

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
TUESDAY, JULY 17, 2007

9:00 a.m. Call To Order: Supervisor DeSpain led the Pledge of Allegiance and offered the invocation.

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

CALL TO THE PUBLIC: Tom Tuchscherer of 4256 Bucking Horse Trail, Pinetop AZ addressed the board requesting emulsion be put down on the roads in his neighborhood. He said he had spoken with Clyde Holyoak and Supervisor Brownlow and there has been no resolution. David Tenney requested that Dusty Parsons discuss this issue with Mr. Tuchscherer.

CONSENT AGENDA: a) Vouchers; b) Sympathy letter for the family of Janice Gunther; c) Request for Redemption of Waiver for APN 206-17-052; d) Tax Roll Corrections; e) Minutes—June 5 and June 19, 2007; f) Warrants over \$1,000—June 2007; g) Name an existing road in the Shumway area “Chris Lane” in Section 19, Township 12 North, Range 22 East; h) Constable Report—Holbrook #1 June; i) Acceptance of Arizona Criminal Justice Commission grant to Navajo County Attorney, Victim Services Division commencing July 1, 2007 and terminating June 30, 2008 in the amount of \$32,000 to be utilized to fund a new full-time victim advocate position: **Supervisor DeSpain made a motion** to approve the Consent Agenda as printed; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

Supervisor DeSpain requested that 7f be moved to the beginning of Item 7 and the request was approved.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Human Resources Director Gail Calisen reviewed the 97 personnel actions on her written report. Newly appointed Elections Director Lisa McKee addressed the board expressing her appreciation for their support and Supervisors congratulated Ms. McKee on her promotion. **Supervisor Brownlow made a motion** to approve the Personnel Action report and authorize the Chairman to sign it; motion seconded by Supervisor DeSpain. Supervisor Deal expressed regret that #77 resigned her position in Bio Terrorism, stating this is an important position to the tribes and it is important that this position be filled as soon as possible. Vote unanimous approving the motion.

SUPERIOR COURT: Presentation of the 2006 Annual Report of the Judicial Branch: The Honorable Judge Nielson reviewed his written 2006 Annual Report. He reviewed the **Drug Court program** stating the current overall percentage of clean drug tests for participants is 98%. He discussed **Fill the Gap Funds** for new positions in the Justice Courts resulting in closing 59% of the criminal cases within the court’s 100-day goal. He conducted a power point presentation reviewing all areas of the judicial branch, including case loads, closure rates, increased revenue received, and the need for additional personnel, security updates and probation statistics. He reported that criminal cases dominate the docket and that the judicial branch operated within the budget for the year. All supervisors expressed appreciation for the Drug Court Program and its continued success, the recent budget process that went smoothly, the new telecommunications program that will limit prisoner transport, and the benefits of the new pre-trial services. They complimented Judge Nielson and the judicial staff for their hard work, the improved percentage of cleared cases and the operation of his department.

BOARD OF SUPERVISORS:

- a. Presentation of award of appreciation to Linden Fire Chief Marilyn Price: Chairman Tenney introduced Linden Fire Chief Marilyn Price and Carol Lewis, her assistant. He read Chief Price's biography, thanking her for her willingness to partner with Navajo County in providing a Sheriff substation in the county. He thanked her for her effort during Rodeo Chedeski when the fire station was a command center and the personal tour she gave him of the burned area. Sheriff Butler stated that several years ago Chief Price agreed to permit the use of the Linden Fire Station for a Sheriff's substation for a couple of years and that stretched to 17 years and that during Rodeo Chedeski she provided the use of her facility for a command center. He complimented her vision, reporting she was one of first fire chiefs to start a Search and Rescue team funded by Homeland Security. Chairman Tenney and Sheriff Butler presented a plaque of appreciation to Chief Price. Chief Marilyn Price addressed the board thanking them for this honor, stating she misses the deputies in her building and looks forward to future cooperation with the board.
- b. Consideration and possible action regarding funding request to support the Navajo County Scholarship Organization: Veronica Schinke thanked the board of for this opportunity and advised that the Miss Navajo County program is part of the Miss Arizona and Miss America program. She discussed the volunteer nature of the program and expressed appreciation for the board's past funding support of this program. She advised that this year's pageant would be in Snowflake and may be in Holbrook next year. She introduced Miss Navajo County, Malori Rhineheart, who reported that the Miss America program is the largest scholarship program in the world. She stated that her platform was re-introducing the joys of reading and to support that concept she went into schools to read to children, visited libraries determining needs and visited Senior Centers. Ms. Schinke advised that Ms. Rhineheart was first runner up for the Quality of Life award for the service she has provided to the community. Chairman Tenney requested that Ms. Rhineheart contact him later for some business contacts who may support this program and Supervisor DeSpain suggested Ms. Rhineheart make contact with the Fair Board for possible funding. **Supervisor DeSpain made a motion** to award \$500.00 to the Miss Navajo County scholarship program; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- c. **PUBLIC HEARINGS: Liquor Licenses:**
 - i. Discussion and possible action regarding recommendation for approval of application for Liquor License #06090006 for Interim Permit and Person Transfer, APN 304-19-307B, from James Brent Lemons to Kathryn Fay Lindsay-Lemons, the Little Bit Saloon and Vittles at 8368 Silver Creek Drive, Show Low: Lorinda Brown reviewed this application for a liquor license, stating the posting was completed as required and there were no negative comments received from the departments. Supervisor Tenney invited public comment and there was none. **Supervisor Brownlow made a motion** to submit a recommendation of approval of application for Liquor License #06090006 for Interim Permit and Person Transfer, APN 304-19-307B, from James Brent Lemons to Kathryn Fay Lindsay-Lemons, the Little Bit Saloon and Vittles at 8368 Silver Creek Drive, Show Low; motion seconded by Supervisor Deal; vote unanimous approving the motion.
 - ii. Discussion and possible action regarding recommendation for approval of application for Liquor License #06090027 for Interim Permit and Person Transfer, APN 206-49-996F, from Patrick Bain to William E. Lucey III, Bison Ranch Barn, 2269 Highway 260, Overgaard, AZ: Lorinda Brown reviewed this application for a liquor license, stating the posting was completed as required and returned with no problems noted and there were no negative comments received from the departments. Supervisor Tenney invited public comment and there was none. **Supervisor DeSpain made a motion** to submit a recommendation for approval of application for Liquor License #06090027 for Interim Permit and Person Transfer, APN 206-49-996F, from Patrick Bain to William E. Lucey III, Bison Ranch Barn, 2269 Highway 260, Overgaard, AZ; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

