

**NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
MONDAY, JULY 10, 2006**

9:00 a.m. CALL TO ORDER: Chairman Thompson called the meeting to order and Supervisor Tenney led the pledge of allegiance and offered the invocation.

PRESENT: Jesse Thompson, Chairman; Percy Deal, Vice-Chairman; J.R. DeSpain, Member; David Tenney, Member; Jerry Brownlow, Member; Mel Bowers, County Attorney; James G. Jayne County Manager, and Darlene Fraley, Deputy Clerk of the Board

CALL TO THE PUBLIC: There was no response.

CONSENT AGENDA: a) Voucher list for payment; b) Tax roll corrections; c) Letter of support to NACOG for the Woodruff-Snowflake Bridge project; d) Letter of intent addressed to the Arizona Department of Housing to apply for owner-occupied housing Rehabilitation; e) Letter of intent addressed to the Arizona Department of Housing to apply for owner-occupied housing Emergency Repairs program; f) Request for redemption of waiver for 19 petitioners; g) Intergovernmental agreement for election services with the Town of Pinetop/Lakeside; h) Name an existing road in the Sun Valley area "Ruff Road" in Section 28 Township 19 North – Range 22 East; i) Name an existing road in the Show Low area "Timber Hollow Road" in Section 09 Township 10 North – Range 21 East; j) One year extension of ABL Management, Inc. contract for food services in the jail with no increase in rates; k) Recommendation of person transfer for liquor license #06090041 on behalf of Rebecca Connely for Absolute Distraction, L.L.C. 5735 Highway 260, Lakeside; l) Justice Court reports: Winslow #2 April; Snowflake #3 May; m) Juvenile Justice System May report; n) Constable reports: Winslow #2 May; Snowflake #3 May; o) Clerk of the Court: May report **Supervisor Brownlow made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the personnel action report advising it has to be amended to include one road maintenance equipment operator for end of temporary assignment. Supervisor DeSpain inquired how the rates were set for reimbursement for the Potato Fire and Ms. Calisen explained that the Davis Bacon rates applied to the Potato Fire. **Supervisor Tenney made a motion** to approve the Personnel actions as presented including the amendment and authorize the Chairman to sign these items; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

PUBLIC WORKS/PLANNING AND ZONING:

- a. **BOARD OF DIRECTORS SESSION:** Shumway Road Improvement District: **Supervisor Brownlow made a motion** to enter into the Shumway Road Improvement District **Board of Directors Session**; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
 - i. **PUBLIC HEARING:** Hear and pass upon objections (if any) from property owners or other interested persons regarding the legality of the Shumway Road Improvement District assessment or any of the previous proceedings: Dusty Parsons advised there were no written protests. Chairman Thompson invited public comments on this project and there were none.
 - ii. Consideration and possible approval by **Resolution Number** _____ **-06** of the assessment for the Shumway Road Improvement District as recorded or with modifications based on objections: **Supervisor DeSpain made a motion** to approve by **Resolution Number 48 -06** the assessment for the Shumway Road Improvement District; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

