

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, May 14, 2013

PRESENT: Sylvia Allen, Supervisor; Dawnafe Whitesinger, Supervisor; David Tenney, Supervisor; Jesse Thompson, Supervisor; and Jonathan M. Nez, Chairman were present in person.

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

CALL TO THE PUBLIC: Terry Hill, adjutant on behalf of the Veterans of Foreign Wars Post 9907 expressed their gratitude to **Supervisor Allen**, **Supervisor Thompson** and **Chairman Nez** for attending their 45th Anniversary and Volunteer Dinner on April 27, 2013 in Show Low.

CONSENT AGENDA: a) Minutes: April 23, 2013 b) Constable Reports: Snowflake Precinct #3, April; Show Low Precinct #5, April; and Pinetop-Lakeside Precinct #6, April, 2013 c) Clerk of Superior Court Report April 2013 d) Juvenile Probation Report April 2013 e) Justice Court Reports: Holbrook Precinct #1, April; Winslow Precinct #2, April; Snowflake Precinct #3, April; Kayenta Precinct #4, April; Show Low Precinct #5, April; and Pinetop-Lakeside Precinct #6, April 2013 f) Grant Agreement #HT-13-2321 with the City of Tucson for High Intensity Drug Trafficking Areas (HIDTA) funding for \$85,969 g) Contract with LRS Web Solutions for consultant services for implementation of content management system software in the amount not to exceed \$40,000.00 h) Special Event Liquor License for the Heber-Overgaard Chamber of Commerce Oktoberfest i) Special Event Liquor License for the Heber-Overgaard Chamber of Commerce July 4th festivities j) Tax exemptions filed pursuant to A.R.S. §42-11153 as a Request for Redemption of Waiver for 19 properties and one vehicle k) Resignation of Bill Rawlings as a member of the Planning & Zoning Commission for District V l) Reappointment of Check Teetsel as a regular member to the Planning & Zoning Commission for District V m) Letter requesting Congresswoman Ann Kirkpatrick to sponsor language for the Water Resources Development Act on projects similar to the Winslow Feasibility Study n) Letter to Northern Arizona Council of Government regarding an appointment of Supervisor Jesse Thompson to NACOG Economic Development Committee o) Letter to USDA Forest Service regarding Land Management Planning Rule #30641 p) Letter to Lakeside Ranger District regarding Navajo County comments on the proposed Second Knoll Shooting Range Environmental Assessment q) Revised letter providing input and direction to the State Transportation Board regarding Navajo County's preference on the Five-Year Transportation Plan ~~r) Letter to the United States Forest Service providing Navajo County Comments regarding the A-S Forest Plan~~ s) Contract Number 130055DC, Inmate Labor with ASPC, Winslow: **Supervisor Allen** inquired about item f. Sheriff Clark explained that all the grant money we get from Washington goes to Tucson and then the City of Tucson is the fiscal agent for the HIDTA grant statewide. **Supervisor Tenney made a motion** to authorize the Chairman to sign the consent agenda as presented with the changes to item I and pull item R; motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.

EMPLOYEE RECOGNITION: Navajo County Recognizes Renee Pinnell, Public Defender; Jeff Lineberry, Information Technology; and LeAnn Baker, Facilities Management for their excellence in personal performance far exceeding organization expectations; Pam Phillips recognized Renee Pinnell, Jeff Lineberry and LeAnn Baker for their personal performance which has gone above and beyond expectations. **Supervisor Thompson** expressed appreciation to each of the individuals for their service to the County.

HUMAN RESOURCES:

- a. Consideration and possible approval of Personnel Actions: Kimberly Eavenson reviewed the 17 item personnel action report. **Supervisor Tenney made a motion** to approve the personnel action report as presented; motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.
- b. Personnel Service Awards: Kimberly Eavenson recognized Jeffrey Adams, Michelle Freyou, Sherilynn Noble, Justin Lesueur, Edward Richards and Alberto Peshlakai for their 5 years of service to Navajo County; Latanya Bakurza, Richard Garcia and Ralph Ellington for their 10 years of service to Navajo County.

BOARD OF SUPERVISORS: Consideration and possible approval of a proclamation declaring the month of May as “Arizona Youth Month”: Melissa Buckley presented the proclamation recognizing the youth of Arizona. **Supervisor Allen made a motion** to approve the proclamation declaring the month of May as “Arizona Youth Month”; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: **Supervisor Tenney made a motion** to enter into the **Navajo County Public Health Services District Board of Directors Session**; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

