

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

JUNE 25, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:00 a.m.

PRESENT: Pete Shumway, Chairman; J.R. DeSpain, Vice-Chairman; Percy Deal, Member; Jesse Thompson, Member; Jerry Brownlow, Member; Mel Bowers, Jr., County Attorney; Dennis Miller, Interim County Manager; and Judy Jones, Clerk of the Board.

Mr. Brownlow led the Pledge of Allegiance and offered the Invocation.

CALL TO THE PUBLIC: There were no comments offered.

CONSENT AGENDA: Mr. DeSpain made a motion to authorize the Chairman to sign the items in the Consent Folder; motion seconded by Mr. Brownlow; vote unanimously carried. The following items were included in the Consent Agenda: 1) Voucher List for Payment; 2) Board of Supervisor Minutes: June 16, 2003; 3) Constable Reports: (May) Holbrook, Show Low; 4) Justice Court Reports: (May) Winslow, Show Low, Pinetop & Holbrook; 5) Superior Court Report (May); 6) Assessment & Tax Roll Corrections; 7) Juvenile Justice Report (May); 8) Special Event Liquor License: Oktoberfest Fundraiser, September 20 & 21, 2003 requested by the Sons of the American Legion #86, Overgaard.

BOARD OF SUPERVISORS: (June) Monthly Anniversary-Employee Appreciation Certificates: 25 Years - William "Tracy" Young, Carolyn Castillo; 20 Years - Lt. David Burke; 19 Years - Jill Parks-Montoya; 15 Years - Kelly Palmer; 13 Years - Keith Caldwell, Darcey McKee, Albert Browning; 11 Years - Sgt Kelly Clark, Sgt James Stansberry, Donna McMonigal, Brenda Clark; 9 Years - Marie Plaza; 8 Years - Tanya McCabe; 7 Years - Bob Gates; 6 Years - Sabrina James, William Sturgeon; 5 Years - Barbara Cook, Diana Serna, Andrew Brooks, Bob Heming. Certificates presented.

DEPARTMENT HEAD AND ELECTED OFFICIALS MEETING: Monthly Meeting; 1) County budget status in light of the State's recently completed budget; 2) Impact on individual departments' budgets; 3) Status of "riffed" employees, termination dates, etc: (these items were covered under the Board of Supervisors budget discussion; see next item)

4) Update on recruitment of county administrative positions: Ms. Jones advised that we have received 26 applications for the county manager position. The applications for this position will be accepted until July 25, 2003. When asked if this schedule could be expedited, Mr. Bowers responded that we have already advertised July 25th as the closing date, but we can move ahead in the sorting of the applications as to qualified versus non-qualified. Mr. Miller added that we could go ahead and get our panel in place for the initial review of applications. This panel would likely consist of other county managers in the state. However, we could get a Human Resources person, ie., Doug Muehl from ACIP, to begin screening the applications. A decision also needs to be made regarding the number of people to sit on the panel. Mr. Bowers asked if the Board would be receptive to a small number of our elected officials being allowed to interview the finalists. Mr. Shumway said he felt this should be continued to the next meeting to allow the board to consider. No action taken at this time.

BOARD OF SUPERVISORS: 2003/2004 Budget Update: 1) General Fund Budget: Mr. Miller advised

that we have received some relief from the State. Where we thought we were going to lose an additional million, we will only have to pay \$89,000 to the State from our General Fund. We were also slated to lose million in HURF funds, but it appears we will lose only \$250,000. We were not hurt nearly as bad as some of the other counties. The medium-sized counties will be hit for million from their General Funds; Maricopa County was hit for \$33 million and Pima County for \$4-5 million. Mr. Shumway noted that we still do not know how much we will have to meet the new federal election standards and we don't know how much that will cost. There is some talk of federal reimbursement, but as of this date, we still don't know for sure. Until we do, we have to include that in our budget.

Mr. Miller presented figures regarding budget revenues and expenditures. The estimated FY 03/04 General Fund revenues are \$23,151,484. The expenditures are expected to be \$22,589,509 for the proposed FY 03/04 budget. This leaves a difference of \$561,975. Mr. Miller presented three proposals for the Board to consider regarding that difference: 1) A 3% salary increase, across the board, for General Fund employees: Cost- \$368,951. (Grant funded positions, HURF funded positions and the Health District would have to find the funds within their grants); 2) Allow those employees scheduled to be 'rified' (there are approximately 10 employees scheduled to be 'rified') to stay up to an additional 90 days to enable them to find another position within the county, or to find employment elsewhere (while still performing their duties for Navajo County). Cost-\$77,069; 3) The County would pay ' of the *increase* in the health insurance premium for family/children coverage. Cost-\$73,794. Total cost for all three proposals: \$519,814. This leaves about \$42,161 to go back into the General Fund. Discussion began regarding these proposals.

