

**BOARD OF SUPERVISORS
NAVAJO COUNTY, ARIZONA**

May 16-17, 2005

Board of Supervisors Chambers, Holbrook, Arizona – Time 9:00 a.m.

PRESENT: Jerry Brownlow, Chairman; Percy Deal, Vice Chairman; Jesse Thompson, Member; J. R. DeSpain, Member; and David Tenney, Member; Lance Payette, Chief Deputy County Attorney; James G. Jayne, County Manager; June Foard, Acting Deputy Clerk of the Board. Mr. Tenney led the Pledge of Allegiance and the Invocation.

CALL TO PUBLIC: Richard Jarenski addressed the Board requesting that the Board fund a program similar to Dial-A-Ride for Navajo County residents. This program would provide rides for shopping and medical appointments for those who may not have rides available to them.

CONSENT AGENDA: 1)Tax Roll Corrections 2)Approve name of existing road “Verona Lane” in Section 5 Township 10 North – Range 21 East in the Linden area **Mr. Thompson made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Mr. Tenney; vote unanimous approving the motion.

HUMAN RESOURCES: Gail Calisen: Personnel Actions: Ms. Calisen presented the Personnel Actions to the Board. **Mr. Tenney made a motion** to approve the personnel actions as presented; motion seconded by Mr. DeSpain; vote unanimous approving the motion.

NAVAJO COUNTY SHERIFF: Gary Butler, Sheriff:

- 1) Approval for Sheriff Butler to proceed with lease/purchase contract with Baystone Financial Group to lease computers over a three year period to be funded out of Jail Enhancement funds: Commander Greg Eavenson presented the information regarding this contract to lease computers to the Board of Supervisors. **Mr. DeSpain made a motion** to authorize Sheriff Butler to proceed with lease/purchase contract with Baystone Financial Group to lease computers over a three year period to be funded out of Jail Enhancement funds; motion seconded by Mr. Tenney; vote unanimous approving the motion.
- 2) Approve authorization for Sheriff’s Office to proceed with purchase of Orbacom TDM150/T5 radio console system under state contract and authorized under Homeland Security funding: Commander Ebert discussed the cost of this purchase as it relates to funding from the Law Enforcement Terrorism Prevention Program and State Homeland Security grant program funds. He advised that the current communications console system is so outdated that replacement parts are difficult to acquire. Commander Ebert advised this purchase was approved last calendar year and then went out for re-bid. He stated this is not a reimbursement item. **Mr. DeSpain made a motion** to approve the purchase of Orbacom TDM150/T5 radio console system under state contract and as authorized under Homeland Security funding; motion seconded by Mr. Tenney; vote unanimous approving the motion.
- 3) Approval for Sheriff’s Office to enter into contract with the Drug Enforcement Administration of the U.S. Department of Justice for funding in the amount of \$5,000 for use in the Domestic Cannabis Eradication/Suppression Program: **Mr. Tenney made a motion** to enter into a contract with the Drug Enforcement Administration of the U.S. Department of Justice for funding in the amount of \$5,000 for use in the Domestic Cannabis Eradication/Suppression Program; motion seconded by Mr. DeSpain; vote unanimous approving the motion. At Supervisor Deal’s request, Commander Eavenson stated he would make the Navajo and Hopi tribes aware of the opportunity to apply for monies.

SPECIAL DISTRICTS/PUBLIC WORKS/DEVELOPMENT SERVICES: Dick Young, Leida Hatch, Dusty Parsons, Presenters Board of Directors Session, Sutter Drive Improvement District:

- 1) Open bids Contract #B04-03233, Recess: It was moved, seconded and unanimously approved to enter into a Board of Directors Session for Sutter Drive Improvement District. Mr. Young read the opened bids into the record as Surface contracting, Inc. \$392,920 and Hatch Paving \$498,680.
- 2) Approve contract award: Mr. Young stated that both bids exceed the budget and recommended this issue come before the Board at a later date. Mr. Young stated the district can only be assessed \$300,000. **Supervisor Deal made a motion** to send the submitted bids to Public Works and administration for their review and recommendation; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