- a. **CONSENT AGENDA:** Amendment #1 of Contract #ADHS 12-030681 with the Arizona Department of Health Services for the Arizona Nutrition Network Program for a reduction of \$108,340.00 to a total of \$325,018.00 effective February 1, 2013 through September 30, 2013; Dr. Wade Kartchner introduced the consent item. **Supervisor Tenney made a motion** to approve the consent agenda as presented; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- b. Consideration and possible approval of an agreement of Understanding with Utah State University Dietetic Internship Program and Navajo County Public Health Services District to provide a learning experience for a student in a community nutrition program effective June 1, 2013; Dr. Wade Kartchner discussed the item. **Supervisor Tenney made a motion** to approve the agreement of Understanding with Utah State University Dietetic Internship Program and Navajo County Public Health Services District to provide a learning experience for a student in a community nutrition program effective June 1, 2013; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- c. Consideration and possible approval of a Professional Service Contract with Wilceta Carroll, RDH for Dental Hygiene services through the Arizona First Things First, White Mountain Apache Oral Health Fluoride Program effective June1, 2013 to June 30, 2014 in the amount of \$45.00/per hour; Dr. Wade Kartchner discussed the item. **Supervisor Tenney made a motion** to approve the Professional Service Contract with Wilceta Carroll, RDH for Dental Hygiene services through the Arizona First Things First, White Mountain Apache Oral Health Fluoride Program effective June1, 2013 to June 30, 2014 in the amount of \$45.00/per hour; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.
- d. Consideration and possible approval to hire Subject Matter Expert as an independent contractor: Dr. Wade Kartchner recommended the Board approve request to hire Donal Walker as a subject matter expert to assist in Project Public Health Ready certification for the Public Health Services District to obtain a national accreditation. **Supervisor Tenney made a motion** to approve to hire Subject Matter Expert as an independent contractor; motion seconded by **Supervisor Thompson**. 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.

SUPERINTENDENT OF SCHOOLS: Consideration and possible approval of an Intergovernmental Agreement between the Navajo County Superintendent of Schools, Education Service Agency and the Apache County Superintendent of Schools, Education Service Agency in order to expend Race to the Top funds: Superintendent Linda Morrow presented the item and indicated that this is an IGA that was already approved for Coconino County in partnership with the Northeast Regional Training Center. She reported two years ago the 15 County Superintendents came together to form a voluntary group of Regional Centers. She indicated Navajo County is the fiscal agent for the Northeast AZ Regional Service Center with Coconino County and Apache County. They applied for and received a top grant and this fund goes through her office to be disbursed. She indicated that these funds are offered to provide improving the knowledge of the classroom teacher which helps get their training and workshops at a local level. She indicated these classes teach math, reading, writing, history and civic studies. She reported this IGA is intended to create a way for the County School Superintendents both in Apache County and Navajo County to expend Race to the Top funds received from the Governor's Office in fiscal year 2012-13. Mrs. Morrow indicated that she is asking for approval to give funds back to Apache County that has already been expended. **Supervisor Allen** inquired how much money is going to Apache County. Linda Morrow reported they had \$125,000 to divide equally among the three counties and that over four years the grant is for \$500,000. Mrs. Morrow related they have trained over 125 teachers so far this year. **Chairman Nez** opened the call to the public and indicated that the public will have four minutes to address the Board. Brendee Peterson, Misty Brimhall, Julie Bert, Bobbie Hall, Martin Lynch, Lowry Flake, Karen MacKean, Janet Reynolds, William Faurot, Brenda Johnson, Terry Hill, Joyce Hill and Wayne Jones all spoke in opposition of Common Core as did **Supervisor Allen**. Linda Morrow addressed some of the thoughts and concerns that were spoken about during the call to the public and expressed by **Supervisor Allen**. Superintendent Morrow indicated that this does support Common Core however she stressed she was here today to get an IGA approved for monies that was spent by a previous superintendent in Apache County and not applied for, so the current superintendent is seeking the reimbursement. **Supervisor Tenney** indicated that there is nothing in the State laws and statutes that give the Board of Supervisors any control over school education. He reported he believes the changes should be made at the local School Boards, the State Board of Education and at the State Legislature. **Supervisor Tenney** praised the public who spoke and indicated if asked he would go to the School and State Boards and State Legislature to make these requests and help fight for this along with them, but reported the Navajo County Board of Supervisors is not the place to address this. He indicated that he did not believe the Board of Supervisors can affect the Common Core by refusing to pass money through to Apache County. **Supervisor Whitesinger** commended those that spoke and voiced their opinions in representation of their families and communities and for the protection of their children. **Supervisor Allen** spoke strongly against the Common Core State Standards Initiative and indicated that we need to speak out, take a stand and start by voting no. **Supervisor Thompson** spoke in regards to education and our children in the remote areas and how they are being educated. He indicated he appreciates the working relationship and communication with the homes, schools and community. **Chairman Nez** indicated he appreciates all the citizens who are fighting for the advocacy of our children and indicated that in District I and District II they are debating to implement their native language into their schools. **Supervisor Tenney made a motion** to approve the Intergovernmental Agreement between the Navajo County Superintendent of Schools, Education Service Agency and the Apache County Superintendent of Schools, Education Service Agency in order to expend Race to the Top funds; motion seconded by **Supervisor Whitesinger**. **Chairman Nez, Supervisor Thompson, Supervisor Tenney and Supervisor Whitesinger** voted in favor of the motion. **Supervisor Allen** voted against the motion. Item did pass.

