

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
Tuesday, May 27, 2014

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

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

CALL TO THE PUBLIC: Terry Hill asked the Board about item 'e' on the consent agenda. Sheriff K.C. Clark responded to the concerns Mr. Hill expressed. Lt. Randy Moffitt addressed the Board regarding the available levy that will aid the Navajo County Sheriff's Office and the citizens of Navajo County. Lt. Moffitt asked the Board to pass the levies.

CONSENT AGENDA: a) Minutes: May 13, 2014 b) Constable Reports: Snowflake Precinct #3, April; Pinetop-Lakeside Precinct #6, April 2014 c) Contracts signed by County Manager per Board of Supervisors Resolution: Two year contract with Robert Gruler as a Hearing Officer for Code Enforcement cases and Emergency purchase of professional services from IXP Corporation in the amount of \$10,000 for system evaluation of dispatch, telephone and radio communications for the Sheriff's Office d) Re-appointment of Carol Davis to the Planning & Zoning Commission for District II e) Department of Public Safety contract 2014-056 for transfer of M16A1 rifles to the Sheriff's Office f) Preferred Provider Agreement: Navajo County contracts with the following health care providers to provide health care services to eligible enrollees: Patrick Connelly, M.D.; Thomas Paxman, D.O.; Elizabeth Bierer, M.D.; Charles Robertson, M.D.; Susan Bligh-Robertson, C.N.M.; Becky Thompson, M.D.; Leland Reeck, M.D.; Jeffrey LeSueur, M.D.; Kent Cox, M.D. g) Navajo County letter to USFWS requesting formal NEPA consistency review for the Mexican Wolf 10(j) Revision Cooperating Agencies Alternative: **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.

EMPLOYEE RECOGNITION: Navajo County Recognizes **Andrea Harings**, Case Manager-WIA; **Laurie Kimpell**, Secretary-Juvenile Probation; **Rebecca Robertson**, Account Specialist-Finance; **Stephen Julian**, Probation Officer II-Juvenile Probation; and **Kathy Swietanski**, Justice Court Clerk-Pinetop Justice Court for their excellence in personal performance far exceeding organization expectations: Kimberly Eavenson thanked each of the employees and honored them with a certificate of recognition, a \$50.00 gift card and a leaf to put on the employee recognition tree. **Supervisor Thompson** thanked all those that were recognized for their hard work. Mr. Jayne indicated the video of the employee's recognition will be posted on Navajo County YouTube and on the Navajo County Facebook pages.

HUMAN RESOURCES:

- a. Personnel Service Awards: Congratulations to the following employees for their continued service to Navajo County: **David Clark**, (Public Works) 5 years; **Rick Beeler** (Public Works) 10 years; and **Anna Hancock** (Adult Probation) 15 years: Eric Scott recognized the following individuals with a certificate and a pin: David Clark for his 5 years of service to Navajo County, Rick Beeler for his 10 years of service to Navajo County and Anna Hancock for her 15 years of service to Navajo County.
- b. Consideration and possible approval of Personnel Actions: Kimberly Eavenson reviewed the 30 item Personnel Action Report. **Supervisor Nez made a motion** to approve the personnel actions as

presented; motion seconded by **Supervisor Whitesinger**. **Supervisor Tenney** declared a conflict on item 9. Vote unanimous approving the motion, minus one vote.

ADMINISTRATION:

- a. Presentation to **Lenora Spencer** for naming the Navajo County Community Walking Path, “Nizhoni (Beautiful) Walking Path”: Lupita Banuelos presented Ms. Lenora Spencer with the award for naming the new walking path at the Holbrook complex.
- b. Recognition of **Trent Larson** for his recent graduation from Northland Pioneer Fire Academy: Homero Vela presented Trent Larson with a certificate, recognizing his efforts in the community.

EMERGENCY MANAGEMENT: Emergency Management update: Mary Springer provided the update regarding 2014 Fire Season and the current conditions, which are dry and windy. She indicated no campfires or charcoal fires are allowed, as we are in Stage II Fire Restrictions. **Chairman Thompson** thanked Mrs. Springer for the report.

