

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

December 16, 2003

Supervisors' Chambers, Holbrook, Arizona - Time: 9:25

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

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

BOARD OF SUPERVISORS/ADMINISTRATION: Jimmy Jayne, County Manager and Gail Sandoval, Human Resource Director:1) Executive Session: Pursuant to ARS §38-431.03 (A)(1) for Personnel Matters Re: Interview of applicant for the Finance Director position (Continued from 12/15/03): Mr. Thompson made a motion to enter into Executive Session; motion seconded by Mr. Brownlow; vote unanimously carried. Present: Supervisors Shumway, DeSpain, Deal, Thompson, Brownlow; Mel Bowers, Jr., County Attorney; Jimmy Jayne, County Manager; Judy Jones, Clerk of the Board; Gail Sandoval, Human Resource Director and Joan Mickle, Interim Finance Director. **Mr. DeSpain made a motion** to return to regular session; motion seconded by Mr. Brownlow; vote unanimously carried. 2) Possible selection of application to fill Finance Director position: No action, direction only.

NAVAJO COUNTY FLOOD CONTROL DISTRICT: Bill Cox, Floodplain Manager: Board of Directors Session: Approval to participate with the City of Holbrook in building a flood protection levee for the City's wastewater treatment plant with the following stipulations: 1) that construction meets all FEMA standards for 100-year flood protection; 2) that the Holbrook City Engineer provide As-Built plans and certification that the FEMA standards have been met: Mr. Cox stated that staff is requesting that the Board approve spending up to \$81,700 in Navajo County Flood Control District Funds in order to participate with the City of Holbrook in building a flood protection levee for the City's wastewater treatment plant. Recently completed studies indicate that the treatment plant is not adequately protected from flooding in Leroux Wash. Delph Engineering, a consulting firm under contract to the City, has designed a levee that meets the Federal Emergency Management Agency's standards for 100-year flood protection. (The study and the levee design were funded by the flood control district.) Using Delph Engineering's plans, specifications and contract documents, the City recently requested bids and awarded the construction project to Silver Eagle Western. The amount of funds requested for this project is the remainder of \$120,000 that was originally budgeted for a City of Holbrook drainage study. These funds have been used primarily to address the wastewater treatment plant flooding, although this was not the original intent of the study, because adequate flood protection for the plant is critical to the City. The funds requested have been included in the Navajo County Flood Control District FY 03/04 budget. **Mr. Shumway made a motion** to approve the participation with the suggested stipulations; motion seconded by Mr. DeSpain; vote unanimously carried.

PUBLIC WORKS: Bill Cox, Director: 1) Approval of the LTAF II Grant Application for SFY 2004 with the required 25% matching funds to be budgeted in the FY 2004/05 General Fund budget. Mr. Cox made a presentation as follows on the five agenda requests: The LTAF II funds can be used for transit purposes only. The 2004 funds that have become available are anticipated to be a one-time only distribution. The county's portion of the distributed funds is \$88,008 with a 25% matching fund of \$22,002 required. Additional funding in the amount of \$10,906 has also been made available with an additional \$2,726 required of matching funds. We had the opportunity to apply for a total amount of \$98,914 in LTAF II funding with a required match of \$24,728. However, due to the time constraints to apply for these funds, an application was submitted to NACOG for the above listed amounts. Since the availability of LTAF II funds for SFY 2004 was unexpected and local jurisdictions have not budgeted for the 25% matching funds requirement, all jurisdictions receiving LTAF II funds will have until June 30, 2005 to expend these funds. This will allow us time to budget and/or