TREASURER: Consideration and possible approval of Personal Property Tax abatement per A.R.S. §42-19118: Manny Hernandez discussed the item and indicated these abatements are for personal property taxes on the books for mobile home and equipment that has been determined by the Navajo County Sheriff's Office to be

uncollectible for various reasons including the inability to locate either the personal property or the property owner. Sheriff Clark expressed his appreciation to Treasurer Hernandez and the deputies for their efforts to get these abatements passed which bring a savings to our County. **Supervisor Allen made a motion** to approve the Personal Property Tax abatement per A.R.S. §42-19118; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

SHERIFF:

- a. Consideration and possible adoption of Resolution Number 15-13, supporting and approving a grant application submitted to Gila River Indian Community for purchase of five (5) replacement patrol vehicles totaling \$199,373.80: Sheriff KC Clark discussed the item and expressed appreciation to Deputy Dan Brown and the Gila River Indian Community for their generosity in offering this grant opportunity to our law enforcement agency. **Supervisor Whitesinger made a motion** to adopt **Resolution Number 15-13**, supporting and approving a grant application submitted to Gila River Indian Community for purchase of five (5) replacement patrol vehicles totaling \$199,373.80; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- b. Consideration and possible approval of a 36 month lease for office space for Major Crimes Apprehension Team funded by High Intensity Drug Trafficking Area grant: Sheriff KC Clark discussed the item indicating that this lease is for office space in a building in the Show Low area to house MCAT. **Supervisor Allen made a motion** to approve a 36 month lease for office space for Major Crimes Apprehension Team funded by High Intensity Drug Trafficking Area grant; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- c. Consideration and possible approval of Intergovernmental Agreement with the Department of Corrections for housing DOC inmates: Sheriff KC Clark thanked Hunter Moore and Commander Ernie Garcia and indicated that Craig Sullivan is also a major contributor to this contract. He stated that he does not have the contract yet; however, we have an estimated rate of \$49.44 for 50 inmates. He indicated he hope to have a Special BOS meeting when the contract is ready to be approved. **Supervisor Allen** complimented Sheriff Clark, Hunter and those which helped with this agreement which will help the county budget and the safety of our citizens. She indicated she would like a letter of appreciation written to Director Ryan in hopes the length of the IGA will be extended.

FINANCE:

- a. Consideration and possible approval of an extension of a Professional Services Agreement with North Country Health Care for jail medical services until June 30, 2013: Mary Springer discussed the item indicating Purchasing is currently in the request for proposal process and proposals are due on 5/24/13. She reported that they are asking for a two month extension with our current contract which will allow time to evaluate the proposals and bring a recommendation to the Board in June for medical services for the jail. **Supervisor Allen made a motion** to approve an extension of a Professional Services Agreement with North Country Health Care for jail medical services until June 30, 2013; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- b. Consideration and possible approval of Annual Contract for Consultant Services for Tribal Liaison in the amount of \$1,000.00 per month plus travel expenses: Mary Springer discussed the item. She indicated consultant services are needed to support Navajo County initiatives in partnership with Navajo and Hopi tribes. Mary reported Percy Deal has the expertise as a tribal liaison and has been active in working at the local, state and federal agencies on projects such as road improvements and economic development. **Supervisor Thompson** asked for support because of Mr. Deal's extensive experience and knowledge working with the State and Federal government. Mr. Jayne included a clarification indicating that he will be working with the county and Eric Descheenie in regards to congressional delegation. Mr.

Jayne reported Mr. Deal will be offering a monthly update. **Supervisor Tenney made a motion** to approve the Annual Contract for Consultant Services for Tribal Liaison in the amount of \$1,000.00 per month plus travel expenses; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

PUBLIC WORKS:

- a. Consideration and possible approval of Amendment Number Three to the Slurry Seal, Contract #B10-03-002 with American Pavement Preservation, LLC to extend the Slurry Seal Contract for one additional year (May 25, 2013 through May 24, 2014): Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve Amendment Number Three to the Slurry Seal, Contract #B10-03-002 with American Pavement Preservation, LLC to extend the Slurry Seal Contract for one additional year (May 25, 2013 through May 24, 2014); motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.
- b. Consideration and possible approval of Amendment Number Four to the Hauling Waste Tire Contract #B09-04-021 with CRM of America, LLC, extending the contract for an additional year (June 9, 2013 through June 8, 2014): Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve Amendment Number Four to the Hauling Waste Tire Contract #B09-04-021 with CRM of America, LLC, extending the contract for an additional year (June 9, 2013 through June 8, 2014); motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.
- c. Consideration and possible approval to award Contract #B13-03-020 Supply & Delivery of Culverts and Bands to the lowest bidder "Contech Engineered Solutions, LLC": Homero Vela discussed the item. **Supervisor Whitesinger made a motion** to approve to award Contract #B13-03-020 Supply & Delivery of Culverts and Bands to the lowest bidder "Contech Engineered Solutions, LLC"; motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.