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

- b. **PUBLIC HEARING:** Consideration and possible approval by **Resolution Number - 06** of a Special Development Master Site Plan Amendment request by Voyager at White Mountain Lake, LLC, for the proposed Silver Creek Golf Heights Development with recommended stipulations for parcel 304-92-008, Township 11 North, Range 22 East, Sections 11, 12, 13 & 14 of the Gila and Salt River Base & Meridian in the White Mountain Lake area: Bill Fraley advised this is a master site plan amendment only, stating that planning commission members requested buffers be included in the plan and the developer has made some modifications. He reported Public Works recommends approval as does the Planning and Zoning Commission. Chairman Thompson stated this is a public hearing and invited public comment to this project; none spoke in opposition. Doug Brimhall, representing Ike Isaacson, spoke in favor of the development, reviewing the layout and advised that changes will be made at tentative plat stage related to the concerns of the Planning & Zoning Commission i.e. creating a larger greenbelt, eliminating several lots, and changing lot alignments. He advised some lots are in the flood plain and they will deal with that issue. He discussed the sewer treatment facility for this project, advising the developer is planning this facility through a consultant to address the future needs of this facility. Mel Bowers requested clarification of the type of spaces and Mr. Brimhall advised it is a combination of four-plex and duplex site-built units. **Supervisor DeSpain made a motion** to approve by **Resolution Number 49 - 06** a Special Development Master Site Plan Amendment request by Voyager at White Mountain Lake, LLC, for the proposed Silver Creek Golf Heights Development with recommended stipulations for parcel 304-92-008, Township 11 North, Range 22 East, Sections 11, 12, 13 & 14 of the Gila and Salt River Base & Meridian in the White Mountain Lake area; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- c. **PUBLIC HEARING:** Consideration and possible approval of **Resolution Number - 06** to establish Wild Game Trail, White Mountain Avenue, Trout Drive, Lake Drive, Wildflower Drive and Scott's Drive as county highways: Dusty Parsons advised the board that in June the board set this hearing to determine if these roadways should be brought in as County highways, advising the petition was submitted last month. Supervisor DeSpain inquired if all of these roads are included in the subdivision and Mr. Parsons advised they were. Chairman Thompson invited public comment opposing this project and there was none. He invited comments in favor of the project. Charlie Merrill, a resident of the area, thanked the public works department for working with the homeowners explaining his understanding of this participation process. He expressed appreciation that action is being taken to mitigate road issues. **Supervisor Tenney made a motion** to approve **Resolution Number 50 - 06** to establish Wild Game Trail, White Mountain Avenue, Trout Drive, Lake Drive, Wildflower Drive and Scott's Drive as county highways; motion seconded by Supervisor Brownlow. Supervisor Deal inquired if Mr. Parsons anticipates additional situations such as this and Mr. Parsons advised it will be done on a case-by-case basis to determine if it will benefit the County and the residents. Supervisor Deal stated that somewhere the County will not be able to afford this process and it will be difficult to stop. He said these developments have all the appearance of being in an incorporated area and will take away from the rural area. Mr. Parsons advised it will always be up to the board to approve or disapprove these actions. He stated the department budgets for these relatively small expenditures with the largest portion of that being labor. He advised this is a small project and prior to improvement they are in the County road system as gravel roads. Mel Bowers stated it might be helpful to advise these are county roads and for most part only allowed to maintain but once they are designated county roads, the county can spend money to improve them. Mr. Parsons reported that once the roads are paved there will be less cost to the county than maintaining gravel roads. Supervisor Deal stated he is not opposed to this action but public works needs to watch it very closely. Chairman Thompson recognized Mr. Merrill who advised that he thought the district is picking up the bill and he had not understood that the county is picking up the cost of providing labor. Supervisor

Tenney explained the district is trying to do improvement on roads already in the system and the cost is greater than anticipated; that in the long run it will be cheaper for the county to assist than continue to maintain gravel roads. Supervisor Brownlow agreed and expressed appreciation to public works staff. Vote unanimous approving the motion.

