

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

JULY 21, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:10 a.m.

PRESENT: Pete Shumway, 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. (J.R. DeSpain, Vice-Chairman not present, attending RC&D Conference)

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

CALL TO THE PUBLIC: There were no comments offered.

CONSENT AGENDA: Mr. Thompson 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: July 14, 2003; 3) Kayenta Justice Court Report (June); 4) Public Works: name existing roads in Aripine area "Rogers Trail", "Dalton Drive" and "Rowens Way". (Mr. Deal was absent for the vote)

BOARD OF SUPERVISORS: (June) Monthly Anniversary-Employee Appreciation Certificates: 28 Years Frank Lucero; 26 Years Sandra Heward; 23 Years Roy White; 15 Years Tim Zaremba & Kathy Turley; 14 Years Jane Karges & Judi Standiford; 13 Years Delia Loera-Poolheco; 12 Years Susan Shaw; 11 Years Bencita Scott & Bob Durant; 10 Years Eileen Rogers, Bill Barnard & B J Little; 9 Years Greg Kroeger, Carolyn Christoffel & John May; 8 Years Regina Rose, Pride Spurlock & Julia Carrera; 7 Years Jose Villareal & Dawn Lippard; 6 Years Robert Brown, Maxine Paddock & Maxine Tyler; 5 Years Todd Harris. Certificates presented.

NAVAJO NATION/WINSLOW SERVICE UNIT CHR: Evelyn Jackson, CHW: Funding from District II Special Project Funds to assist with costs associated with the Health Promotion Festivities in Dilkon, August 8, 2003: (Ms. Jackson was unable to be present) Mr. Thompson advised that the Indian Wells and Dilkon communities are hosting this event, with 300-500 participants expected. They are requesting funding assistance will be used to rent a tent and purchase other items for the festivities. Mr. Thompson made a motion to provide \$200 from District II Special Project Funds to assist with Health Promotion Festivities as presented; motion seconded by Mr. Shumway; vote unanimously carried. (Manual warrant requested)

LINDEN VALLEY WATER INC.: Judy Jones, Clerk of the Board: Accept Application for Franchise and publish Notice of Intention to Grant Non-Exclusive Franchise at Public Hearing on August 18, 2003 at 10:00 a.m.: Mr. Shumway made a motion to accept the application and set for public hearing on 8/18/03 @ 10:00 a.m.; motion seconded by Mr. Brownlow; vote unanimously carried.

NAVAJO NATION/INDIAN WELLS SENIOR CENTER: Mary Sage, Coordinator: Additional funding from District II Special Project Funds to assist with costs associated with programs and activities: (Mr. Herbert Manygoats appeared in place of Ms. Sage) Mr. Manygoats, local Council President, advised that there will be a Diné Conference on Aging taking place from July 28-August 1, 2003 in Farmington, New Mexico. He and several others would like to attend this important conference, and are requesting funding assistance for food and lodging. Mr. Thompson made a motion to provide \$200 from District II Special

Project Funds to assist the Indian Wells Elders to attend the Diné Conference on Aging, as presented; motion seconded by Mr. Brownlow; vote unanimously carried. (Manual warrant requested)

DEVELOPMENT SERVICES: Dave Ashton, Director: Waiver of building fees for the construction of the Girls & Boys Club APN #209-03-005: Mr. Ashton explained that the Boys & Girls Clubs of Metropolitan Phoenix (an Arizona non-profit corporation) had their retreat burn down last year in the Rodeo-Chediski Fire. They are now developing plans to re-build the retreat on its present site. The organization has many volunteers involved in this project, and they are requesting a waiver of the building permit fees (\$2863) for this proposed 6100 sq.ft. building and 2000 sq.ft. covered patio. Mr. Ashton said his staff will be required to do various inspections during the construction of this building, and with the budget constraints the county is under, he cannot justify the waiver of the fees. This could set a precedent wherein other such charities, churches, non-profit organizations, etc., could also submit requests to waive fees. For these reasons, staff recommends that the fees not be waived. Mr. Shumway made a motion to deny request for waiver of building fees for Girls & Boys Club; motion seconded by Mr. Brownlow; vote unanimously carried.