WORKFORCE INVESTMENT ACT:

- a. Consideration and possible approval of the Navajo & Apache County Workforce 5 year Plan: Susan Tegmeyer, WIA Director presented items a, b, c, and d. **Supervisor Allen** indicated she enjoyed attending her first WIA Board meeting and was happy to be able to serve as a WIA Board member.
- b. Consideration and possible approval of the Intergovernmental Agreement for Apache County and Navajo County WIA Partnership:
- c. Consideration and possible approval of the Chief Elected Officials and LWIB Partnership Agreement:
- d. Consideration and possible approval of the Memorandum of Understanding between Navajo and Apache Counties Local Workforce Investment Board and One-Stop Partners:
Supervisor Allen made a motion to approve the Navajo & Apache County Workforce 5 year Plan; the Intergovernmental Agreement for Apache County and Navajo County WIA Partnership; the Chief Elected Officials and LWIB Partnership Agreement; and the Memorandum of Understanding between Navajo and Apache Counties Local Workforce Investment Board and One-Stop Partners. The motion was seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.

PUBLIC WORKS:

- a. Consideration and possible award of Contract #B14-04-008 Purchase of One or More Used Conventional 10-Wheel Tandem Axle Tractors to Arizona Truck Center, Inc. DBA Vanguard Truck Center of Phoenix: Homero Vela presented the item. **Supervisor Tenney made a motion** to approve the Contract #B14-04-008 Purchase of One or More Used Conventional 10-Wheel Tandem Axle Tractors to Arizona Truck Center, Inc. DBA Vanguard Truck Center of Phoenix; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.
- b. Consideration and possible award of Contract #B14-03-020 Hauling Waste Tires to CRM of America, LLC: Homero Vela presented the item. **Supervisor Allen** inquired about recycling the tires. **Supervisor Tenney made a motion** to approve the Contract #B14-03-020 Hauling Waste Tires to CRM of America, LLC.; motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.
- c. Consideration and possible approval of Amendment Number Two to the Victory Heights Road Maintenance Contract #B12-04-010 with Perkins Cinders, Inc., extending the contract for an additional year (June 11, 2014 through June 10, 2015): Homero Vela presented the item. **Supervisor Tenney made a motion** to approve the Amendment Number Two to the Victory Heights Road Maintenance Contract #B12-04-010 with Perkins Cinders, Inc., extending the contract for an additional year (June 11,

2014 through June 10, 2015); motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.

- d. **PUBLIC HEARING:** Consideration and possible approval of a Special Use Permit that will allow U-Haul to expand the operations of their existing warehouse and mini-storage business on APN 212-18-076 to include APN's 212-18-077 and 212-18-034A: Trent Larson presented the item and discussed the conditions of the permit. Mr. Larson indicated no public comments were received and there were no objections to this special use permit. Zulema Longoria, the planner from U-Haul, spoke in regards to the item and the expansion of the facility. **Supervisor Whitesinger made a motion** to adopt **Resolution 12-14**, approving the Special Use Permit that will allow U-Haul to expand the operations of their existing warehouse and mini-storage business on APN 212-18-076 to include APN's 212-18-077 and 212-18-034A; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- e. **PUBLIC HEARING:** Consideration and possible approval of a Special Use Permit that will allow Verizon Wireless to construct a 150' monopole, wireless communications tower, on APN 304-26-417, in the Silver Lake Estates area: Trent Larson presented the item and answered questions of the Board. Mr. Larson indicated they did receive a public comment from the City of Show Low who requested that all the aviation regulations were complied with. James Jayne and Homero Vela discussed the fencing of the tower and the clarification of the definition of a security fence. Reg Destree, who represents Verizon Wireless, discussed the item. **Supervisor Allen** commented that she is always concerned for the safety and wellbeing of her constituents and felt that the technology to communicate is essential. **Supervisor Allen made a motion** to adopt **Resolution 13-14**, approving the Special Use Permit that will allow Verizon Wireless to construct a 150' monopole, wireless communications tower, on APN 304-26-417, in the Silver Lake Estates area; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion.
- f. **PUBLIC HEARING:** Consideration and possible approval of a Special Use Permit that will allow Verizon Wireless to construct a 99' monopole, wireless communications tower, on APN 304-94-530C, in the White Mountain Lakes area: Trent Larson presented the item. Alex Shaffer, Lyle Guab, and Lawrence Wojtowicz, who are all members of the community, spoke of the item. Reg Destree, Verizon representative commented on the reasons for the choice of the location for the tower. Nick Brown, the Vice President of the Juniper Ridge HOA and Judith Harder, Secretary of the HOA both addressed the item. **Supervisor Allen made a motion** to adopt **Resolution 14-14**, approving the Special Use Permit that will allow Verizon Wireless to construct a 99' monopole, wireless communications tower, on APN 304-94-530C, in the White Mountain Lakes area; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. **EXECUTIVE SESSION** pursuant to A.R.S. §38-431.03(A)(3) for the Board to receive legal advice from its attorneys regarding consideration of a Settlement Agreement in Transwestern Pipeline Co v. Arizona Department of Revenue; Navajo County et.al., Re: Tax Appeals for tax years 2010, 2011, 2012, 2013 and 2014: **Supervisor Tenney made a motion** to enter into executive session pursuant to A.R.S. §38-431.03(A)(3) for the Board to receive legal advice; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion. At 11:04 a.m. the Board retired into executive session. Discussion was held.
- b. **RECONVENE** for possible approval of a Settlement Agreement in Transwestern Pipeline Co v. Arizona Department of Revenue; Navajo County et.al., Re: Tax Appeals for tax years 2010, 2011, 2012, 2013 and 2014: At 11:25 a.m. **Supervisor Tenney made a motion** to enter into regular session; motion seconded by **Supervisor Whitesinger**. Vote unanimous approving the motion. Jason Moore, Deputy