obtain the required matching funds during the FY 2004/05 budget process. Funds are expected to be received in January or February 2004 with the stipulation that none of the funds can be allocated/expended until matching funds have been obtained. **Mr. DeSpain made a motion** to approve the matching funds as requested; motion seconded by Mr. Brownlow; vote unanimously carried. 2) Award of the Two-Year Pavement Marking Contract #B03-09221 including both additive alternates to the low bidder, Pavement Marking, Inc: On October 17, 2003 we received and opened bids for the two-year pavement marking contract. Only two bids were received from the only two contractors that we are aware of who do this work in Arizona, both of whom have performed this work for Navajo County within the past five years. Pavement Marking, Inc., the low bidder, held the most recent contract. Staff recommends the award of Contract #B03-09221 to the low bidder, Pavement Marking in the amount of \$161,036 which is budgeted in the safety line. **Mr. Brownlow made a motion** to award the contract to Pavement Marking, as recommended; motion seconded by Mr. Thompson; vote unanimously carried. 3) Approval to contract out for the remaining portion of the construction of the Lone Pine Dam Road project: State statute allows counties' under a population of 150,000 to expend a certain amount on individual projects. Currently the limit for any individual project that can be done with in-house labor is \$179,000 and to date \$159,000 in labor has been expended for this project. ADOT is scheduled to deliver asphalt millings to the project in April or May which would reflect a savings of \$50,000 or more in material cost. The last phase is 3.1 miles and has been brushed and cleared. It is estimated this phase of base preparation will cost approximately \$250,000. \$500,000 was budgeted to overlay and provide base material. Staff is requesting approval to contract the remaining portion with the additional cost to be provided from savings in completed projects. **Mr. Brownlow made a motion** to approve contracting the remaining portion of the Lone Pine Dam Project as presented; motion seconded by Mr. DeSpain; vote unanimously carried. 4) Approve change order request for Cannon and Associates to complete the Design Concept/Environmental Studies on the Chevelon Creek Bridge Rehabilitation Project: Navajo County entered into a Professional Services Contract with Cannon and Associates on July 15, 2002 for the preparation of the Design Concept Report and completion of NEPA Studies prerequisite to the Rehabilitation of Chevelon Creek Bridge. ADOT requires completion of the following additional tasks for the Environmental Determination on this project: 1) Public and Agency Scoping; 2) section 4(F) Documentation of Historic Bridge; 3) Programmatic Categorical Exclusion; 4) Environmental Determination; 5) Meetings and Coordination. This work was not included in the original scope of work to be performed by Cannon and Associates. Therefore, we need a change order in the amount of \$8,200 which includes the additional services which are being required by ADOT. **Mr. DeSpain made a motion** to approve Change Order #1 as requested; motion seconded by Mr. Thompson; vote unanimously carried. 5) Request to upgrade AutoCAD software to the latest version (version 2004) to continue to receive technical support: AutoCAD is the main engineering design platform and the current version (version 2000i) is falling behind in functionality and versatility. The software manufacturer has abandoned technical support and licensing for our current version. Therefore, the department has been experiencing technical problems due to incompatibility of the old version. This item was not budgeted is because the manufacturer was contacted last May to inquire as to when they would stop supporting the software and they assured the department they would be supporting the software for another year and we have been informed that their support ends December of this year. The cost of AutoCAD Version 2004 is \$13,301.20 and will be taken out of the department's contingency fund. **Mr. DeSpain made a motion** to approve the funding request to purchase the 2004 AutoCAD version; motion seconded by Mr. Brownlow; vote unanimously carried. 6) Staff & BOS may recommend projects to be included in the 2004/05 Capital Improvement Plan five Year Plan (Study Session): Mr. Cox reviewed the proposed Five-Year Capital Improvement Plan so the board would have something to review prior to the 2004/2005 budget. He reviewed the overlay history from 1986 to present. He noted that local public work projects are considered on a "Benefit-Cost Ratio." He reviewed with the board a "Pay Now or Pay Later" graph showing that if maintenance is kept up the cost will stay down and if not the cost continues to increase. Recommendations for Level of Development (LOD) Categories for County Maintained Roads was discussed with the Board as well as Designed and Construction Guidelines for those roads. Dusty Parsons, Highway Superintendent stated that the Primitive Roads are being used more than some of the maintained roads and that needed to be looked at. Mr. Cox went over the Maintenance Activities and Frequencies for Various LOD roads and stated that it is their responsibility to provide a safe and comfortable road system in

the county. The ASSHTO Geometric Design of Highways and Streets was reviewed with the Board. Mr. Cox reported to the Board and showed photos of four roads (Porter Mountain, Bourdon Ranch, Territorial and Concho Highway) that have a high accident and fatality rate and stated they would like to correct curves on those roads. Mr. Cox asked for any additional projects to be brought to the department's attention within the next few months prior to the 04/05 budget hearings. (Clerk's Note: Five Year Capital Improvement Plan on file in the Clerk of the Board's Office.)

BIOTERRORISM DEPARTMENT: Ann Bailey, Interim Director: Approval of Amendment #3 Contract #252039 with ADHS for Preparedness and Response for Bioterrorism (8/31/03 - 8/30/04): Approval for Contract #252039, Amendment #3 with ADHS for Preparedness and Response for Bio-Terrorism for an amount of \$341,240.05 for the period of August 31, 2003 to August 30, 2004. **Mr. Brownlow made a motion** to approve the Amendment as requested; motion seconded by Mr. DeSpain; vote unanimously carried.

SILVER CREEK COUNTY ROAD IMPROVEMENT DISTRICT: Pete Shumway, District IV: **Board of Directors Session:** Accept resignation of Marc Silliman from the Silver Creek County Road Improvement District Board: This item continued until January 5, 2004 meeting.

BOARD OF SUPERVISORS: Jimmy Jayne, County Manager: Agreement with Arizona State Land Department for disbursement of monies appropriated by the Arizona State Legislature to Navajo County for environmental programs: This item was pulled from the Agenda by the County Manager

DEVELOPMENT SERVICES: Dave Ashton, Director (Continued from 12/15/03): Review and Adoption of the Navajo County Comprehensive Plan: This item was completed on 12/15/03.

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

There being no further business to come before the Board of Supervisors, the meeting was adjourned until Monday, January 5, 2004, upon a **motion made by Mr. Thompson**; motion seconded by Mr. Brownlow; vote unanimously carried. The meeting adjourned at 3:40 p.m.

APPROVED:

Pete Shumway, Chairman

DATE:

ATTEST:

Judy Jones, Clerk of the Board