JUVENILE PROBATION: Consideration and possible acceptance of JCRF Prevention Education Grant #0811002 for \$29,190 to fund a part time substance abuse education coordinator, travel, operating expenses and equipment: Arno Hall requested support of this competitive grant under the Juvenile Crime Reduction Fund. He advised that Navajo County youth are in the top percentage of drug users in the State so we received special consideration and were awarded this grant. He said it will be used to hire an individual or contract with an individual to support the same types of efforts that the Navajo Community Coalition group has addressed. **Supervisor Thompson made a motion** to accept the JCRF Prevention Education Grant #0811002 for \$29,190 to fund a part time substance abuse education coordinator, travel, operating expenses and equipment; motion seconded by Supervisor DeSpain. Supervisor Deal inquired if the coordinator would provide prevention education throughout the entire county including the northern area. Mr. Hall stated the northern part has their own coalition but they do collaborate on these efforts. Supervisor Thompson expressed appreciation for the presentations that have been made in the northern part of the State. Vote unanimous approving the motion.

FINANCE: PUBLIC HEARING: Consideration and possible action related to the property tax levy and setting the property tax rate approval meeting date: James Menlove advised the county is required to conduct a public hearing if the county adopts a tax rate that allows for inflation. He stated the proposed tax rate will decrease from \$0.6229 to \$0.6041 decreasing \$0.0188 but that calculation does include a 2% increase in assessed valuation. Supervisor Tenney invited public comment and there was none. Supervisor DeSpain advised there will be an initiative on the ballot that, if approved, will freeze the assessed valuation to a certain number in the future that will negatively impact city and county government. He stated that Navajo County is very conservative and has been so conservative in the past that the rate is below 70 cents, comparing it to other counties with much larger tax rates. James Menlove advised that the fiscally conservative approach has reduced the rate almost 10 cents in the past four years. **Supervisor DeSpain made a motion** to approve the property tax levy and set the property tax rate at the August 7, 2007 Board of Supervisors' meeting; motion seconded by Supervisor Thompson. A Roll Call vote resulted in aye votes from Supervisors Deal, Thompson, DeSpain, Brownlow and Chairman Tenney.

PUBLIC WORKS:

- a. **Briefing to the Board of Supervisors on the status of reservation projects:** Dusty Parsons distributed a briefing on reservation projects advising they involve a contract with the Navajo Nation for the fuel excise tax resulting in three approved projects. He advised the latest version of the contract came back with out the county recommended revisions and this will have to be addressed. He reported the Nation would like to participate in more projects with the County, partnering with the Navajo Department of Transportation (NDOT) to do the work on the ground. He advised Supervisor Deal, Supervisor Thompson, and he will be presenting at the NDOT conference in Albuquerque on Tuesday. He reported he has not heard anything on the set asides in Dilkon but the lands in Pinon for road yards have been approved. He stated the BIA is set to take over October 1st and as the agreement for school bus routes was signed back in January, he believes Tom Platero will wait until October so he will not have to coordinate with the BIA for a project over which they will have no control. In response to an inquiry from Supervisor Thompson, Dusty Parsons discussed the Low Mountain, Turquoise Trail and Pinon/Hardrock roads, stating he attended a meeting at Hopi last week and there are conceptual designs for Low Mountain with funding and there are plans for the Turquoise Trail. Supervisor Deal thanked Mr. Parsons for bringing in over \$2.7 million from the Navajo Nation for the benefit of reservation roads, stating it is one of the very few times he has seen the Navajo Nation paying a county to complete a certain amount of road. He commended Dusty and his team, stating the reason Mr. Parsons was able to obtain this money was through his professionalism and his staff's demonstration they are able to complete these projects. Supervisor Deal expressed disappointment that he was unaware of a last minute meeting last week that impacted

roads in his district and requested that in the future he is called to determine whether or not he can attend. Supervisor Deal cautioned that when working on these road projects, care must be taken because the right of way may have an impact on religious sites that could result in public protests. Supervisor Thompson thanked Mr. Parsons for his responsiveness and all he does for the entire county including the reservation. Supervisor Tenney thanked Mr. Parsons and the County Attorney staff for their cooperative approach to make some of these projects move forward.