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

PUBLIC WORKS: Dusty Parsons, Interim Director

- 1) Approve Memorandum of Agreement between Navajo County and the Bureau of Indian Affairs (BIA), Fort Apache Agency, Transportation Department: Mr. Parsons reviewed the agreement that will allow for assistance with road projects located within Navajo County on the Reservation. **Supervisor Thompson made a motion** to approve the Memorandum of Agreement between Navajo County and the Bureau of Indian Affairs (BIA), Fort Apache Agency, Transportation Department; motion seconded by Mr. Tenney; vote unanimous approving the motion. Supervisors expressed appreciation for the efforts by staff to complete this agreement.
- 2) Approve authorization to pursue the acquisition of approximately 741 square feet for Mulholland Road in the Lakeside area: Mr. Parsons stated that Mulholland Road is a small residential road that services several homes in the Lakeside area. He reported the road is very narrow and has encroached on private land for several years, and now that the owner of the private land is planning on building a wall on his property line a serious safety hazard will be created. **Supervisor Tenney made a motion** to pursue the acquisition of approximately 741 square feet for Mulholland Road in the Lakeside area with the purchase not to exceed \$5,000 and District IV and District V Special Road Funds to be used equally for this purchase; Supervisor DeSpain seconded the motion; vote unanimous approving the motion.
- 3) Approve recommendation that Contract #B05-04055 Slurry Seal be rejected and re-bid: Mr. Parsons reported that if this project were re-bid with a more accurate and larger number of square yards a better bid price could be secured. **Supervisor Tenney made a motion** to reject and re-bid Contract #B05-04055 Slurry Seal; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

BOARD OF SUPERVISORS: Dusty Parsons, Presenter: Flood Control District Board of Directors Session: Approval of the Operation & Maintenance Agreement for Black Canyon and Buckskin Wash, Heber EWP with the Natural Resources Conservation Service (NRCS): **Supervisor DeSpain made a motion** to go into the Navajo County Flood Control District Board of Directors Session; motion seconded by Supervisor Tenney; vote unanimous approving the motion. Mr. Parsons reported that in March the Board of Supervisors approved the award of Contract #B05-01251 to Hatch Construction and Paving and as part of the NRCS requirements, an Operation and Maintenance Agreement must be signed. **Supervisor Tenney made a motion** to approve the Operation & Maintenance Agreement for Black Canyon and Buckskin Wash, Heber EWP with the Natural Resources Conservation Service (NRCS) as presented; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

FINANCE/SPECIAL DISTRICTS: Dusty Parsons, Leida Hatch, Presenters: Approve Resolution to acknowledge receipt of petition from property owners for the formation of Fawn Brook Domestic Wastewater Improvement District; set bond; set hearing for June 20, 2005 at 10:00 a.m.; and order notice

to be mailed and published: Ms. Hatch reported that the petition from property owners proposing the formation of the Fawn Brook domestic Wastewater Improvement District of Navajo County was received and staff requests approval as presented. **Supervisor Tenney made a motion** to approve **Resolution #39-05** to acknowledge receipt of the petition from property owners for the formation of Fawn Brook Domestic Wastewater Improvement District; set the bond at \$1,000.00; set hearing for June 20, 2005 at 10:00 a.m.; and order notice to be mailed and published; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Wade Kartchner, Director: **Health District Board of Directors Session:** Approve new position of Assistant Health Director for the Public Health Services District: It was moved, seconded and unanimously approved to enter into a **Board of Directors Session** for the Navajo County Public Health Services District. Dr. Kartchner stated he is requesting an assistant for the Health Director. It was clarified that this position will be included in the 05-06 budget and Finance is comfortable with creating the position for the remainder of the year. **Supervisor DeSpain made a motion** to approve the creation of an Assistant Health Director position for the Public Health Services District; motion seconded by Supervisor Tenney; vote unanimous approving the motion. **Supervisor DeSpain made a motion** to reconvene into regular session; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

BOARD OF SUPERVISORS/RECORDER/ELECTIONS: Laurie Justman, Recorder; Kelly Dastrup, Elections Coordinator

- 1) **Public Hearing:** Approval of Resolution adopting a fee schedule for elections services provided to other political subdivisions by Navajo County election services: Ms. Dastrup reviewed the proposed fee schedule for election services as outlined in the proposed resolution. There was no response to a request for public input into this hearing. **Supervisor DeSpain made a motion** to approve by **Resolution No. 40-05** adopting a fee schedule for elections services provided to other political subdivisions by Navajo County election services; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- 2) Approval to enter into a Memorandum of Understanding/Contract with Secretary of State to apply for Help America Vote Act (HAVA) funds: Recorder Laurie Justman explained that this MOU must be in place for the County to qualify for HAVA funds. **Supervisor DeSpain made a motion** to approve entering into a Memorandum of Understanding/Contract with Secretary of State to apply for Help America Vote Act funds; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