BOARD OF SUPERVISORS/BOARD OF EQUALIZATION: Board of Equalization Session (BOE): Mr. Brownlow made a motion to enter into BOE session; motion seconded by Mr. Thompson; vote unanimously carried. Swearing in of Assessor Appraisers and Petitioners: Judy Jones, Clerk swore in the Petitioners and the Appraisers. Clerk Jones swore in the appraisers and petitioners. The following petitions were heard: Peter Patel/Rohan Management, Inc.; Little Colorado Properties/Arby's; James & Carol Lemons (cont. 8/11/03); Mr. Deal made a motion to return to regular session; motion seconded by Mr. Thompson; vote unanimously carried.

BOARD OF SUPERVISORS: 1) Meeting with Major Tax Payers - Public at Large: Present for the meeting were representatives of ATRA (Arizona Tax Research Association); El Paso Gas; APS; and CSA (County Supervisors Association). Interim County Manager Dennis Miller presented the tentative budget. He advised that all departments took a required 15% reduction in their budgets. This resulted in a reduction in the work force, approximately 15 people. This was made up by a combination of positions being left vacant and actual lay-offs. (Assessor Frank Turley noted that his department lost 2.5 positions; County Attorney Mel Bowers lost 3 positions). To offset some of these "harsh" things that happened, the Board did award a 3% COLA raise to, in part, handle some of the increases, ie., retirement fund contributions and health care premiums. The Board also authorized the County to pay 50% of the increase in the dependent medical premium. The Board allowed a 90 reprieve for those who are to be laid off to allow them to find other positions. The entire package will cost the county slightly less than \$500,000. Mr. Miller said we fared fairly well with the Legislature due to the efforts of our representatives and senators. The issue of the tax lawsuit was decided, and the \$865,578 we owe will be paid off this year. This will result in the tax rate being reduced from about \$0.69 to \$0.47. Mr. Miller noted that although we do have contingency funds budgeted this year, we need to be very careful in spending those funds. The departments have been cut to the bare bones already, and there are items sitting out there we have to consider. We have runaway health costs, and are grossly underfunded in our health plan. We are also looking at a possible \$1 million for the election changes.

Mr. Miller advised that we have a total General Fund budget of \$24,479,435, which is up over a million dollars from last year. The total of all budgets, including grants, is \$61,942,867. This will put us within our

expenditure limit. As previously stated, the primary property tax rate will be 0.4772. The total county tax rate will be 1.6217. Mr. Miller noted that the format for this years' budget is different, and any specific information requested will be provided. (Clerk's note: copies of the tentative budget are available at the office of the Clerk of the Board)

2) Adoption of the Fiscal Year 2003/2004 Tentative Budget: Mr. Shumway made a motion to adopt the Tentative Budget as presented; motion seconded by Mr. Brownlow; vote unanimously carried.

PUBLIC WORKS: Bill Cox, Director: 1) Amend Contract Bid #B03-04291, Hot Asphaltic Concrete installation of pavement fabric: Mr. Cox explained that they have used the pavement fabric on several other projects in the past and have been quite pleased with the results. He said he has done a cost benefit analysis on using the fabric versus pulverizing and liming the base. The cost savings of using the fabric has saved more than \$200,000 on past projects. The cost of the amendment to the contract will be \$1.00 per square yard (per Combs Construction and Hatch Construction, the primary contractors for this contract). Mr. Thompson made a motion to approve amendment to Contract #B03-04291, Hot Asphaltic Concrete installation of pavement fabric as presented; motion seconded by Mr. Brownlow; vote unanimously carried.