County Attorney presented his recommendation of approval of the settlement. **Supervisor Tenney made a motion** to approve the Settlement Agreement in Transwestern Pipeline Co v. Arizona Department of Revenue; Navajo County et.al., Re: Tax Appeals for tax years 2010, 2011, 2012, 2013 and 2014; motion seconded by **Supervisor Allen**. Vote unanimous approving the motion.

FINANCE:

- a. Consideration and possible approval of the sale for \$1.00 of surplus old jail kitchen equipment and copier to Navajo County Fair, Inc.: Mary Springer presented the item. **Supervisor Allen made a motion** to approve the sale for \$1.00 of surplus old jail kitchen equipment and copier to Navajo County Fair, Inc.; motion seconded by **Supervisor Tenney**. Vote unanimous approving the motion.
- b. Recognition of the Office of the Auditor General staff and their commitment and contributions to help ensure that Navajo County's financial reporting requirements are completed accurately and timely: James Menlove expressed his appreciation for the partnership with the Auditor General and her staff. He stated they are always helpful and supportive in their commitment and contributions to help ensure that the County's financial reporting requirements are completed accurately and timely. Debbie Davenport, Auditor General made remarks regarding the Auditor General's partnership with James Menlove and James Jayne. She indicated their office is statutorily responsible for the audits and she appreciates the timeliness and quality of the Navajo County audits. Ms. Davenport congratulated the county on receiving the CAFR awards. **Supervisor Allen, Supervisor Tenney** and James Jayne thanked the Auditor General's office, James Menlove and the finance team.

RECESS: LUNCHEON/WORK SESSION: At 11:46 a.m. the Board recessed for a luncheon/work session in the Code Talkers room, where no action was taken.

RECONVENE: At 12:50 p.m. the Board of Supervisors reconvened in the Board Chambers.

FINANCE: FY2013-14 Budget Update and FY2014-15 Budget Overview: James Menlove, Finance Director presented the budget update. James Jayne, County Manager went over the budget proposal for 2014/2015. He discussed the budget challenges for Fiscal Year 15/16.

BUDGET HEARINGS FOR DISCUSSION ONLY:

- a. Assessor: Cammy Darris made a detailed presentation to the Board reviewing the Assessor's Department budget and indicated their budget is flat. Mrs. Darris discussed the computer programming for the Navajo County Assessor's office which is a substantial savings for the County. Mrs. Darris spoke of her staff and the work they do. **Chairman Thompson** commended Cammy Darris and her staff for meeting the challenges her department faces.
- b. Constables: Ryan Reinhold addressed the Board. He indicated there are 6 elected constables, one for each justice court. He discussed the constable duties. Constable Scott Tipton from the Show Low Justice Court discussed the constable salaries and their training. He indicated they have received grants for equipment and training. He asked the Board to consider the years of service and work load for increasing the constable's salary ranges.
- c. County Attorney: Brad Carlyon discussed the County Attorney's Department budget. He discussed the Child Support Division and the services provided to the families of Navajo County. He spoke of the Victim Services Division and the Victim Crime Compensation program. He discussed the Annual Victims' Rights Symposium and the Bad Check Program. Mr. Carlyon indicated there were 36 adoptions this past year. He spoke of the Family Advocacy Center and indicated there were 212 children

seen in the center. He stated other services are the Drug Court and the Navajo County Drug Stories which was started by KC Clark and Barbara Bruce. Mr. Carlyon spoke of the County Grants Administrator who helps to process grants for the departments within the county and also assist some public partnerships. Mr. Carlyon discussed the large number of court cases seen last year, even with a reduction in the work force. He indicated more budget cuts will hurt his department.