- b. Consideration and possible approval of use of District I (\$75,000) and District II (\$75,000) Special Road Funds for environmental clearances for reservation school bus routes located within Navajo County in an amount not to exceed \$150,000: Dusty Parsons reviewed this agreement stating that it has worked well for both the county and the Navajo Department of Transportation for the benefit of reservation residents. Supervisor Deal expressed appreciation for the cooperation that has been fostered and the additional funding available as a result of this cooperation. **Supervisor Deal made a motion** to approve the use of District I (\$75,000) and District II (\$75,000) Special Road Funds for environmental clearances for reservation school bus routes located within Navajo County in an amount not to exceed \$150,000; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- c. Consideration and possible award of Contract #B07-05-029 for Hot Asphaltic Concrete Pavement Overlay to the lowest bidder Hatch Construction & Paving for the unit prices bid: Dusty Parsons reported the submitted costs for this bid has increased each year. **Supervisor Brownlow made a motion** to award Contract #B07-05-029 for Hot Asphaltic Concrete Pavement Overlay to the lowest bidder, Hatch Construction & Paving, for the unit prices bid; motion seconded by Supervisor Thompson; vote unanimous approving the motion.
- d. Consideration and possible award of Contract #B07-04-090 Supply and Application of Asphalt-Rubber Chip Seal to International Surfacing Systems: Dusty Parsons advised this process is about half the price of an overlay but it is better than a chip seal and they will do approximately five miles to evaluate the process. **Supervisor Thompson made a motion** to award Contract #B07-04-090, Supply and Application of Asphalt-Rubber Chip Seal, to International Surfacing Systems; motion seconded by Supervisor Deal; vote unanimous approving the motion with Supervisor DeSpain absent.
- e. Consideration and possible approval of an amendment to the Professional Services Contract with Wilson & Company to provide a transportation plan for the areas of Holbrook, Winslow, Joseph City, Heber, Sun Valley, Overgaard and Woodruff in an amount not to exceed \$115,000 with partial funding to come from District III (\$50,000) and District IV (\$25,000) Special Road funds and the remaining funding from Public Works' Professional Services budgeted funds: Dusty Parsons advised this amendment is to complete the rest of the county's transportation study. He stated Supervisor DeSpain is well aware of this proposal and is supportive of it. **Supervisor Brownlow made a motion** to approve an amendment to the Professional Services Contract with Wilson & Company to provide a transportation plan for the areas of Holbrook, Winslow, Joseph City, Heber, Sun Valley, Overgaard and Woodruff in an amount not to exceed \$115,000 with partial funding to come from District III (\$50,000) and District IV (\$25,000) Special Road funds and the remaining funding from Public Works' Professional Services budgeted funds; motion seconded by Supervisor Deal; vote unanimous approving the motion. Supervisor Tenney expressed appreciation for the completion of this transportation study.
- f. **PUBLIC HEARING:** Consideration and possible action by Resolution Number _____ - 07 on the proposed Special Use Permit request by Marilyn Hall, for parcel 105-02-047A in Township 18 North, Range 21 East, Section 12 in the Sun Valley area: Telford Chapman reviewed the staff report for this proposal stating this Special Use Permit is for an RV Park as well as a horse "motel" in the Sun Valley area, locating it on a site map. He advised the Planning and Zoning Commission and staff recommend approval with stipulations as listed in the Resolution. He reviewed road access to the property and the use of neighboring properties. Supervisor Tenney invited public comment.

Marilyn Hall addressed the board on this issue stating she had managed an RV Park in Amarillo where she heard comments that more RV parks were needed along I-40 and suggestions were made to put in a horse motel. She stated she would like to provide area children with a facility to house their fair project animals. She reported that during the monsoon season there was an area of flooding and steps have already been taken to alleviate that situation. She discussed plans for attracting travelers and providing services to them while they are here. Craig Allen, owner of Lot 45 that is directly next door to the proposed park, addressed the board stating the horses will be about 30-40 feet from his back bedroom. He requested that the Board require that a privacy fence be built to keep travelers, flies and the smells off his property, requesting the board's assurance that he would not suffer from this action. Supervisor Tenney inquired if he submitted his concerns at the Planning and Zoning Commission and Mr. Allen said he did. When Mr. Tenney inquired if the commission addressed a privacy fence, Bill Fraley stated that staff would be comfortable with the addition of a stipulation of a privacy fence, advising the limitation is typically 6'. He stated care must be taken to control odors and flies and suggested the Health department would address those issues if they arose. Lloyd Spears, who lives in the same area, stated that there is a cattle auction barn with the same issues about the same distance from Mr. Clark's property as the subject property. He stated that as a resident of the area he wants the area to grow responsibly and believes this is a step in the right direction, that this will be a quality project. Bill Fraley discussed the existing regulations regarding horse properties as normally having a 40' set back, stating that the zoning is currently A-General so with no change Ms. Hall's horses could be housed at the property line but with a Special Use Permit the county can establish the set back. Marilyn Hall stated the horse corrals are about 450' from Mr. Allen's property. She stated there has always been a roping arena on the property, and Mr. Beech, from whom Mr. Allen bought his property, was aware of the planned RV Park and should have made Mr. Allen aware of it. Mr. Allen requested that 40' stipulation from the property line be included in this action. Supervisor DeSpain reviewed the site map stating the project will be visible from the I-40 corridor. He stated that in this A-General zoning there are animals on site all the time due to the cattle auction barn and cattle roaming freely through the property and that the proposed horse motel is a substantial distance from Mr. Allen's property. Supervisor DeSpain said it seems unreasonable to require this owner to build a fence taking into consideration the open livestock issue currently existing, further stating that in A-General zoning he does not feel you can stipulate a fence when no one else is required to fence their property. He said he agrees this project will improve the community and he is in favor of this project. Bill Fraley stated Ms. Hall's plan is to fence the property. At Supervisor Tenney's request, Telford Chapman reviewed the written stipulations as included in the Resolution with an amendment to include a screen/privacy fence of 6' high on the east property line. Supervisor Deal stated that as a livestock raiser on the reservation, he has brought animals to the auction many times and has never seen the operation in any type of disarray stating that it is generally well organized. He said he believes with this proposal, Ms. Hall intends to exhibit the control that she has indicated and he is happy to see that part of I-40 being developed under control as it will economically benefit the City of Holbrook and that part of the county. He commended Ms. Hall for her proposal as she is taking into consideration the safety of the community and youth enrichment programs. Supervisor DeSpain stated he is not in favor of requiring a privacy fence because of the area zoning and that the winds in that area could destroy a fence resulting in an eye-sore. Dusty Parsons stated that the fence requirement was added as a result of this conversation and is not a recommendation of staff. Supervisor Tenney agreed, stating that when Mr. Allen raised the objection he thought the horses would be housed close to his property and since they will be much further away than the 40' reported, he sees no need for a fence. **Supervisor DeSpain made a motion** to approve the proposed Special Use Permit request by Marilyn Hall, for parcel 105-02-047A in Township 18 North, Range 21 East, Section 12 in the Sun Valley area by **Resolution # 61-07** with the original stipulations as submitted; motion seconded by Supervisor Deal;

vote unanimous approving the motion. Supervisor DeSpain left the meeting at this time, 11:10 a.m., to attend another meeting.