Mr. Jayne congratulated Homero Vela and the Public Works team, in partnership with the U.S. Army Corps of Engineers Los Angeles District, as being designated as the USACE South Pacific Division's Planning Team of the Year. Mr. Vela explained that this was a team effort along with congressional delegation from District 1, Congressman Renzi, Congressman Gosar and Congresswoman Kirkpatrick, the Board, City of Winslow, community and Army Corp for the work being done on the Feasibility Study for flood mitigation in the Winslow, AZ area. Mr. Jayne reported the team has worked very hard to keep the project moving; making trips to L.A, Phoenix and Washington D.C. Mr. Jayne indicated this award is well deserved and best serves the public purpose to help mitigate the risk. **Supervisor Thompson** related his experiences with getting the Winslow Levee situation recognized and funded.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: **Supervisor Allen** expressed thanks to Homero Vela and the Public Works Department for all the work they do for her constituents issues including the slurry job on the Naomi House road. She reported on lobbying at the State Capitol concerning Navajo County's budget. She appreciates the County's efforts to work out the budget in regards to the recession and the funding that has been eliminated from our budget. She spoke on the County's partnership with the Community clean-ups at White Mountain Lakes and Woodruff. Mr. Jayne indicated that 12 ½ tons was taken from the White Mountain Lakes area. **Supervisor Whitesinger** gave an update on the First Things First Regional Partnership meeting for the White Mountain Apache Tribe who is partnering with Navajo County to provide services. She reported she had the honor of speaking to the Show Low Chamber of Commerce leadership group with the focus on tribal relations. **Supervisor Whitesinger** expressed appreciation for the opportunity to be a conduit in allowing these conversations to happen. She reported on taping a show for City 4 with **Supervisor Tenney** on youth driven initiatives and summer employment for youth. She gave an update on the McNary Library and thanked those that were involved in getting the library up and running. She

spoke at the White Mountain Council in developing relationships outside of the tribe. Supervisor Whitesinger indicated the White Mountain Apache Tribe hosted a historic event; the Apache Alliance which is a forum that allows all Apache Nations all across the Country to discuss what they desire as Tribal Nations and she was happy to see they are on the same path with the same hopes and desires. **Supervisor Tenney** indicated he spoke at the Show Low Chamber of Commerce. He report he will attend Eco, Small Counties and CSA next week and will also be attending the WIR Conference in Flagstaff which he indicated he is looking forward to. He indicated his son and Mr. Jayne's son are graduating from Show Low High School next week. **Supervisor Thompson** reported he had a loss of two family members last week. He indicated that he and Homero Vela attended the ADOT meeting in Flagstaff. He spoke on a Hopi youth meeting with the Elders teaching the students. **Chairman Nez** thanked and congratulated Mr. & Mrs. Hill for the invitation to the VFW 9907 45th anniversary dinner. He reported various communities clean ups have been completed in District 1. He indicated the gravel project is moving forward and hopes the collaborate efforts to get some monies from the Tiger Grant for the Hopi 60 Route between Low Mountain and Polacca will be successful. He spoke on attending the County Attorney's Victims Rights Symposium which had a record attendance. He then reported he will be attending various graduations and promotions. He indicated he enjoyed the Shiprock Marathon where all proceeds go to the Youth Empowerment Services Program which sponsors the Tour de Rez for the youth on the Navajo Reservation. He indicated he will be running a marathon in Long Beach, CA on Memorial Day weekend. James Jayne reported that **Chairman Nez** will be the commencement speaker at the Northland Pioneer College graduation on Saturday. Mr. Jayne reported his son Seth and his exchange student Titus Nanning who is from Austria, are graduating. He indicated his family had exchange student Jana Welsh for 6 weeks and reported his family will be getting another exchange student from Denmark. He expressed what a wonderful learning experience it is for he and his family to share their home with these students.

Navajo word of the day: Na'nitin - meaning education, wisdom and knowledge.

ADJOURN: At 11:50 a.m. **Supervisor Thompson made a motion** to adjourn; motion seconded by **Supervisor Whitesinger**. Vote unanimous approve the motion.

APPROVED:

DATE: *May 28, 2013*

Jonathan M. Nez, Chairman

ATTEST:

Melissa W. Buckley - Clerk of the Board