ASSESSOR/PUBLIC FIDUCIARY: Cammy Darris, Assessor/Lupe Bray, Deputy Public Fiduciary Request donations for First Annual Elder Abuse Conference to be held on May 19, 2005 at Hondah Resort & Convention Center in Pinetop, Arizona: **Supervisor Tenney made a motion** to donate \$250.00 from District IV Special funds to the First Annual Elder Abuse Conference to be held on May 19, 2005 at Hondah Resort & Convention Center in Pinetop, Arizona; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.

BUDGET HEARINGS

FINANCIAL STATUS, FUND BALANCE, PROJECTED REVENUES: James Menlove discussed revenues by source: property taxes (17%), licenses & permits (10%), intergovernmental (62%), charges for services (1%), fines and forfeits (6%), investment income (1%) and miscellaneous revenue (1%). He reviewed taxing authorities within the County and provided examples of tax bills in the Show Low area. He discussed expenditures by type to include general government, public safety, highways and streets, sanitation, health, welfare, culture and recreation, education, capital outlay and debt service. He provided a statement showing revenues and expenditures for the 04-05 fiscal year through April 30, 2005 as well as

a budget summary by department for fiscal year 2005-2006. He reviewed the budget process with individual departments.

EMPLOYEE BENEFITS: Karen Bray presented information provided by Gail Schumann and Lindsey Nelson of Lovitt & Touche, Inc. regarding the employee insurance program. The presentation included:

- No increase to employee contributions for medical insurance
- Waiving the \$25 single/\$75 family annual prescription deductible
- Increasing calendar dental maximum from \$1,000 to \$1,250
- Increasing the life insurance benefit from \$20,000 to \$40,000
- MSAS launching campaign to build dental network
- MSAS offering discounts at Mayo Clinic at no additional cost
- Net change to the County contribution--\$23,750 increase

BOARD OF SUPERVISORS: J. R. DeSpain, Supervisor District III: Discussion and possible reconsideration of Board of Supervisor action taken in connection with the two whistleblower letters received from Public Works employees: In response to a question from Supervisors, Lance Payette advised there are no legal constraints to revisiting this issue but consideration should be given as to why the Board would want to revisit the issues. Supervisor DeSpain stated that the purpose of this item is to allow the Board to hear from employees. Supervisor Tenney stated he felt this decision had been made and should not be reconsidered. Supervisors inquired if this issue could be addressed in executive session and Mr. Payette advised it would not be appropriate at this time. **Supervisor DeSpain made a motion** to reconsider the Board of Supervisor action taken in connection with the two whistleblower letters received from Public Works employees; motion seconded by Supervisor Thompson. Motion defeated with Supervisors DeSpain and Thompson voting yes and Supervisors Brownlow, Deal and Tenney voting no.

The Board recessed for lunch and reconvened at 1:50 p.m.

PUBLIC SECTOR PERSONNEL CONSULTANTS: Robert Miles of Public Sector reviewed the process for the employee compensation project and advised this issue should be addressed every two years. He discussed the need to implement performance increases in the future. James Menlove and Mr. Miles discussed the cost to implement the project as it currently exists to be a 2% COLA (\$350,000), time and position increase (\$270,000) and position analysis adjustments (\$871,000). They discussed the recommendation for step raises to be 3, 5, and 10 year adjustments.

SHERIFF: Chief Eavenson reviewed the budget requests for the Sheriff's department discussing the department's priority budget needs with the total request to include: General Fund \$805,293, D.O.C. Fund \$471,154, B.O.P. Fund \$70,134 and Commissary Fund \$24,069. He provided a listing of all budget line increases and decreases with an explanation for major items. He provided revenue projects based on an average daily population of 51 inmates at \$65.12 per day.

CONSTABLES: Ryan Reinhold provided a report to the Board discussing the Constables' primary duties, the precinct structure, annual training requirements, fees for services, monthly reporting and individual budgetary requests.

PUBLIC DEFENDER: James Menlove reviewed the Public Defender's budget requests including their desire to implement a Drug Court.