- d. Consideration and possible approval of Task Agreement #10 of MOU AGN00030004 between Bureau of Indian Affairs, Navajo Region and Navajo County to provide diesel fuel for road maintenance purposes: **Supervisor Brownlow made a motion** to approve Task Agreement #10 of MOU AGN00030004 between the Bureau of Indian Affairs, Navajo Region and Navajo County to provide diesel fuel for road maintenance purposes; motion second by Supervisor DeSpain; vote unanimous approving the motion. Supervisor Deal inquired about the equipment rental previously approved for the BIA and Mr. Parsons advised that the BIA does the rental lease and the county pays at that point. Mr. Parsons will attend a meeting on Wednesday and will find out what is happening in this situation.
- e. Consideration and possible approval of funding from District II & District V LTAF II funds to purchase a van for the Teesto Chapter: Chairman Thompson thanked Supervisor Brownlow for his assistance in purchasing this van. Mr. Parsons advised the cost of the van is \$25,628.79. **Supervisor Brownlow made a motion** to approve funding from District II & District V LTAF II funds to purchase a van for the Teesto Chapter; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- f. Consideration and possible approval of funding for the striping of Sunset Road for the City of Winslow from District III Special Road Funds: Supervisor DeSpain advised that the interchange at North Park Drive and I-40 called for re-routing and this routing resulted in greater use of Sunset Road. This will be double-line striping to minimize the chance of accidents. **Supervisor DeSpain made a motion** to approve the expenditure of \$1,000 from District III funds for the striping of Sunset Road for the City of Winslow; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- g. Consideration and possible approval of the expenditure from District IV Special Road Funds to purchase road material for Timberland Acres: Dusty Parsons advised this district has financial problems due to missing funds and needs the assistance of the county to provide road materials. **Supervisor Tenney requested board support and made a motion** to approve the expenditure of \$30,000 from District IV Special Road Funds to purchase road material for Timberland Acres; motion seconded by Supervisor DeSpain. Supervisor Deal inquired if these materials would be purchased from the existing purchase contract and was advised that this would be the case. Vote unanimous approving the motion.
- h. **BOARD OF DIRECTORS SESSION: Navajo County Flood Control Board:** Supervisor Tenney made a motion to enter into a **Board of Directors Session** for the Navajo County Flood Control District; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
 - i. Consideration and possible approval for the Navajo County Flood Control District to enter into a Joint Funding Agreement with the United States Geological Survey to fund the installation and the maintenance agreement for a Surface Water Gaging Station at Jack's Canyon: Homero Vela displayed a map showing Jack's Canyon, explained the measurement process for the elevation and flow of this watershed and requested funding for the gage and maintenance for the next three years. He advised USGS would subsidize this at approximately \$12,000 over the next three years. Supervisor DeSpain advised this would provide another tool to gage water in this water shed. **Supervisor DeSpain made a motion** to authorize the Navajo County Flood Control District to enter into a Joint Funding Agreement with the United States Geological Survey to fund the installation and the maintenance agreement for a Surface Water Gaging Station at Jack's Canyon; motion seconded by Supervisor Tenney. Supervisor Brownlow requested clarification that the flow gage placement is in Coconino County and how it is related to easements. Homero Vela advised USGS will obtain all easements. Supervisor Deal inquired if these funds are budgeted and was advised that they are. Vote unanimous approving the motion.

- ii. Update on conversion of Flood Insurance Rate Maps to digital format: Homero Vela reported this digital formatting will provide an avenue for multi-layering of maps. He reviewed the status of the project, advising the maps will be released in December of this year. He advised there will be one map for all of Navajo County including the cities and towns and that meetings will be held with all governmental entities to explain the process. He said the process will take approximately one year and will culminate in the adoption of the flood control maps. He discussed outreach activities that include newspaper publication, cities and towns, and meetings with community residents. Supervisor DeSpain inquired if there are other levees that must be re-certified. Mr. Vela stated that certain levees, such as for the railroad, will not be considered unless they have been certified; they are talking about 20 structures. Mr. Vela, in response to a question from Supervisor Deal, advised that FEMA expects Navajo County to bear the cost of outreach activities and the appeal, and does not believe funds will be available from FEMA for the implementation. Supervisor Deal requested that Mr. Vela explore the possibility of connecting FEMA with reservation staff to have such designations on the reservation. Chairman Thompson stated he would be more interested in learning more about reservation flood plain maps if they exist and Mr. Vela advised he would investigate this.

Supervisor Brownlow made a motion to return to regular session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

ASSESSOR/FINANCE: Consideration and possible approval of settlement of Navajo County's portion of pending tax case, Citizens Telecommunications Co., et al. v. Arizona Department of Revenue, et al., and authorize law firm of Sanders & Parks to execute settlement agreement on Navajo County's behalf: James Menlove informed the Board of Supervisors that this lawsuit has been ongoing for several years. He reported the total refund to the taxpayers is approximately \$637,064, stating that the Department of Revenue has not yet provided the breakdown of those costs by individual taxing entity. He reported that the Navajo County portion of the refund will be approximately \$50,000 with the remainder to be refunded through other taxing entities within the County. Supervisor DeSpain inquired if the Navajo County amount would come from the general fund and was advised that is the case and that it was budgeted in 2006 and will be included in the 2007 budget as well. County Attorney Mel Bowers stated that the litigation was handled through the Attorney General's office and Navajo County's involvement in the suit has been minimal. **Supervisor Tenney made a motion** to approve the settlement of Navajo County's portion of the pending tax case, Citizens Telecommunications Co., et al. v. Arizona Department of Revenue, et al., and authorize the law firm of Sanders & Parks to execute the settlement agreement on Navajo County's behalf; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