County Engineer Bill Cox advised that he currently has six Operator II positions open. He said his department could absorb the 10 employees to be 'rified': the six operator positions, plus four additional positions which he needs but does not have currently (right-of-way manager and file clerk, to name two). Personnel Supervisor Don Smith said that as positions become open, the 'rified' employees should have first chance at them, if qualified. There are many openings now to look at; some may result in a decrease in salary, but is better than no job. Mr. DeSpain noted that although the county was not hit as hard by the budget, we still need to go with the 15% reduction/RIFs, but would allow 90 extra days before the lay-offs actually begin. He said he wants to see our employees given every opportunity to train for any open positions. Mr. Miller said that many of the departments eliminated positions as part of their 15% reduction. Those positions are vacant now. There would be no hiring freeze on budgeted positions, but any new positions would be frozen. Mr. Bowers clarified that positions eliminated as part of the 15% reduction are for this budget year only. Frank Turley, Navajo County Assessor, said he feels the Board is being very empathetic to the employees under the circumstances, and he thinks all of the proposals will help them. Mr. Bowers noted that the Elected Officials met yesterday, and they felt the priority is to get relief for the employees, especially regarding the medical insurance. If too many employees drop out of the plan because it is cost prohibitive, it will hurt them as well as the plan itself. Mr. DeSpain agreed, adding that we need more stability for our medical plan. If everyone walks away, the plan will fail. Mr. Miller continued, explaining there is not enough reserve funds to pay out the current claims if we want to change plans. There is no quick fix because no one wants to offer an HMO in rural Arizona. Many counties subsidize the dependent coverage premiums to a certain degree. He said he understands that those employees with no dependents will not see a direct benefit with this proposal, but if everyone walks away, the plan can fail. He also noted that this proposal does not change the required \$10 payment for the employee coverage.

Mr. Shumway clarified proposal #2: The departments *may* allow 'riffed' employees to remain employed for up to 90 days to see if they can move into a vacant position. Grant funded positions have always had to stand on their own: if the grant goes away, so does the job. The General Fund cannot subsidize the grant funds. Mr. Miller added that we will have to look at each grant individually. For instance, what about the ' ' grants?

(The Board made separate motions as to each proposal.) Mr. Brownlow made a motion that Navajo County include for the tentative budget, a 3% across the board salary increase for all county employees in all departments, with the caveat that grant funded positions will be included where funds are available; motion seconded by Mr. Thompson; vote unanimous approving the motion. Mr. DeSpain made a motion to allow the department heads to allow the 'riffed' employees to remain up to an additional 90 days, as presented; motion seconded by Mr. Deal; vote unanimous approving the motion. Mr. Thompson made a motion to include in the tentative budget, ' *of the increase* for family/child health coverage premium as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

2) Public Health Services District: Board of Directors Session; 3) Library District: Board of Directors Session; 4) Navajo County Flood Control District: Board of Directors Session; 5) Little Colorado Flood Control District: Board of Directors Session; 6) Public Works Budget; (These items were continued; no action taken)

7) Silver Creek Flood Control District Board of Directors request for funding assistance for Millet Swale: (This item was pulled at the request of Mr. Shumway)

8) Recruitment of Personnel Supervisor and temporary management of personnel matters: The Board was advised that Personnel Supervisor Don Smith will be retiring at the end of this month. Mr. Miller recommended that Payroll Supervisor Karen Bray be appointed as Interim Personnel Supervisor at this time. She would report to Mr. Miller, and recruitment for a Human Resources Director would begin immediately. Mr. Brownlow advised that, in this interim, if there are any 'touchy or sticky' personnel matters, Ms. Bray can consult with the County Attorney. Mr. Miller added that he did call Bill Hardy at ACIP, and he will give us some of Doug Muehl's time if we need it. Mr. Shumway made a motion to accept the recommendation and appoint Karen Bray as Interim Personnel Supervisor; to move ahead to advertise for a Human Resource Director; and to accept help, if needed, from Bill Hardy and Doug Muehl as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

DEVELOPMENT SERVICES: Dave Ashton, Director: Extend temporary inspector to August 31, 2003: Mr. Ashton explained that there has been a temporary inspector position in the office for the past two years. This employee helps cover when the full-time inspectors are on training, vacation, etc. He would like to extend the position until August 31, 2003. Mr. Brownlow made a motion to extend temporary inspector to August 31, 2003; motion seconded by Mr. DeSpain; vote unanimously carried.