2) Approval of Intergovernmental Agreement (IGA) with Town of Pinetop-Lakeside and the White Mountain Apache Tribe concerning Arizona TEA-21 Transportation Enhancement Program to establish a multi-purpose trail along Highway 260 from Pinelake Road to Hon-Dah Casino: Tom Thomas, Pinetop-Lakeside Street Superintendent, explained that this request was originally brought to the Board two years ago. It is to allow Pinetop-Lakeside to submit, on behalf of the Board and the White Mountain Apache Tribe, an application for the TEA-21 Enhancement Program. The application is for a trail which would lead from the town of Pinetop-Lakeside through the county and on to the White Mountain Apache Reservation. This is a project that will help unify the two communities. Mr. Thomas noted that, in light of recent events, the project will be renamed the "Rick Lupe Trail of Heros". The Tribe is in full agreement with the project, and the BIA will be doing the maintenance on the trail. Mr. Brownlow made a motion to approve (IGA) with Town of Pinetop-Lakeside and the White Mountain Apache Tribe re: Arizona TEA-21 Transportation Enhancement Program for a multi-purpose trail along Highway 260 from Pinelake Road to Hon-Dah Casino, as presented; motion seconded by Mr. Deal; vote unanimously carried.

NAVAJO NATION/JEDDITO CHAPTER: Funding assistance from District II Special Project Funds to address water shortage emergency: Mr. Thompson advised that Jeddito is experiencing a severe water shortage. Water is now being hauled by the Navajo Tribal Utility Authority from Ganado to Jeddito. They are asking for assistance from Navajo Nation President's office, Department of Emergency Management, the counties and the state. Mr. Thompson advised that the requested funding, at this time, would likely be used for a storage tank and fuel for the trucks hauling the water. The funding will be more specifically addressed when the contributions from the other governmental entities have been received. Mr. Thompson made a motion to approve \$500 from District II Special Project Funds to address water shortage emergency, as presented; motion seconded by Mr. Deal; vote unanimously carried.

BOARD OF SUPERVISORS/BOARD OF EQUALIZATION: (Cont) Board of Equalization Session: Hearings on Petition for Review of Valuation: Mr. Thompson made a motion to enter into BOE; motion seconded by Mr. Deal ;vote unanimously carried. Clerk Jones swore in the appraisers and petitioners.

The following petitions were heard: Daniel J. Duggan/ First Berkshire Business Trust; Basha's Inc/ Neil R. Wolfe, LLC/GB Investment; D & D Ventures, Inc/J.D. Porter (cont. 8/4/03); 1st American Title/ Richard D. Shust; Walter B. Hedges (withdrew petition). Mr. Brownlow made a motion to return to regular session; motion seconded by Mr. Thompson; vote unanimously carried.

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

BOARD BUSINESS: Mr. Brownlow, along with Sheriff Butler, Emergency Services Director Paul Jaster and Cooperative Extension Agent Steve Campbell provided an update on the Kinishba fire. As of this morning, 22,550 acres have burned and the fire is 65% contained. The fire was caused by lightning and the estimated cost to fight the fire so far is \$4.9 million. Coconino and Apache Counties, as well as the National Guard, helped with the evacuation of the Whiteriver area. They were also ready in case it became necessary to evacuate HonDah, McNary and Pinetop-Lakeside. Should this have been necessary, evacuation shelters were established in Snowflake, with Holbrook ready if needed. The resource management and procurement procedures in the EOC (Emergency Operations Center) went much better this year. It was noted that many departments, including the Sheriff's office, Public Works, Finance, Emergency Services, Health District and the amateur HAM radio operators (RACES) helped with the emergency. The fire will be turned over to the BIA tomorrow and it is estimated that the fire will be fully contained within a few days. Mr. Campbell presented information regarding treated areas in the forest. He noted that there are grants out there to help us get the treatments done which will mitigate the damage a fire can cause. Mr. Brownlow added that he and Mr. Shumway met with Senator Jon Kyl on Saturday. There was discussion regarding forest treatments which have been done and it was noted that these treatments must be done on landscaped areas. The communities north of the reservation need to do more; they are at risk of catastrophic fire. We need to move forward with thinning and other projects; the grants are out there. Sheriff Butler reported that the employees of Navajo County really pulled together during the fire, and he was very proud of everyone. The public needs to know and understand that we were prepared for this emergency. Thanks also go to all of the citizen volunteers who did whatever was asked of them. Mr. Brownlow presented a Certificate of Appreciation from the White Mountain Apache Tribe to the Board in recognition of its support to the family of Rick Lupe. He added that the very area where Firefighter Lupe was working with the fuel treatment was what stopped the fire on the southwest side.