- g. **PUBLIC HEARING:** Consideration and possible action related Resolution Number _____ - 07 on a Special Development application for a proposed billboard for APN: 206-49-999A in Township 12 North, Range 17 East, Section 34 in the Heber-Overgaard area: Telford Chapman located the property on a displayed site map and discussed the staff report that included Planning and Zoning comments that the lighted billboard would increase light pollution in the area. He reported that both Planning and Zoning Staff and the Planning and Zoning Commission recommend denial of this application. Chairman Tenney invited public comment. Gary Martinson, the developer of Bison Ranch, advised he was approached by a billboard company to place this billboard and that the only acceptable location was at Bison Ranch. He stated he gets a lot of value out of billboards and in the business world exposure is everything. He reported his firm does approximately \$60 million worth of business in Navajo County each year that results in a few hundred million dollars staying in the county. He said he is in favor of this billboard because he will benefit from it in name recognition and requested board approval. Supervisor Tenney closed the public hearing. Dusty Parsons stated that staff recognizes that Mr. Martinson does a quality project but it is a challenge to limit billboards; He said that if the advertisement would be for Bison Ranch only and for a limited amount of time there might be a different recommendation. Mr. Martinson inquired why he is being singled out since several billboards are going up. Supervisor Tenney stated he has had people express concern to him about this issue, stating he did not recall any requests coming to the board for billboard installation. Mr. Fraley stated that if the billboards are erected in a commercial area, they do not require approval but this a residential area. Supervisor Tenney stated he is concerned about the number of mobile billboards that are popping up everywhere. He asked Mr. Martinson that if this billboard is approved would the rolling billboards go away and Mr. Martinson said absolutely not but he would be willing to park the pictured rolling billboard on a less conspicuous parcel. Mr. Martinson stated that he is willing to stipulate that as long as Bison Ranch is on the property, the billboard could remain but it would not remain after that time. Supervisor Tenney inquired if that could be added as a stipulation and Mr. Fraley said it could be. Supervisor Brownlow stated he remembers quite a discussion of the billboard ordinance and he appreciates Mr. Martinson's willingness to go along with that stipulation. Bill Fraley read the stipulations as presented by the Commission with items 1, 2 and 5 remaining and deleting 3, 4, and 6, adding the stipulation that the billboard would only be used to advertise Bison Homes Developments. **Supervisor Deal made a motion** to approve the Special Development application for a proposed billboard for APN: 206-49-999A in Township 12 North, Range 17 East, Section 34 in the Heber-Overgaard area by amended **Resolution 62-07** with amended stipulations; motion seconded by Supervisor Brownlow. Mel Bowers clarified that a billboard company constructing the billboard would go through the ADOT process and they should sign the stipulations so they are clear what those stipulations are. He said this could be done informally and provided to staff. Vote unanimous approving the motion with Supervisor DeSpain absent for the vote.
- h. **PUBLIC HEARING:** Consideration and possible action by Resolution Number _____ - 07 on a Special Development Master Site Plan for the proposed "Bison Ranch J Ranchettes" development for APN 206-49-986F in Township 12 North, Range 17 East, Section 34 in the Heber-Overgaard area: Bill Fraley located the property on a site map, stating it is a 6.28 acre site with the proposal to put in six approximately one acre home sites. He pointed out the property fronts a roadway that is paved to the county standards with a private drive that will access two of the lots. He stated staff is impressed with the drainage plan that has been installed, stating this is one of the best infill projects he has seen. He said the Planning and Zoning Commission and staff unanimously recommend approval. Supervisor Tenney invited public comment and Gary Martinson stated that the rewarding thing about going after this six acre parcel is there were a few lean years wondering whether people would come back after Rodeo Chedeski. He said it is very gratifying that people are coming back

and want to buy these types of quality properties. **Supervisor Thompson made a motion** to approve the Special Development Master Site Plan for the proposed “Bison Ranch J Ranchettes” development for APN 206-49-986F in Township 12 North, Range 17 East, Section 34 in the Heber-Overgaard area by Resolution Number 63-07; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor DeSpain absent.

i. Village at Rimside Development: PUBLIC HEARING:

i. Consideration and possible action by Resolution Number ____ - 07 on a Zone Change request by Larry Knipp from A-General to Special Development Zoning for APN 212-34-004A, 212-34-004E and a portion of 212-34-003A in Township 9 North, Range 22 East, Section 27 located in the Pinetop-Lakeside area: Telford Chapman reviewed the staff report, locating the property on a site map. He stated the original plan was for 90 sites but after review, staff requested the developer lower the number of sites to 50. He reviewed the plot plan for the property and advised that staff and the Planning and Zoning Commission recommend approval. Supervisor Tenney invited public comment. Bill Bess and Danny Shurter of Ironside Engineering were present representing the developer. Mr. Shurter stated that originally the plan was for 90 units, then they came back with 60, and staff requested 50. He said that staff requested walking trails and they are in the process of designing a trail. Residents of the area, Becky Hunt and her young daughter Emily, Mike Thompson, Ben Anderson, and Anne Morgan spoke during the hearing making the following points:

- Many people in Forest Lakes Estates, across the street from this subdivision, were not aware of this proposed subdivision.
- The people in this area are summer residents but they are tax payers.
- This property is not posted for the proposed action and unless the residents subscribe to the White Mountain Independent or the Holbrook Tribune they are unaware of it.
- There is a safety concern since Larson Road is a very narrow two lane road where older people and children walk; there are joggers and dog walkers; sometimes the people have to walk in the ditch due to the narrowness of the road; people in cars use this road to avoid the traffic on White Mountain Boulevard; to get off the main road, you must come to a stop almost causing rear-end collisions; high school kids race up and down the road at 100 miles per hour; fishermen from Rainbow Lake walk down the road with fishing rods.
- Traffic is currently not safe on that road and now there are an additional 50 homes planned which would typically generate an additional 100 cars. Residents agree with the engineering comments that stated this proposed development would adversely impact traffic on Larson Road.
- The area of Ajo Pine Drive is a power line easement for the Navapache Electric Company and a developer bought the property and subdivided it with proper ingress but did not have proper egress.
- It is necessary to widen Larson Road if this project is built.
- The developer proposes eventually utilizing Rim Road but currently only have Larson Road to go in and out of the area.
- It would be good to see the density reduced further, since typically they have close to an acre per owner and the developer is talking about ¼ acre sites that do not match up to density around the area; if the building sites were ½ acre, density would be reduced to 25.
- The 25’ buffer zone that Mr. Josh Cameron originally discussed does not appear to be included in this plan.
- When one homeowner bought her home she was advised the fire department would not come so in the event of a fire, there would be panic on a narrow road. In response to this concern Mr. Shurter stated there would be water and fire hydrants in the development.

- People are on private wells that only go down 170'; with the development, the water level will drop so there is a concern about the financial hardship of taking the wells deeper. In response, Supervisor Tenney stated he does not believe the county could stipulate to the developer that if property owners' wells fail the county would be responsible for drilling it deeper. County Attorney Mel Bowers said this should not be an issue if the development is on city water. When the dropping of the water table was reiterated as a concern, it was noted that a development anywhere on the mountain could impact well water levels; that following the development of Bison Ranch, the Show Low water supply was impacted.
- One audience member stated residents are afraid their property values might go down because of the development and others in the audience stated this is not a concern to them.

In response to a question, Mr. Shurter stated these homes will be site built homes but they are not building the homes, only selling the lots. Supervisor Tenney closed the public hearing. Bill Fraley reiterated staff recommends approval. Supervisor Tenney inquired what the posting requirements are on this property and Bill Fraley advised the board of posting requirements, stating these requirements were met and that if the postings are removed the department can not police that. He advised notification is required to all properties within the 300' line around the property, notification was sent to the address of record in the Assessor's office and the property was posted. Mr. Parsons stated there was a meeting on this development held at the Pinetop Town Hall and many residents from the area were at that meeting prior to the development. In response to Supervisor Tenney's questions about the traffic, Dusty Parsons stated the traffic impact analysis will address Mogollon Rim Road and Larson Road. He stated that a lot of people take a short cut on Larson Road and improvements must be done on it but it requires people along the road giving up their land for easements. He said that with this development they are considering going back into Rim Road. Supervisor Tenney inquired what would happen if the traffic impact analysis study said this would negatively impact Larson Road. Dusty Parsons stated that will be addressed at that time, giving the example that in a traffic study that they just did they stopped development due to high traffic areas. He said he believes the easement is 50' and if they addressed it now they would probably require 100' so they would have to purchase easements. Supervisor Tenney inquired if a buffer zone is included, referring to the dotted line around the project. Mr. Shurter said that originally they had planned two stories but after committing to lowering to one story, they are requesting standard set backs with no buffer zone. In response to a question from Supervisor Tenney, Dusty Parsons stated that all of Larson Road is in the county. Bill Fraley advised there would be a secondary access to the property, locating it on the map. He said the development does require fire district approval with hydrants. Supervisor Thompson inquired if an aquifer study has been done and Mr. Parsons stated it is his understanding there is sufficient water in our aquifer. Supervisor Deal inquired where the reservation line is and Mr. Parsons pointed out that it is very close and reported the tribe was advised and there have been no comments. In response to a concern raised that the White Mountain Apache Tribe is suing Pinetop for excessive water use, Mr. Parson stated that Arizona Water provides water and Pinetop does not have its own water company. He said the developer has to go through the approval process through the corporation commission to expand a water company. Supervisor Brownlow stated Pinetop Lakeside does not have a water company; the referenced law suit is probably the ongoing adjudication that has existed for decades. Supervisor Brownlow recognized those in the audience with whom he had met regarding this issue. He inquired when the traffic impact analysis comes back what the trigger will be to determine when the county says the developer has to widen the road. Mr. Parsons stated this is a multi-million dollar project and there is a significant amount of traffic and the development would be required to participate in a certain area that is logical and fair but not necessarily improve the entire length of Larson Road. He stated that to improve the entire Larson road, whether this development is approved or not, the supervisors have to determine if

they are going to devote funds to it. He pointed out that many areas had been subdivided with absolutely no participation by the owners in alleviating the problem. Supervisor Brownlow stated the developer has shown he is willing to work with the county and if he did not do this split, he could divide it without controls. Supervisor Brownlow stated he is concerned about the traffic on Larson Road and in response to a question from Mr. Jayne about the traffic count on Larson Road, Mr. Parsons stated he has that information but does not have it available here. Mr. Jayne stated that in taking the density from 90 to 50, then looking at the traffic study a determination will be made by the County as to what easement is appropriate. Mr. Bess of Ironside stated they would dedicate the right of way for Larson Road in their area as required by the County and Mr. Jayne stated staff will incorporate that easement in the next submittal to supervisors if this action is approved today. Mr. Bess confirmed this is correct. Mr. Parsons stated that this development can not increase the water coming through the area as they will have to meter it out; stating that with the existing drainage problems in this area this will be a good way to direct some of that water away from the area. **Supervisor Brownlow made a motion** to approve the Zone Change request by Larry Knipp from A-General to Special Development Zoning for APN 212-34-004A, 212-34-004E and a portion of 212-34-003A in Township 9 North, Range 22 East, Section 27 located in the Pinetop-Lakeside area by **Resolution 64-07**; motion seconded by Supervisor Thompson with the understanding there will be a continuation of communication with residents. Supervisor Thompson requested that communication about any development close to tribal lands should be made with the appropriate tribal government. Vote unanimous approving the motion with Supervisor DeSpain absent. Supervisor Tenney thanked residents who raised their issues advising that staff and the Board are committed to monitoring those issues. Supervisor Brownlow expressed appreciation to Mrs. Hunt for her comments, recognizing that her grandfather had served on this board.