FINANCE: Financial update to include consideration and possible action regarding employee compensation: James Menlove advised that, based on direction from the board for staff to look at other options for employee compensation, the recommendation comes forward for a 2% additional salary increase to be effective September 1 with a minimum increase of \$500.00. He reported that 126 employees make less than \$25,000 and would benefit from the minimum \$500.00 increase. He stated he is not seeking authorization at this time and advised this will be included in the budget presentation for next year. Chairman Thompson expressed appreciation for consideration given by the Finance Director and County Manager for a 2% increase. All supervisors thanked county administration, elected officials and department directors who are willing to take a budget cut to do this. Supervisor Deal inquired if the board will see exactly what areas took budget cuts to fund this increase and Mr. Menlove advised it will be part of budget package.

PUBLIC HEALTH DISTRICT: BOARD OF DIRECTORS SESSION: **Supervisor Brownlow made a motion** to enter into the Public Health District **Board of Directors Session**; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

- a. Consideration and possible approval of Tuberculosis Control Program contract for x-ray services with Navapache Regional Medical Center in Show Low with contract term through June 30, 2011: Dr. Kartchner reviewed this contract with the Supervisors requesting their support. Supervisor DeSpain made a motion to approve the Tuberculosis Control Program contract for x-ray services with Navapache Regional Medical Center in Show Low with contract term through June 30, 2011; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- b. Consideration and possible approval of Tuberculosis Control Program contract with Dr. Michael Keberlein to provide consultation services for persons in Navajo County who have or are reasonably at risk of having tuberculosis with contract term through June 30, 2011: Following Dr. Kartchner's explanation of this program, **Supervisor Tenney made a motion** to approve the Tuberculosis Control Program contract with Dr. Michael Keberlein to provide consultation services for persons in Navajo County who have or are reasonably at risk of having tuberculosis; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

Supervisor Tenney made a motion to return to regulation session seconded by Supervisor Brownlow and carrying unanimously.

SHERIFF'S OFFICE: Consideration and possible approval to authorize Sheriff's Office to accept a bid from Copperstate Technologies, Inc. for repair and replacement of the fire detection system in the newer jail units in the amount of \$35,054: Commander David Burke advised this problem has existed since 2002 when they found the paint overspray negatively impacted the system and upon contact found the wrong system had been installed. He advised the system is now in total failure, with no smoke detection, fire damping system or fire detection system. He advised this purchase would come from State bid. Supervisor Brownlow inquired if there could be a longer warranty period than one year and Commander Burke advised that is the industry standard. Supervisor DeSpain inquired if funding would come from this year's budget and Commander Burke advised it would. Mr. Bowers advised this action is acceptable. **Supervisor Brownlow made a motion** to authorize the Sheriff's Office to accept a bid from Copperstate Technologies, Inc. for repair and replacement of the fire detection system in the newer jail units in the amount of \$35,054; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

PROBATION: Consideration and possible approval by Resolution Number ____ - 06 of the Court Certification Form for Family Counseling Allocation FY 06/07: Arno Hall advised this grant has been ongoing for approximately 30 years with a 25% match from Navajo County. **Supervisor DeSpain made a motion** to approve by **Resolution Number 51 - 06** the Court Certification Form for Family Counseling Allocation FY 06/07; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

NAVAJO COUNTY WORKFORCE INVESTMENT AUTHORITY: Consideration and possible appointment of 26 members to serve two year terms on the Navajo and Apache Counties' Workforce Investment Board: Gail Sadler reported the implementation of the IGA to merge the workforce areas has been approved by the Governor. She advised the workforce board must be approved by both counties and 51% of the board must represent private industry and business. After some discussion, **Supervisor DeSpain made a motion** to appoint the 26 members to serve two year terms on the Navajo and Apache Counties' Workforce Investment Board as presented; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Supervisor Brownlow congratulated Ms. Sadler on her efforts in this collaboration.