PUBLIC HEALTH SERVICES DISTRICT: Stanley Warner, Director & Ray Nejerer, Bio-Terrorism Manager Board of Directors Session: Mr. Brownlow made a motion to enter into a Board of Directors Session; motion seconded by Mr. Thompson; vote unanimously carried: 1) Temporary Employment via Office of Diné Youth, Ft. Defiance Agency, Navajo Nation as a referral for career incentive: Dr. Warner

advised that this program will not cost the county anything; the student will work in the Health District office for a period of 4 weeks and will be paid by the Navajo Nation. Mr. Deal made a motion to approve the temporary employment via the Office of Diné Youth, Ft. Defiance Agency, Navajo Nation as a referral for career incentive as presented; motion seconded by Mr. DeSpain; vote unanimously.

2) Contract with Northern Arizona Council of Governments (NACoG) Head Start Program for primary prevention, early intervention, diagnosis and medically necessary health services: Dr. Warner advised that this contract allows for reimbursement to the county for tests provided to the Head Start participants (TB skin test; hemoglobin & hematocrit) Dr. Warner noted that the reimbursement has increased from \$5/test to \$7.50/test. Mr. DeSpain made a motion to approve contract with Head Start Program as presented; motion seconded by Mr. Brownlow; vote unanimously carried.

3) Contract with Shirley Whitehead, RN, CFNP for Physical Examination and Consultation Services for the Family Planning Services Program: Dr. Warner noted that the previous contract was with a nurse practitioner from Colorado, and included mileage. Ms. Whitehead is from Navajo County, so the contract will provide some cost savings for the county. Mr. Brownlow made a motion to approve contract with Shirley Whitehead; motion seconded by Mr. Deal; vote unanimously carried.

4) IGA with ADHS for Preparedness and Response for Bio-Terrorism Contract #252039 (12/01/02 - 8/30/04): Dr. Ray Nejerer explained that this is an amendment to the previously approved IGA, and provides an additional \$15,000 in funding to address redundant communications processes. Mr. Deal made a motion to approve amendment to IGA for Bio-Terrorism, as presented; motion seconded by Mr. Brownlow; vote unanimously carried. Mr. DeSpain made a motion to return to regular session; motion seconded by Mr. Brownlow; vote unanimous approving the motion.

COUNTY ATTORNEY: Mel Bowers, County Attorney: 1) Victim Assistance Grant with Arizona Criminal Justice Commission for FY03/04 for salary/ERE for Victim Advocate: Mr. Bowers explained that this grant will provide \$19,584 for salary for the victim advocate position. Mr. DeSpain made a motion to approve Victim Assistance Grant; motion seconded by Mr. Thompson; vote unanimously carried.

2) Acceptance of 03/04 Edward Byrne Memorial State and Local Law Enforcement Assistance Formal Grant Program to fund one attorney and two support staff: Mr. Bowers advised that this grant provides salary/ERE for one attorney and two support staff positions. The grant amount is \$117,329, with a cash match of \$26451. The match will come from RICO funding. Mr. DeSpain made a motion to accept the Edward Byrne Assistance Grant; motion seconded by Mr. Brownlow; vote unanimously carried.

RECORDER/ELECTIONS: Mary Kelley, Elections Coordinator: Canvass May 20 Election for White Mountain Summer Homes pursuant to ARS §16-641: Ms. Kelley advised that this was an all mail ballot, and the results were as follows: E. Patrick Hennessy, Jr.-39; Grant Jorgenson-103; Jim Lewis-21; John E. Miller-100; Hal Newbanks-90. Therefore, Mr. Jorgenson and Mr. Miller were elected. Mr. DeSpain made a motion to approve canvass of election for White Mountain Summer Homes as presented; motion seconded by Mr. Brownlow; vote unanimously carried.

SHERIFF'S DEPARTMENT: Gary Butler, Sheriff: 1) Addendum #1 to Cooperative Law Agreement #03-LE-110300121-003 with US Department of Agriculture, Forest Service providing reimbursement for fire

prevention patrol and law enforcement: Chief Greg Eavenson explained that this addendum provides for reimbursement for fire prevention patrols. It also extends the agreement through September of 2003. Mr. DeSpain made a motion to approve Addendum #1 to Cooperative Law Agreement #03-LE-110300121-003, as presented; motion seconded by Mr. Brownlow; vote unanimously carried.