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, August 4, 2003, upon a motion made by Mr. Shumway; motion seconded by Mr. Brownlow; vote unanimously carried. The meeting adjourned at 3:10 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: AzDES\$5027.67;APS\$6180.91;BBarkerC0\$1153.20;CHolliday\$1965.00;Carquest\$3686.22;Cell1\$1862.87;Chvron\$6717.75;Hlbrk\$1500.00;CoconinoMedEx\$1490.50;ComCounselCtr\$1043.69;Compucom\$2217.93;ContechConst\$20030.23;DJones\$4997.00;DGoldberg\$1095.00;DMiller\$3483.70;DiamPharmServ\$3186.62;DFrame\$1832.50;E&EServ\$1862.85;ErthMverTire\$9298.36;Ecolab\$2299.82;EmpMach\$9041.83;ForenSci\$4808.00;Frontier\$2885.13;HghsCal\$6548.47HghsSup\$1113.83;InstyPrnts\$1049.78;J&M\$7224.56;JASexauer\$1804.47;Johnstone\$3434.35;Kinkos\$4741.35;LrsnsRep\$1229.84;LindenPrceConst\$17294.16;LngVchGenet\$1125.00;MichGol&Assoc\$1605.20;MidtTrav\$1059.00;MissionUnif\$1436.86;Napa\$1523.56;NCSORevFund\$1232.51;NrChemDrugTst\$2288.86;PMcGillicuddy\$5351.80;P/LPolicDpt\$10169.00;PortEnterp\$2753.95;SHckthrn\$2560.00;SWProd\$1792.30;SWTrans\$1975.69;SpecLoad\$3610.83;AzRep\$1298.80;PrintPlc\$1031.15;T.Gorman\$27017.43;ThomPipe\$1154.98;TuffShed\$8760.00;Verstch\$8268.00;InstyPrint\$1049.78;J&MWholsle\$7224.56;JASexauer\$1804.47;JhnstneSup\$3434.35;Kinkos\$4741.35;LrsnsRep\$1229.84;LndnPerceConst\$17294.16;LngBechGen\$1125.00;MGo lightly\$1605.20;MidtwnTrav\$1059.00;MissnUnif\$1436.86;Napa\$1523.56;NCSORevFnd\$1232.51;Norchem\$2288.86;PMcGillicuddy\$5351.80;P/LPolicDpt\$10669.00;PortenEnt\$2753.95;SHeckthorn\$2560.00;SWProd\$1792.30;SWTrans\$1975.69;SpecLoad\$3610.83;AzRep\$1298.80;PrntPlac\$1031.15;TGorman\$27017.43;ThomPipe\$1154.98;TuffShed\$8760.00;Verstch\$8268.00;WhtCone\$1999.10;WhtMtnCathChar\$9285.22;WhtMtnCoun\$1685.00WinsSalvArm\$2906.06;WoodLaw\$9052.75;Quill#1944.11;Bradco\$1369.22;ClrkSupCrt\$3988.98;Comm1stBnk\$10000.00;DMiller\$1317.63;E&EServ\$1008.46;LasonSys\$5640.00;PetrolTrad\$7066.68;ThompCust\$1840.85;YavapaiCo\$10000.00.