

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
FRIDAY, AUGUST 25, 2006

PRESENT: Navajo County Complex: County Attorney Mel Bowers, Finance Director James Menlove and Secretary June Foard. Present by cell telephone with speaker phone at the county complex: Chairman Jesse Thompson, Supervisor Percy Deal, Supervisor Jerry Brownlow, Supervisor David Tenney and Public Works Director Dusty Parsons

CALL TO ORDER: Chairman Thompson called the meeting to order at 1:40 p.m. advising that this meeting is called as a result of rainfall creating an emergency situation in the Whippoorwill area as well as areas on the Hopi Reservation. He also announced there is an emergency item regarding Elections. County Attorney Mel Bowers read Statute ARS38-431.42D regarding the criteria constituting an emergency for the Board of Supervisors to call the meeting. Mr. Bowers indicated that each item should be addressed separately.

NAVAJO RESERVATION EMERGENCY ITEM: Chairman Thompson stated the first item was a request for assistance received from Supervisor Deal. Supervisor Deal explained that late last night; at about 10:30, he received a call from Window Rock Emergency Services Director Johnny Johnson due to rains and flooding in the Blue Gap, Burnt Corn, Whippoorwill, Low Mountain and Black Mesa and Forest Lake areas. He reported Navajo P.D. and other officials did some assessments of the area. Commander Harvey reported he received reports of heavy rainfall, washes were running full, people were stuck in washes, and vehicles were floating away. He reported there was heavy damage to roads. He stated there were 6 busses stuck and children had to be rescued and taken to their homes. He reported that right now assessments were being done to set priorities and following the assessments, work would begin on Monday. He added there is 3 to 4 times more water with this storm than from the last emergency. Commander Harvey reported that assistance was needed for heavy equipment since most of the existing equipment is in use. He reported that certain roads are impassable, but there is one usable route. Supervisor Brownlow asked if any of the roads were open at this time. Commander Harvey reported that in some areas, the roads were not open. Supervisor Brownlow asked if there were access to and from the communities and if there were a temporary bypass in and out if this situation constituted an emergency. Mr. Deal explained that he did an assessment this morning and there was one location south of the Chapter where there were 3 vehicles in the bottom of the wash. Mr. Deal indicated that it was his assessment that there was a need for assistance. Mr. Thompson explained that he felt there was an impact on Public Safety. Mr. Tenney said he had concerns about meeting the criteria regarding emergency situations, also. He indicated that if there were Public Safety concerns, then he would agree. County Attorney Mel Bowers indicated that there aren't many guidelines regarding declaring emergencies except that the situation must meet the criteria of unforeseen Health, Safety or Welfare issues. Mr. Deal thanked Mr. Bowers for the clarification and indicated there were some families that were evacuated yesterday. It was also indicated there is more rain anticipated and this will cause more problems. Mr. Bowers said that if this need were to rebuild the bridge it would not constitute an emergency. He added that if the bridge is out and the route is impassable and an alternative route is not available, it would be an emergency. Mr. Deal indicated there are many washouts and many are very deep. Mr. Deal reported that

the emergency declaration that was done several weeks ago by the Navajo Nation is still in effect. **Mr. Deal made a motion to** declare an emergency for the areas affected by the flooding; Mr. Brownlow seconded the motion. Motion unanimously approved.

Mr. Deal requested that personnel and equipment be sent to help with the situation. Discussion followed and it was agreed that it would be best to wait and mobilize on Monday. Discussion was held on payment of overtime.

HOPI RESERVATION EMERGENCY: Chairman Thompson reported there is an emergency situation on the Hopi reservation due to the flooding; that help is needed in that area also; and that the problems were on a major BIA Route. **Mr. Thompson made a motion to** request assistance for this area; Mr. Deal seconded the motion. Mr. Bowers asked that it be clarified that the motion would be to stabilize the emergency site. It was clarified that while some stabilization has been done, it is very temporary and that the soil that has been used is very erodible. Hopi Vice Chairman, Todd Honyaoma reported that there is a concern that, with more traffic, the sand will pull out. It was also reported that water is going over Hwy 87. The motion was amended to add that an emergency does exist in the area. Motion unanimously approved. Mr. Thompson read the request for assistance for materials in the amount of \$14,185.00. Mr. Parsons indicated that there may be some culverts available that would not need to be purchased. **Mr. Thompson made a motion to** approve funds not to exceed \$14,185.00 for materials to assist in the emergency situation on the Hopi Reservation; Mr. Deal seconded the motion. Motion unanimously approved.

EMERGENCY ELECTIONS ITEM: Kelly Dastrup, Director of Elections, reported on the need to rescind **Resolution 75-06** that was approved at a previous BOS meeting. She reported that there was a candidate for the Joseph City election and that the proofs have already been sent out. The omission needs to be rectified before the ballots are printed. **Mr. Tenney made a motion to** declare an emergency; Mr. Brownlow seconded the motion. Motion unanimously approved. Mr. Tenney made a motion to rescind **Resolution 75-06**; Mr. Brownlow seconded the motion. Mrs. Dastrup indicated she had made Mr. DeSpain aware of the issue and he was in favor of the action. Motion unanimously approved.

APPROVED:

DATE:

David Tenney, Chairman

ATTEST:

Clerk of the Board