2) Agreement with Arizona Criminal Justice Commission Grant #AC-180-04 for operation of the Major Crimes Apprehension Team: Chief Eavenson advised that this is an annual grant for the operation of MCAT, and this year it will provide \$279,215. The required match, in the amount of \$62,948, will come from the Federal Equitable Sharing agreement. Mr. Thompson made a motion to approve ACJC Major Crimes Apprehension Grant #AC-180-04; motion seconded by Mr. DeSpain; vote unanimously carried.

3) Award Bid #03-0507, Inmate Food Services for Navajo County Jail: Chief Eavenson advised that three bids were received with quotes for 27,400 or more meals/month, and under 27,400 meals/month. The bids were as follows: ABL Management, Inc-\$1.10/meal and \$1.17/meal respectively; Aramark Correctional Services-\$1.17/meal and \$1.17/meal; Canteen Correctional Services-\$1.231/meal and \$1.360/meal. The recommendation is to award the Inmate Food Services contract to the low bidder, ABL Management, Inc. It was also noted that this contract is less than the current contract, so will save the county some money. Mr. Brownlow made a motion to award the contract for Inmate Food Services to ABL Management, Inc. as recommended; motion seconded by Mr. DeSpain; vote unanimously carried.

Public Works Department: Bill Cox, Director: Proposal for Prison Work Coordinator position: Mr. Cox explained that the county currently has an inventory of more than 10,000 culverts. A large amount of money is spent each year in maintaining them. (Total for 2002/2003: \$246,861) In past years, even more has been spent. Mr. Cox said he does not have the manpower to perform the annual maintenance on driveway culverts, crossover culverts, bank protection and other miscellaneous drainage activities that help preserve our roadways. It would take a crew of at least eight additional road workers to maintain the current inventory. Therefore, Mr. Cox proposed the following to reduce the overall cost for drainage maintenance: Create a Prison Work Crew Coordinator position, who would schedule and coordinate a prison work crew, which would clean existing drainage culverts throughout the county; clean existing right-of-way; provide labor for installation of rip-rap and other bank protection material; and provide miscellaneous labor for maintenance of highways and public works facilities. The estimated cost for this program would be \$94,000 (coordinator position-\$34,000; vehicle-\$25,000; equipment-\$30,000; labor cost per year-\$5000). This would save the county approximately \$100,000 a year. Mr. Cox noted that the work crew could be either county jail inmates/trustees, or the prison inmates. Mr. Cox advised that this will be a foreman position, pay grade 18. Mr. DeSpain made a motion to approve the proposal for a Prison Work Crew Coordinator position as presented; motion seconded by Mr. Thompson; vote unanimously carried.

LOCAL TRANSPORTATION AUTHORITY FUND (LTAF): Percy Deal, Supervisor District I: Financial assistance from District I and District IV LTAF funds to assist Hardrock and Pinon Senior Centers with maintenance expenses for the Senior Center vans: Mr. Deal requested that his remaining LTAF funds in the amount of \$1062.13, plus the LTAF funds from District IV in the amount of \$4.87 (at the request of Mr. Shumway), be evenly divided between Hardrock and Pinon Senior Centers. Mr. Deal made a motion to provide funding assistance from District I and District IV LTAF funds in the total amount of \$1067, to be divided evenly between Hardrock and Pinon Senior Centers for maintenance expenses of the Senior

Center vans; motion seconded by Mr. Shumway; vote unanimous approving the motion.

BOARD OF SUPERVISORS/PARKS DEPARTMENT/NAVAJO COUNTY FAIR INC.: J.R. DeSpain, District III Supervisor: Temporarily assign Parks Department employee to work as Interim Fair Manager due to the retirement of the present Fair Manager, Bob Gates: Mr. DeSpain noted that Mr. Gates will be retiring the end of this month. The Navajo County Fair is coming up quickly and he would like to recommend that Navajo County Parks & Recreation employee, Sam Pogue, be appointed Interim Fair Manager. He noted that the financial details would be brought back to the Board after it has been discussed by the Fair Board. Mr. DeSpain did say that Paul Jaster, Bob Gates and Rusty DeSpain were advised of this recommendation and are in agreement. Mr. DeSpain made a motion to appoint Sam Pogue as Interim Fair Manager due to the retirement of the present Fair Manager, Bob gates; motion seconded by Mr. Brownlow; vote unanimously carried.