- ii. Consideration and possible action by Resolution Number _____ - 07 on the Master Development Site Plan for the proposed "Village at Rimside" Development for APN 212-34-004A, 212-34-004E and a portion of 212-34-003A in Township 9 North, Range 22 East, Section 27 located in the Pinetop-Lakeside area: Supervisor Tenney invited public comment and there was none. **Supervisor Brownlow made a motion** to approve the Master Development Site Plan for the proposed "Village at Rimside" Development for APN 212-34-004A, 212-34-004E and a portion of 212-34-003A in Township 9 North, Range 22 East, Section 27 located in the Pinetop-Lakeside area by Resolution 65-07; motion seconded by Supervisor Thompson; vote unanimous approving the motion with Supervisor DeSpain absent.

BOARD BUSINESS:

Supervisors reported on issues that impact their district and the county as well as on activities within their districts. Issues included the Navajo/Hopi land issues; a celebration of life of a former Chairman of the Hopi tribe focused on maintaining the Hopi language, cultural and traditional teachings; the drought as it impacts residents and livestock including an agreement with Winslow and Holbrook to authorize communities on the reservation to haul water; the Navajo Tribal Utility authority monitors and sells water and the drought can have a negative impact on this operation; residents on the reservation are becoming angry over the water/drought issues; the Four Seasons Bus System held a dedication of its facility and is considering expanding to Snowflake, Taylor and Holbrook; appreciation was expressed to Tomhave and Dusty Parsons and his team for their efforts on the DIRT project; Senator Flake helped with funding for NATC and they are getting bids to erect the burn tower with utilities linked to it. Supervisors requested an update on CDBG projects.

Dusty Parsons announced Jim Matteson, who is representing the county in Tucson, is the new county engineer, stating he has been a consultant to the county for two years. He also reported Norman Cody joined the county as a project manager and is from the Dilkon area.

James Jayne announced they had hired Laurie Frost as the new Community Services Director and she will begin on Monday August 6th. He stated they are in the process of finalizing applications for the Grants Administrator position.

ADJOURN: At 1:28 p.m., **Supervisor Brownlow made a motion** to adjourn; motion seconded by Chairman Thompson; vote unanimous approving the motion.

APPROVED:

DATE:

David Tenney, Chairman

ATTEST:

Darlene Fraley, Clerk of the Board

#	Date	Payee Name	Amount	#	Date	Payee Name	Amount
883938	6/12/2007	Ronald Shaw	1,000.00	884107	6/25/2007	Dan Jones	4,166.63
883890	6/11/2007	Walmart	1,008.04	883693	6/4/2007	Dan Jones	4,166.67
884186	6/25/2007	Aerocare Medical Transport	1,016.49	883921	6/12/2007	Hughes Calihan	4,217.34
883792	6/4/2007	The Print Place	1,019.53	883760	6/4/2007	Navajo Co Revolving Fund	4,220.18
883905	6/12/2007	David Ashton	1,040.00	883931	6/12/2007	Navajo Co Clerk of Superior Court Jury	4,262.90
884017	6/18/2007	Margie Barton	1,043.06	883983	6/18/2007	Cholla Ready Mix Inc.	4,277.07
883995	6/18/2007	Forest Country Anesthesia	1,046.27	884007	6/18/2007	Holbrook Public Library	4,320.00
884208	6/25/2007	Thunderbird Collection	1,063.75	884023	6/18/2007	Rim Community Library	4,320.00
884040	6/18/2007	Debra Smalley CNM	1,074.92	884034	6/18/2007	Winslow Public Library	4,320.00
883829	6/11/2007	Carquest of Holbrook	1,091.97	884035	6/18/2007	Woodruff Community Library	4,320.00
883728	6/4/2007	James Hodge	1,100.00	207675	6/15/2007	Navajo Co Flexible Spending Account	4,354.14
884250	6/29/2007	John Banker	1,107.50	208925	6/29/2007	Support Payment Clearinghouse	4,429.01
884123	6/25/2007	Empire Southwest	1,109.86	883807	6/8/2007	Lumbermen's in Snowflake	4,442.91
883979	6/18/2007	Carquest of Show Low	1,124.76	207685	6/15/2007	Support Payment Clearinghouse	4,573.51
884082	6/25/2007	APS	1,153.96	883865	6/11/2007	JP Morgan Chase Bank	4,762.58
883888	6/11/2007	The Print Place	1,154.17	208915	6/29/2007	Navajo Co Flexible Spending Account	4,945.23
884205	6/25/2007	Robin Reizer	1,184.50	884119	6/25/2007	E & E Services Inc.	4,984.47
883806	6/7/2007	Sourcecorp Phoenix	1,187.28	883698	6/4/2007	E & E Services Inc.	5,000.89
884072	6/25/2007	Action Medical Service Inc.	1,195.67	884113	6/25/2007	Dennis Miller	5,033.16
883700	6/4/2007	Election Data Direct Inc.	1,200.00	884068	6/25/2007	Above the Rest Cleaning	5,344.20
884066	6/21/2007	AZ Department of Revenue	1,205.32	884219	6/29/2007	APS	5,364.23
884090	6/25/2007	Border Construction Specialties	1,217.11	883677	6/4/2007	Above the Rest Cleaning	5,450.00
883929	6/12/2007	Marine Corps League	1,255.19	884061	6/18/2007	Unisource Energy Services	5,464.31
883757	6/4/2007	Mountain Paint Center LLC	1,256.23	884214	6/26/2007	Walt's Hardware	5,837.20
884118	6/25/2007	E & E Outfitters Inc.	1,256.91	883913	6/12/2007	Erin P Collins & Associates	5,838.00
884112	6/25/2007	Deborah Campbell	1,273.00	884163	6/25/2007	Navajo Co Revolving Fund	5,928.87
883703	6/4/2007	Erick Rasik	1,281.73	884255	6/29/2007	Law Offices of Mathew Riggs PC	6,030.00
884236	6/29/2007	Diane S. McCoy Attorney, PC	1,285.22	883690	6/4/2007	City of Holbrook Utilities	6,066.36
884229	6/29/2007	City of Show Low	1,361.45	883880	6/11/2007	NPC	6,096.00
884304	6/29/2007	Navajo Co Treasurer	1,369.00	884200	6/25/2007	Navajo Co Bad Check Program	6,316.73
884187	6/25/2007	Amy Shepphard	1,379.50	883837	6/11/2007	Community Counseling Center Inc.	6,417.56
883697	6/4/2007	E & E Outfitters Inc.	1,423.98	884202	6/25/2007	Navajo Co Clerk of Superior Court Jury	6,548.12
884109	6/25/2007	David Ashton	1,430.00	884216	6/29/2007	A T & T	6,891.70
884147	6/25/2007	Holbrook Extended Care	1,440.00	884242	6/29/2007	Frontier	7,184.00
884261	6/29/2007	Navajo Co Clerk of Superior Court Jury	1,458.11	884153	6/25/2007	JP Morgan Chase Bank	7,415.86
883762	6/4/2007	Navajo Co Sheriff's Revolving Fund	1,476.40	883892	6/12/2007	A T & T	7,528.90
884245	6/29/2007	Holbrook EMS Inc.	1,480.00	208903	6/29/2007	Colonial Life & Accident Insurance	7,618.44
883754	6/4/2007	Mission Linen Service	1,516.99	207683	6/15/2007	Security Benefit	7,665.67
884044	6/18/2007	Cellularone	1,540.17	207663	6/15/2007	Colonial Life & Accident Insurance	7,702.20
883723	6/4/2007	Holbrook EMS Inc.	1,578.00	207659	6/15/2007	AZ State Retirement LTD	7,788.76
884052	6/18/2007	Frontier	1,608.91	884278	6/29/2007	Taylor Law Office Pc	7,799.88
883934	6/12/2007	Qwest Business Services	1,609.88	208899	6/29/2007	AZ State Retirement LTD	7,870.20
883699	6/4/2007	Effective Marketing Management Inc.	1,620.00	883971	6/18/2007	Bob Barker Co Inc.	7,951.91
883878	6/11/2007	Navajo Co Sheriff's Revolving Fund	1,628.48	884271	6/29/2007	Roser Law Office	7,955.52
883747	6/4/2007	Lumbermen's in Snowflake	1,630.04	883707	6/4/2007	FM Solutions Inc	8,091.24
883688	6/4/2007	Cellularone	1,642.74	884031	6/18/2007	USDA Rural Development	8,346.94