ELECTIONS

- b. Consideration and possible approval of precincts and polling places for upcoming Primary (09-12-06) and General 11-07-06) Election: Kelly Dastrup requested formal adoption of the precincts and polling places as presented with following changes: Show Low #3 moved their polling place from the city chambers to the public library which actually falls within Show Low #2 by approximately four blocks. She referenced A.R.S. §16-411.B which authorizes the board to take this action. Ms. Dastrup and Supervisor DeSpain discussed changes in Winslow 1 and 2 precincts. Ms. Dastrup reported Show Low #4 will be moved from the South County Health Department to the High Country Church of Christ Dining Hall and Sun Valley will remain in the school but will be moved from Vine Hall to a vacant dormitory. Supervisor Deal and Ms. Dastrup discussed the Toreva precinct, acknowledging that the county will provide wood for the stove. In response to a question about the availability of power since it will be dark during the November election, Ms. Dastrup stated she is not aware of any past concerns but will investigate further. **Supervisor DeSpain made a motion** to approve the precincts and polling places for upcoming Primary (09-12-06) and General 11-07-06) Election as presented with the recommended changes; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Supervisor Brownlow requested that all changes be well advertised to the public with Supervisor DeSpain suggesting that county staff have ready access to this list. Ms. Dastrup advised she would do this and the list will also be on the website.
- c. Consideration and possible approval of **Resolution Number _____ - 06** cancelling the election for the office of Precinct Committeemen in precincts where the number of candidates who have filed is equal to or less than the number of positions to be filled: Ms. Dastrup stated that the updated exhibit includes the number of write-in candidates as received by 5:00 on Friday and that there are no precincts that have contested races either by nomination petitions or with inclusion of candidates who filed as write-ins. She advised the board they can accept the list as presented and deem them elected and appointed with all powers and authorities and consider the remaining positions vacant or another option would be to keep the election of Precinct Committeemen on the ballot to allow write-ins to continue filing through August 3. Mr. Bowers reviewed the statutes governing this issue. He said fewer candidates than positions are in every precinct but there is a period of time left when a write in candidate could file; yet, Elections needs an immediate answer in order to print ballots. He discussed scenarios that could arise from the different actions the board could take. He stated that after considerable review, Mr. Payette's suggestion is to treat all races equally. Ms. Dastrup advised that the cost could be \$10,000 county-wide if no action is taken to cancel and appoint. Supervisor Tenney clarified they would still have a mechanism to become a precinct committeemen at a later date. Ms. Dastrup explained that appointed precinct committeemen do not have powers at the state level. Ken Smith, Democratic Chairman, advised that on this issue, the Republican Chair and Democratic Chair are in agreement. He stated he needs clarification as to whether those people who filed by petition would be deemed elected and those people who are write-ins would be appointed. Ms. Dastrup stated this is the decision before board today as to whether they would consider these appointments deemed elected. Mr. Smith stated both parties would like to save the county money. He discussed the representation of precinct committeemen at the state level and the difference between an appointment and an election. He discussed the discrepancies in the filing deadline and urged the board that if they do take this action today, they make the appointments effective for all those who have filed through this morning. He stated he is requesting that one person who filed at 8:00 this morning is included. **Supervisor Brownlow made a motion** to adopt **Resolution Number 52 – 06** declaring elections for precinct committeemen in precincts where candidates have filed nomination papers as write-in candidates pursuant to A.R.S. § 16-312; cancelling the election for precinct committeemen in all other precincts pursuant to A.R.S. § 16-822 with respect to those offices for which those filing nomination petitions was equal to or less than the number of positions to elect as of the statutory deadline and declaring all other positions vacant; with an amendment to exhibit A to include all candidates who have filed by the passage of this resolution; motion seconded by Supervisor DeSpain; vote unanimous

approving the motion. .