BOARD OF SUPERVISORS: 1) Resolution expressing Navajo County's concern and support to the Summerhaven Community and Pima County during the devastation and tragedy of the Aspen Fire: Mr. Deal made a motion to approve Resolution #40-03, expressing Navajo County's concern and support to the Summerhaven Community and Pima County during the devastation and tragedy of the Aspen Fire; motion seconded by Mr. Brownlow; vote unanimously carried. (Mr. DeSpain absent for the vote)

2) Resolution in Memoriam of Rick Lupe, Fort Apache Firefighter: Mr. Brownlow made a motion to adopt Resolution #39-03, in Memoriam of Rick Lupe, Fort Apache Fire Fighter; motion seconded by Mr. DeSpain; vote unanimously carried. (Mr. Deal absent for the vote)

WHITE CONE CHAPTER: Clara Williams, Coordinator: Funding request from District II Special Road Funds to provide fuel for the operation of motor grader and backhoe: (Ms. Williams not available) Mr. Thompson explained that this equipment will be used to maintain school bus routes on the reservation. Funding for the equipment itself, and the operator, will come from the Chapter. Mr. Thompson made a motion to approve \$2000 from District II Special Project Road funds for fuel for operation of motor grader and backhoe; motion seconded by Mr. Deal; vote unanimously carried.

PAYROLL ACTIONS: Karen Bray, Payroll Supervisor, presented a list of payroll actions. Mr. Thompson made a motion to approve the payroll actions as submitted; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

BOARD BUSINESS: Mr. Bowers provided an update regarding the audit of the Health District. He said that a draft report has been prepared, and a final report should be available to the Board for review within the next two weeks. Ms. Jones noted that, at the request of the Board, there will be a meeting on Wednesday, July 2, 2003 at 10:00 a.m. for budget items only. Dr. Warner reported that there has been a rural grant in Arizona, providing \$6 million in awards to the border communities only. He said he felt we should have a chance to get some of that funding and a proposal was presented re diabetes, hypertension, nutrition, etc. We have been invited to attend the next meeting, which will be held at HonDah on June 30. He invited Mr. Thompson and Mr. Deal to attend. Mr. Deal asked that someone attend the Commemorative ceremonies in Show Low on Sunday. Mr. Shumway stated he will be there. Mr. Shumway reported on the tour of last year's fire area with the Governor. He noted that she seemed pleased with the tour on both the Tribal and Forest Service side. Mr. Brownlow reported that he attended

the memorial service for Firefighter Rick Lupe and spoke on behalf of the county.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Wednesday, July 2, 2003, upon a motion made by Mr. Thompson; motion seconded by Mr. Brownlow; vote unanimously carried. The meeting adjourned at 12:20 p.m.

APPROVED:

Pete Shumway, Chairman

DATE:

ATTEST:

Judy Jones, Clerk of the Board

The following Navajo County demands were audited, approved and ordered paid by the Board:
Avaya\$2185.76;BrownsFishFarm\$2409.53;CellOne\$1417.49;Chevron\$1412.63;ChollaReadyMix\$6966
84;CtyShowLow\$1044.68;CtyHlbrk\$1851.65;ClaySpringsDWID\$3167.81;Comm1stBnk\$29097.75;CrtR
prtngSrv\$1186.30;DJones\$5339.25;DMartin\$1310;DetroitIndTool\$1750.69;DialogicCommCorp\$7388
0;DMcCoy\$2322.92;DrakeTrck&Trlr\$5589.28;DunnEdwardsCorp\$1945.80;E&ESvc\$1817.19;EarthMvr
TireSl\$4218.21;EmpireMach\$3430.61;EnPointeTech\$1083.23;FiberMrktng\$1600;FirstIn\$1005.28;Fis
herScf\$6578.48;FlandersAirpur\$1610.53;FrontierComm\$1435.68;GraingerPrts\$5468.76;HatchContrctn
\$30538.71;HazMatDQU\$5158.05;HazTechSystm\$4403;HighSierraElctncs\$2270;HlbrkCathChar\$8494.
94;HughesCalihan\$18823.58;IngramLibSrv\$1866.86;J&MWhls\$20823.97;JWhipple\$3800;LarsonsRe
pair\$1440.01;LongBeachGenetics\$1125;M&MProfCng\$4390.37;M3Research\$25000;MohaveEducSrv
c\$11107.92;NCRF\$1728.36;NCSO\$19900;Norchem\$1577.42;PageSteel\$1536.71;PerfectPrintz\$2601
.99;PetroTrdrs\$9622.54;PortenierEnt\$2026.59;ReidheadSand&Rock\$6053.61;RHiggins\$1785;RSCRnt
I\$1142.21;SHeckathorne\$3595;SpecLdrs\$10574.13;T&JBdyShp\$1410.44;TatesAuto\$1432.44;USDep
Interior\$40000;VikingOfcProd\$1283.76;VisionBusinessProd\$1433.78;WestGroup\$2793.04;WMH\$143
3.25;WnlslwSalvArmy\$2513.87;WoodLawOfc\$5624.75;KachinaOfcbldg\$1785.47