctioned on the back tax land on-line auction and approval to allow the Clerk of the Board to sell the unsold properties over the counter for the amount due; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- d. **BOARD OF EQUALIZATION:** Consideration and possible approval of the property owners' appeal to re-classify property to class three properties (owner occupied), waive assessed penalties and liens related to this recent reclassification action, and direct the County Assessor to re-classify the properties to class three (owner occupied), pursuant to A.R.S. §41-12003 for the following properties: APN 403-54-015A9, APN 309-68-091, APN 210-31-003B, APN 411-69-008, and APN 207-33-121: **Supervisor Tenney** made a motion to enter into the Board of Equalization session; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion. Melissa Buckley discussed the item. **Supervisor Tenney made a motion** to approve the property owners' appeal to re-classify property to class three properties (owner occupied), waive assessed penalties and liens related to this recent reclassification action, and direct the County Assessor to re-classify the properties to class three (owner occupied), pursuant to A.R.S. §41-12003 for the following properties: APN 403-54-015A9, APN 309-68-091, APN 210-31-003B, APN 411-69-008, and APN 207-33-121; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- e. **BOARD OF EQUALIZATION:**
- i) Swearing in of Assessor, Appraisers and Petitioners: Melissa Buckley, Clerk, swore the Assessor, Appraisers and Petitioners in as witnesses.
- ii) Discussion and possible action regarding Petition for Review of Taxpayer Notice of Change APN 202-05-055: Mr. John Papa indicated that he believes that his taxes are too high. He wants it to be the average of that as \$17.00 a square foot. Mr. Slocum with the Assessor's office indicated that there has been a reduction. Recommend final FCV to \$322,000 that is a reduction. Mr. Papa spoke of the floodplain and indicated has not been able to get any permit to do anything to this property due to the floodplain. We have reduced another \$129,000. Assessor recommends \$322,000. Supervisor Tenney asked questions. Supervisor Tenney indicated that we should reduce to the

comparables that we submitted. **Supervisor Tenney made a motion** to reduce the FCV to \$163,810; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

- iii) Discussion and possible action regarding Petition for Review of Taxpayer Notice of Change APN 110-04-019: Cammy Darris indicated that they have an agreement except for the 10 acres at class 3 at 10%. Ms. Aland indicated that she feels that the entire property should be valued at Class 3. Mrs. Darris indicated that the value is at \$175 an acre and the property gets everything up to 10 acres and vacant land at 16%. **Supervisor Tenney made a motion** to approve the \$35,000 as agreed to and leave the legal class the same; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- iv) Discussion and possible action regarding Petition for Review of Taxpayer Notice of Change APN 212-07-026E: Cammy Darris indicated that there is an agreement for the FCV to be set at \$278,758 and the limited value be set at \$276,770; **Supervisor Tenney made a motion** to approve the agreement as stated; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.
- v) Discussion and possible action regarding Petition for Review of Taxpayer Notice of Change APN 309-51-115A: Cammy Darris indicated that only one lot can be used; therefore we have agreed to value the property at \$47,258. **Supervisor Tenney made a motion** to accept the agreement; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- vi) Discussion and possible action regarding Petition for Review of Taxpayer Notice of Change APN 311-78-187: Janet Payne indicated that an agreement has been reached for the Full Cash Value to be assessed at \$79,500 and the Limited Value to be assessed at \$79,491. **Supervisor Brownlow made a motion** to approve the agreement as stated; motion seconded by **Supervisor Tenney**. **Supervisor Tenney made a motion** to return to regular session; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: **Supervisor Tenney** reported on budget meetings with state legislators, he spoke of HURF funding. **Supervisor Thompson** reported on veteran day events and Native American voters. **Supervisor Brownlow** reported on the snow in District V and the road yard BBQ.

ADJOURN: At 11:51 a.m. **Supervisor Thompson made a motion** to adjourn; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

APPROVED:

DATE: December 11, 2012

J.R. DeSpain, Chairman

ATTEST:

Melissa W. Buckley - Clerk of the Board