883702	6/4/2007	Empire Southwest	1,652.90	207681	6/15/2007	Public Safety Personnel Retirement System	8,390.33
883804	6/4/2007	Winslow Memorial Hospital	1,672.40	208921	6/29/2007	Public Safety Personnel Retirement System	8,716.92
884152	6/25/2007	John Richard Garsha	1,679.71	884288	6/29/2007	Wood Law Office	9,008.50
884137	6/25/2007	Geff's Manufacturing Inc.	1,682.08	883881	6/11/2007	OSAM INC	9,223.34
883882	6/11/2007	Reliance Metal Center	1,717.92	884286	6/29/2007	Waste Management of AZ	9,255.21
884004	6/18/2007	Hatch Motor Co. Inc.	1,732.04	883761	6/4/2007	Navajo Co School Superintendent	9,282.00
884060	6/18/2007	The AZ Republic	1,750.00	208910	6/29/2007	Navajo Co Govt Employee Dental Plan	9,592.93
884258	6/29/2007	McPherson Collision	1,808.16	207670	6/15/2007	Navajo Co Govt Employee Dental Plan	9,600.75
883714	6/4/2007	Glaxosmithkline Financial Inc.	1,882.00	883749	6/4/2007	Management Education Group Inc.	9,641.49
883870	6/11/2007	Kansas State Bank of Manhattan	1,918.26	884215	6/28/2007	Navajo Co Treasurer	10,000.00
883972	6/18/2007	Bradco Inc.	1,963.35	208900	6/29/2007	AZ State Savings & Credit Union	10,336.98
884227	6/29/2007	Cellularone	2,016.36	883910	6/12/2007	Diversified Flooring Services	10,832.46
884125	6/25/2007	Erick Rasik	2,042.95	207679	6/15/2007	Public Safety Personnel Retirement System	11,333.28
884158	6/25/2007	LR Investigations LLC	2,139.50	208919	6/29/2007	Public Safety Personnel Retirement System	11,333.28
883708	6/4/2007	Forensic Science Center	2,169.00	884091	6/25/2007	BRADCO INC	11,629.62
884131	6/25/2007	Forensic Science Center	2,169.00	883795	6/4/2007	US Postal Service LA	12,000.00
883779	6/4/2007	Robert Emerick	2,300.00	884101	6/25/2007	City of Holbrook	12,525.00
883945	6/12/2007	Verizon Wireless	2,334.51	884102	6/25/2007	City of Show Low	12,525.00
884122	6/25/2007	Effective Marketing Management Inc.	2,357.00	883787	6/4/2007	Specialty Loaders LLC	12,697.87
208930	6/29/2007	Vision Service Plan	2,439.60	207660	6/15/2007	AZ State Savings & Credit Union	13,196.65
884051	6/18/2007	Frontier	2,467.74	883908	6/12/2007	Diamond Pharmacy Services	13,221.42
883877	6/11/2007	Navajo Co Revolving Fund	2,468.10	883843	6/11/2007	Delph Engineering Inc.	13,815.00
884018	6/18/2007	Navajo Co Revolving Fund	2,470.19	883848	6/11/2007	Elections Operations Service	14,626.41
884025	6/18/2007	Safeway Sign Co.	2,476.00	883866	6/11/2007	JP Morgan Chase Bank	14,799.69
883992	6/18/2007	Ellen Morse FNP	2,616.00	883831	6/11/2007	Carrier Corp	16,763.80
884233	6/29/2007	Dan Jones	2,735.00	884275	6/29/2007	Specialty Loaders LLC	16,900.37
884089	6/25/2007	Bob Barker Co Inc.	2,898.00	884053	6/18/2007	Navajo Co Sheriff's Uniform Allowance	17,175.00
207690	6/15/2007	Vision Service Plan	2,903.92	207680	6/15/2007	Public Safety Personnel Retirement System	17,450.06
884111	6/25/2007	David Martin Atty at Law	2,916.63	208920	6/29/2007	Public Safety Personnel Retirement System	17,766.93
884174	6/25/2007	Roser Law Office	2,916.63	883969	6/18/2007	Bill Luke Chrysler Jeep Dodge	18,957.10
884183	6/25/2007	Wood Law Office	2,916.63	883868	6/11/2007	JP Morgan Chase Bank	19,570.86
883694	6/4/2007	David Martin Atty at Law	2,916.67	883867	6/11/2007	JP Morgan Chase Bank	20,659.58
883780	6/4/2007	Roser Law Office	2,916.67	884266	6/29/2007	Pioneer Fence and Vinyl	21,389.75
883805	6/4/2007	Wood Law Office	2,916.67	883973	6/18/2007	Brimhall Sand & Rock	22,606.74
883731	6/4/2007	Jason Lyman DMD	2,942.00	208923	6/29/2007	Security Benefit	23,139.05
883920	6/12/2007	High Sierra Electronics Inc.	2,964.00	208912	6/29/2007	Navajo Co State Tax Withholding	23,183.66
883950	6/13/2007	Navajo Co Coalition Against Drug Abuse	2,984.00	207672	6/15/2007	Navajo Co State Tax Withholding	24,063.82
884041	6/18/2007	Kelly Dastrup	2,984.71	884012	6/18/2007	Ironside Engineering & Development Inc.	24,461.70
884078	6/25/2007	AZ Counties Insurance Pool	3,013.19	883827	6/11/2007	Brimhall Sand & Rock	27,986.54
884270	6/29/2007	Robert Higgins Law Firm PC	3,055.00	208914	6/29/2007	Navajo Co Federal Tax Medicare	29,045.58
883768	6/4/2007	Pamela Banas Cook	3,056.00	207674	6/15/2007	Navajo Co Federal Tax Medicare	29,408.86
883766	6/4/2007	New Image Auto Body Inc.	3,102.70	884206	6/25/2007	Stalker Radar	31,046.32
883854	6/11/2007	FM Solutions Inc	3,125.00	884029	6/18/2007	US BANK	31,050.00
884302	6/29/2007	Navajo Co Revolving Fund	3,138.68	883895	6/12/2007	APS	33,274.13
884047	6/18/2007	Courtesy Chevrolet	3,158.39	883860	6/11/2007	Hatch Construction and Paving Inc.	34,238.91
883994	6/18/2007	Forensic Science Center	3,161.00	883839	6/11/2007	Courtesy Chevrolet	36,051.17
884177	6/25/2007	Snowflake Lumber and Moulding	3,210.00	883891	6/12/2007	Pioneer Fence and Vinyl	41,625.00