BOARD OF SUPERVISORS: Supervisor Deal requested additional funding to be allocated for District I road-related programs due to BIA allocation cuts and the concern over non-approval of TEA-21 funds. He advised requests for help are coming in from all areas of his district as they are unable to purchase new

equipment. Considerable discussion ensued related to allocations and it was determined the allocations for all districts would remain equal.

The Board recessed these hearings until May 17, 2006.

MAY 17 BUDGET HEARINGS

The Board reconvened at 9:00 a.m. on May 17, 2006 in the Board of Supervisors chambers with the following present; Jerry Brownlow, Chairman; Percy Deal, Vice Chairman; Jesse Thompson, Member; J. R. DeSpain, Member; and David Tenney, Member; Lance Payette, Chief Deputy County Attorney; James G. Jayne, County Manager; June Foard, Acting Deputy Clerk of the Board.

ASSESSORS: Cammy Darris reviewed her budget requests.

BOARD OF SUPERVISORS/ADMINISTRATION: James Menlove advised the Capital Outlay information for this department would come back to the Board.

BUILDINGS & GROUNDS: Dan Hinz submitted his proposed projects and advised the Board that their consideration would be appreciated.

COUNTY ATTORNEY: Mel Bowers advised the Board his department is highly dependent on grants and they lost a major grant this year. He submitted his budget requests.

ELECTIONS: Kelly Dastrup submitted her budget requests and advised the Board her department would benefit from the purchase of a lap top and projector for use in poll worker training.

HEALTH DISTRICT: **Supervisor Tenney made a motion** to enter into the Public Health Services District Board of Directors Session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion. James Menlove advised the Board that an Animal Control department will be added to the Health Department this year, requiring the purchase of two trucks and a shift of personnel. He stated the tax rate for the Health District has remained static for two years but with the addition of the animal control department, there could be a 40% increase in this tax. He stated that the Health District represents 1% of the total tax rate for the County. **Supervisor Tenney made a motion** to reconvene into regular session; motion seconded by Supervisor Thompson; vote unanimous approving the motion.

LEGAL DEFENDER: Ben Cole and Jane Karges presented the Legal Defender budget requests.

LIBRARY DISTRICT: **Supervisor Tenney made a motion** to enter into the Navajo County Library District Board of Directors Session; motion seconded by Supervisor Thompson; vote unanimous approving the motion. James Menlove advised there are technology needs for the library that may dictate an increase in taxes. He said that the grant for the computer lab funding will go away this year. Supervisors discussed alternatives to tax increases. **Supervisor DeSpain made a motion** to return to regular session; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

MIS: Bob Heming submitted information regarding his requests for the MIS department budget and Supervisors discussed the costs as presented. Supervisor Deal cautioned attention to should be paid to the growing technology budget and alternatives to this increase should be considered.

PARKS/RECREATION, FAIR: Sam Pogue reported there have been many improvements at the Fairgrounds and that this is a continuing process. He discussed the closure of Cholla Lake and the need to remove the equipment there.

PUBLIC FIDUCIARY: Discussion centered on Charlie Tomlinsons' request for increase in staff salaries, including his position. Lance Payette advised the Board that by statute, the Public Fiduciary must be appointed with salary set by the Board.

PLANNING & ZONING: Dave Ashton discussed the additional subdivisions coming into the County and the additional staff required to provide services.

RECORDER: Recorder Laurette Justman reviewed her budget needs, advising that her department is requesting another position as they are opening a satellite office in Indian Wells.

SUPERIOR COURT: Presiding Judge Dale Nielson introduced Michala Ruechel, Judge Pro-Tem. He discussed his budget and requested consideration of adding a probation officer.

SUPERINTENDENT OF SCHOOLS: Superintendent A.J. Brown introduced Linda Morrow. Superintendent Brown and Ms. Morrow reviewed the schools' proposed budget stating that their supply line item is increased by \$500.00.

TREASURER: Treasurer Manny Hernandez reviewed the proposed budget for that department.

James Menlove presented information regarding the number of new employees needed for the 05-06 budget year. Supervisor Deal requested that there be additional discussion regarding increasing the special project budgets. He advised there may be additional road funding sources available through grants, fuel excise tax, and gaming.

The meeting adjourned at 1:10 p.m.

APPROVED:

DATE:

Jesse Thompson, Chairman

ATTEST:

Clerk/Deputy Clerk of the Board