- d. Judicial Branch/Clerk of the Court: Judge Ruechel spoke of the budget and the responsibilities of the Courts. She spoke of the Superior Court, the Clerk of the Superior Court and the Justice Courts. She indicated that her departments are operating with a very tight general fund.
- e. Recorder/Voter Registration/Elections: Laurette Justman reviewed the Recorder's office budget which includes Voter Registration and the Elections Departments. Mrs. Justman discussed in detail the services these departments offer which include electronic recording, the public website search, survey map online access, affordable document retrieval, copy subscription plans and military records. She indicated her budget is flat. Mrs. Justman spoke about the Voter Registration department which includes early ballots and the permanent voting list for early mailings. She indicated the Voter Registration budget has remained flat. **Supervisor Nez** inquired about the inactive list. She indicated many persons move to other counties or are deceased. Johnathan Roes reported on the Elections office. He indicated they put on elections four times a year, also special district elections, some cities, municipalities and school districts elections. Mr. Roes stated his department processes all filings on the candidates and that the forms are compliant with state law. He indicated this past year they have tried to update their department with tablets funded by a grant. Mr. Roes stated his budget is flat for the upcoming year.
- f. Sheriff/Jail: Sheriff K.C. Clark discussed the Sheriff's Department and Jail operation's budget. Sheriff Clark stated the source of authority for his department is by statute and by common law. He discussed their mission statement and reviewed their responsibility as a public trust in keeping the peace. Mr. Clark spoke of their many duties; search and rescue, registration of convicted sex offenders, pawn records which is mandated, a K-9 program which has taken millions of dollars of drugs out of the county, the Sheriff's Office boat control, Sheriff's Auxiliary Units, Citizens on Patrol, Search and Rescue, the Sheriff's Posse, other volunteer and specialized units. He discussed the salaries of the Navajo County deputies and the expense in training a deputy. He reported on the detention officer's salaries. He indicated we have our own training within Navajo County which decreases the cost to the department. Sheriff Clark reported he was able to purchase vehicles through grants and indicated they are creating partnerships to offset costs. He reported they came in under budget in the past 5 years. **Supervisor Tenney** inquired about the loss of employees in regards to low salaries. Sheriff Clark indicated Navajo County provides great quality service and that the employees we have are very dedicated people. **Supervisor Allen** inquired about getting salary adjustments and our responsibility to the citizens of our county. Sheriff Clark indicated this is vital to our employees and our citizens.
- g. Superintendent of Schools: Linda Morrow reviewed the Superintendent of School's budget. She indicated the federal and state funding shortages have affected the school's budget. Mrs. Morrow indicated the school's budget is flat and asked the Board to look at her budget proposal in a favorable way.
- h. Treasurer: Manny Hernandez reviewed the Treasurer's Department budget. Mr. Hernandez indicated it is a flat budget. He stated his office has done a lot with the small staff they have. He stated his staff is very hardworking and needs to be paid more per year. Mr. Hernandez indicated that postage for the department mailings is the biggest expense. He reported that 3 of the tax mailings a year are sent by postcard instead of by letters as a savings measure.
- i. Administration/Board of Supervisors: James Menlove discussed the Administration and Board of Supervisors Department budgets. He discussed the duties of the Clerk of the Board and the Board of

Supervisors staff, Emergency Management; The Director of Government Relations and Economic Development; The Tribal Government Relations Director; and the Risk Management Department. Mr. Menlove spoke of the Human Resources Department's efforts in providing health insurance for the employees. He discussed the Finance Department in regards to accounting and payroll which is done with few to no errors; the Finance Department's role in grants administration; purchasing; and Special Districts for roads and water. Mr. Menlove indicated the proposed budget is flat, with an allowance for a salary adjustment.