883824	6/11/2007	Bob Barker Co Inc	3,294.24	884124	6/25/2007	Ergon Asphalt Products Inc.	41,809.75
884136	6/25/2007	GE PRESCO	3,330.06	883952	6/18/2007	ABL Management Inc.	52,185.58
884193	6/25/2007	Imagine Technologies	3,450.00	883914	6/12/2007	Five Star Ford	54,287.43
207667	6/15/2007	Nationwide Retirement Solutions	3,479.53	884010	6/18/2007	IBM Corporation	57,202.03
208907	6/29/2007	Nationwide Retirement Solutions	3,479.53	883899	6/12/2007	Brimhall Sand & Rock	75,304.73
884189	6/25/2007	Buhrow Gillis & Associates	3,566.00	884259	6/29/2007	Meadow Valley Contractors, Inc.	82,000.00
883864	6/11/2007	JP Morgan Chase Bank	3,687.89	208909	6/29/2007	Navajo Co Federal Tax Withholding	84,128.23
883960	6/18/2007	Arthur Hardy	3,700.00	207669	6/15/2007	Navajo Co Federal Tax Withholding	87,906.62
883984	6/18/2007	Clay Springs Public Library	3,780.00	883826	6/11/2007	BRADCO INC	93,799.89
884016	6/18/2007	Larson Memorial Public Library	3,780.00	884032	6/18/2007	USDA Rural Development	96,450.00
883847	6/11/2007	E & E Services Inc.	3,819.53	208908	6/29/2007	Navajo Co Federal Tax Withholding	122,644.60
884192	6/25/2007	Evenflo Company Inc.	3,891.53	207668	6/15/2007	Navajo Co Federal Tax Withholding	124,270.52
883951	6/13/2007	Navajo Co School Superintendent	3,900.00	207658	6/15/2007	AZ State Retirement LTD	134,565.74
884267	6/29/2007	Pitney Bowes Inc.	3,904.57	208898	6/29/2007	AZ State Retirement LTD	135,967.52
883681	6/4/2007	AZ Department of Revenue	3,919.55	208911	6/29/2007	Navajo Co Govt Employee Medical Plan	185,230.21
883887	6/11/2007	Taylor Law Office Pc	4,129.49	207671	6/15/2007	Navajo Co Govt Employee Medical Plan	187,135.26