- d. Consideration and possible approval of Resolution Number _____ - 06 cancelling the election for Timberland Acres Special Road District #1 scheduled for September 12, 2006 and appointing Brian L. Shields to the Board of Directors as the only candidate filing nominating papers for the vacant position: **Supervisor Tenney made a motion** to adopt **Resolution Number 53- 06** cancelling the election for Timberland Acres Special Road District #1 scheduled for September 12, 2006 and appointing Brian L. Shields to the Board of Directors as the only candidate filing nominating papers for the vacant position; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

BOARD OF SUPERVISORS: Consideration and possible appointment of Navajo County Board representative to the Transportation Policy Advisory Committee: **Supervisor Tenney made a motion** to recommend Supervisor DeSpain's appointment as the Navajo County Board representative to the Transportation Policy Advisory Committee; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

BOARD BUSINESS: All supervisors discussed issues within their districts and legislative issues that could impact the county.

COUNTY SUPERVISORS' ASSOCIATION: Legislative update and report from CSA staff: James Jayne welcomed Craig Sullivan and Todd Madeksza who conducted a power point presentation that provided an overview of CSA and their efforts on behalf of the counties. They discussed all recent legislation and its impact as well as legislation that may be introduced this session. Chairman Thompson expressed appreciation for the partnership with CSA and their cooperation on issues that concern the County. He suggested that in the future there will be legislation that the counties could support that would benefit the tribes and requested that CSA facilitate bringing members from inter-tribal councils and Senators and Representatives to be part of the presentation providing information about tribal issues and concerns such as transaction privilege tax. Supervisors expressed appreciation to Mr. Sullivan and Mr. Madeksza for their representation of counties to the legislature; for establishing the legislative policy summit as it has been extremely beneficial in involving counties in the legislative process; and for cooperating with AACo to maximize legislative efforts. Mr. Jayne requested that any legislative proposals this board would like to see be submitted to him to be included on a future agenda.

SHERIFF'S OFFICE/EMERGENCY MANAGEMENT SERVICES: Discussion and possible approval to deactivate Section 7 of Navajo County Open Fire Ordinance 01-06: Larry Dunagan reported that due to recent moisture the recommendation is to deactivate section 7 of the fire ordinance and leave section 6 in place. **Supervisor DeSpain made a motion** to deactivate Section 7 of the Navajo County Open Fire Ordinance 01-06; motion seconded by Supervisor Brownlow; vote unanimous approving the motion. Supervisor Brownlow inquired if further recommendations will be made to de-activate all emergency sections and Mr. Dunagan stated it is dependent on fire conditions and there is currently no date predicted for this recommendation

COUNTY ATTORNEY: Consideration and possible approval of Victim Assistance Grant between the Arizona Criminal Justice Commission and the Navajo County Attorney's Office, Victim Services Division for FY07 for part of the salary for the Victim Services Director: County Attorney Mel Bowers reviewed this grant's terms and advised the Board of Supervisors that the match for this grant comes from salaries the county puts into this program. **Supervisor Tenney made a motion** to approve the Victim Assistance Grant between the Arizona Criminal Justice Commission and the Navajo County Attorney's Office, Victim Services Division for FY07 for part of the salary for the Victim Services Director; motion seconded by

Supervisor Brownlow; vote unanimous approving the motion with Supervisor DeSpain absent for the vote.

The board recessed for lunch at 12:17 and reconvened at 1:15 p.m. with all present as listed above with the exception of Chairman Thompson. Vice-Chairman Deal acted as chairman in this session.

Supervisor DeSpain made a motion to enter into **Executive Session** pursuant to A.R.S. § 38-431.03.A.3 and A.4 for consultation with the board's attorney(s) for legal advice and to consider the board's position and instruct its attorneys regarding pending litigation in which Navajo County is a defendant, Navajo Nation, et al. v. Brewer, et al., No. CV06-1575, United States District Court, District of Arizona (challenging the constitutionality of Proposition 200 "Voter ID" requirements as applied to Navajo voters); motion seconded by Supervisor Brownlow; vote unanimous (4-0) approving the motion.

The board reconvened at 2:02 p.m. taking no action from the executive session. **Supervisor Tenney made a motion to adjourn;** motion seconded by Supervisor Deal; vote unanimous approving the motion (4-0).

APPROVED:

DATE:

Jesse Thompson, Chairman

ATTEST:

Deputy Clerk of the Board