- j. Facilities Management: Bret Starns, Director of Facilities Management presented the budget. Mr. Starns spoke of the department's mission statement which includes finding efficient and innovative methods to ensure fiscal prudence. He indicated his department has a total of 23 employees and that the budget this year is flat. Mr. Starns reported on the department's many on-going projects.
- k. Information Technology: Bob Heming, Information Technology Director reviewed the budget. Mr. Heming discussed the department's capital needs which included; computer hardware costs, networking, the need of additional storage and server, two way radio systems and regional dispatch systems.
- l. Legal Defender: Mariclare Hannah indicated the Legal Defender's office budget is flat. Ms. Hannah spoke of how cases are assigned and that the department has been able to take all of the cases assigned to them. She stated they have 3 attorneys. Ms. Hannah reported they have been working on a clothing closet as a thrift store for clients who may need clothing for court cases, job interviews, etc. She indicated the department participates with the Drug Court and they also provide positive handouts to the jail for the benefit of the detainees.
- m. Library District: Geneva Durkee discussed the Library District's budget and the services which the Library District offers. Ms. Durkee spoke of the automation of system maintenance, the online databases where we share our cost with other counties; e-Resources, e-Audiobooks and e-Books; the internet access which are utilized by six libraries; the materials budget which rotate collections of DVD's, music CDs, etc. Ms. Durkee indicated they receive the grants-in-aid; the First Things First Grant; the Federal LSTA Grant which purchases ongoing best sellers and anticipated E-rate Federal Funding for Internet and Telecommunications. **Supervisor Tenney** thanked her for her efforts and for all she does for our libraries.
- n. Public Defender: Dale Nielson reviewed the Public Defender's Department budget. He discussed the number of cases per year and he indicated the department is about 200 cases lower this year. Mr. Nielson discussed the types of cases they defend.
- o. Public Fiduciary: Brent Turley reviewed the Public Fiduciary's Department budget. He discussed the dedication of Director Sherry Reed. Mr. Turley indicated they handle the assets and assume the liability for indigent people. He stated they must be licensed with the State and indicated the Fiduciary Department has 5 licensed staff members, including Director Sherry Reed. Mr. Turley indicated his department is asking for a part time training position which could turn into a full time staff position by 2015. James Jayne expressed his appreciation to Brent Turley and Sherry Reed.
- p. Public Health: Mary Tyler, Public Health Director discussed the Health Department's budget. She stated that the Public Health Department works to ensure the health and safety of residents, also in emergency management situations, fire, etc. and to monitor the health status of the community, diagnose and investigate health problems and hazards in an outbreak. Ms. Tyler indicated they have 31 grants for several of their programs. The funding they receive through grants does not always provide the services they need. If the grants don't cover the services then the county must cover for the rest of the expenses. Ms. Tyler reported on the number of birth and death certificates, immunizations and restaurant inspections. She indicated the Public Health Accreditation is ongoing and much has been completed.

- q. Public Works and Planning & Zoning: Homero Vela discussed the budget and the reduced revenues. Trent Larson and Jeanine Carruthers discussed the budget. They spoke of the county's participation in regional leadership: Community Clean-Ups which are county wide where they pick up tires, debris and trash for the safety of the communities. Mr. Vela reported on the number of Subdivisions and Permits: zoning actions, building permits, building inspections, code enforcement complaints, City of Holbrook, Taylor, Winslow, Snowflake, and flood request reviews which were conducted.
- r. Flood Control: Homero Vela discussed the revenue, the expense budget, the Flood Control District 5 Year CIP, and the First 2 Years. He spoke of the engineering portion of the Winslow Levee and the other capital improvement projects. He discussed the Cash Flow of the Winslow Levee. **Supervisor Allen** and **Supervisor Tenney** asked about the time limit of the study and the expense of the project. Mr. Vela indicated this is based on the federal government's time line. Mr. Vela discussed the Little Colorado River Budget. **Chairman Thompson** discussed the partnerships to be able to come up with the needed funding.
- s. Workforce Investment Act: Susan Tegmeyer Director of WIA discussed the WIA Workforce Plan. She stated the plan was put together with the help of an independent consultant, which they hired to assist them. Ms. Tegmeyer stated she asked for an audit to see how they were doing and to get recommendations on what to change or improve upon. She indicated James Menlove, Hunter Moore and several others from DES assisted with this plan, along with regional leadership. She stated the plan objectives are branding & messaging, strategic allies, and outreach sector strategies and youth services. She indicated they have offices in Show Low, Winslow and Eager. Ms. Tegmeyer discussed that for two rural counties they have minimal staff with the executive director also serving a dual role. She indicated they are federally funded. She discussed the salaries of 6 employees, employee related services, rent and phones. **Supervisor Tenney** asked about the youth programs. Ms. Tegmeyer reported on the number of WIA youth programs in Apache County, the Pinetop area, Show Low, and the Heber-Overgaard area. **Supervisor Tenney** indicated he attended the WIR Conference where they discussed the authorizing of reinstating the PILT funding.

ADJOURN: At 4:51 p.m. **Supervisor Allen made a motion** to adjourn; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

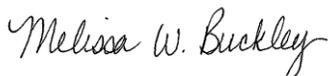
APPROVED:



Jesse Thompson, Chairman

DATE: June 24, 2014

ATTEST:



Melissa W. Buckley - Clerk of the Board