

NAVAJO COUNTY BOARD OF SUPERVISORS MINUTES
MONDAY, JUNE 5, 2006

At 9:05 a.m., Chairman Thompson called the meeting to order and Supervisor Tenney led the pledge of allegiance and offered the invocation.

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

CALL TO THE PUBLIC: Charlie Merrill, of Apache Cove addressed the board, stating that the roads in his area are partly chip sealed and part are not, asking why they didn't chip seal all of the roads. He said now there are wash boards and pot holes. Supervisor Brownlow advised Mr. Merrill he would discuss this with public works.

Hugo Lusten, resident of the Concho area of Navajo County, reviewed a newspaper article about the extinguishment of an easement, requesting an explanation. Supervisor DeSpain advised he will contact Dusty Parsons and clarify the issue. Mr. Lusten requested removal of the road fencing in his area stating he will buy the grazing lease so he can remove the fences.

CONSENT AGENDA: a. Voucher list for payment; b. Back tax land deeds; c. Sympathy letter for Lena Lee; d. DES Contract E5706009, amendment two and three to increase the amount of PY 2005-06 funding and to extend the expiration date; e. Change in speed limit on Woodruff Road to 55 miles per hour; f. Name an existing road in the Overgaard area "Joplin Road" in Section 29 Township 15 North – Range 16 East; g. Name an existing road in the Overgaard area "Blue Sky Circle" in Section 24 Township 12 North – Range 16 East; h. Name an existing road in the Overgaard area "Little Beaver Way" in Section 31 Township 12 North Range 17 East; i. Name an existing road in the Joseph City area "Rusty Avenue" in Section 16 Township 18 North – Range 19 East; j. Name an existing road in the Heber/Overgaard area "Sunset Ridge Drive" in Section 33 Township 12 North – Range 18 East; k. Placement of a Stop Sign to stop traffic on Sawmill Point Road as it enters Highway 260; l. Renewal of the existing GangNet Memorandum of Understanding with AZ Department of Public Safety Contract #2006-13; m. Addendum I to FY 2006 Financial and Operating Plan Cooperative Agreement 03-LE-11030121-003 U.S. Department of Agriculture, Apache Sitgreaves National Forest for additional assistance during extreme fire conditions; n. Intergovernmental Agreement to provide election services to the Timberland Acres Special Road District # 1; o. Use of southwest corner of Navajo County Complex for 4th of July fireworks display; p. Clerk of the Court Fee Report: April; q. Justice Court Reports: Winslow #2 March; Snowflake #3 April; Kayenta #4 April; Pinetop #6 April; r. Constable Report: Winslow #2 April; Snowflake #3 April; Show Low #5 April; s. Juvenile Justice System Report: April; **Supervisor Brownlow made a motion** to authorize the Chairman to sign the items in the Consent Agenda; motion seconded by Supervisor Tenney; vote unanimous approving the motion with Supervisor DeSpain absent for the vote.

NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT: Board of Directors Session: **Supervisor Brownlow made a motion** to enter into the Navajo County Public Health Services District **Board of Directors** Session; Supervisor Deal seconded the motion; vote unanimous approving the motion.

a. **9:00 a.m. Public Hearing:** Consideration and possible adoption of Ordinance Number 02-06 "Navajo County Animal Control Ordinance" repealing and superseding Ordinance Number 01-03 as revised May 19, 1997 relating to the same subject matter: Dr. Kartchner introduced Ron Jones who reviewed the new animal control ordinance. Supervisor DeSpain thanked Mr. Jones for coming forward with this ordinance, advising there have been problems with wolf hybrids in the Cedar Hills area and the previous ordinance did not address these animals. In response to Supervisor Deal's question regarding the change, Mr. Jones advised that they added the section to deal with wolf hybrids including vaccinations and further defined cruelty and neglect, and vicious animals. Chairman Thompson advised that this item was published in the Holbrook Tribune as a public hearing and invited public comment. There was none. **Supervisor DeSpain**

made a motion to adopt Ordinance Number 02-06 "Navajo County Animal Control Ordinance" repealing and superseding Ordinance Number 01-03 as revised May 19, 1997 relating to the same subject matter; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

- b. Consideration and possible approval to expend current available funds for the purchase of software, digital camera, portable printer and laptop computer for a total of \$5,398.70: Darcey McKee reviewed this purchase with the Board and advised Supervisor Deal that all areas of the county participate in this program. **Supervisor Tenney made a motion** to approve the expenditure of current available funds for the items as presented; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- c. Consideration and possible approval of Amendment #6 of the Tobacco Education and Prevention Contract #HG354355 with the Arizona Department of Health Services for 7/1/06 to 6/30/08 in the amount of \$238,000: Darcey McKee reviewed this grant with the Board and advised that all areas of the county participate in this program as well as a school in Apache County. She described the presentation process and advised that they send the information to all schools and conduct presentations on a by-request basis. Supervisor Deal requested a copy of the letters that go to reservation schools. Supervisor DeSpain expressed appreciation for this program. **Supervisor Tenney made a motion** to approve Amendment #6 of the Tobacco Education and Prevention Contract #HG354355 with the Arizona Department of Health Services for 7/1/06 to 6/30/08 in the amount of \$238,000; motion seconded by Supervisor Brownlow. Chairman Thompson and Supervisor Deal inquired how they address ceremonial tobacco and Ms. McKee stated she had been through that training and also invites a parent or medicine man to assist in her presentations. She discussed the information provided. Vote unanimous approving the motion.

Supervisor Tenney made a motion to return to regular session; motion seconded by Supervisor Brownlow; vote unanimous approving the motion with Supervisor DeSpain absent for the vote.

NAVAJO COUNTY FAIR:

- a. Report from reigning Navajo County Queen: Debbie Geiger provided information that was requested during her previous presentation regarding trends in pregnancy rates. She discussed presentations she had participated in throughout the past year.
- b. Consideration and possible approval of request for funding in support of the Navajo County Scholarship Organization: Debbie Geiger requested financial support for the Navajo County Queen program so other girls will be able to participate in this activity. Supervisor DeSpain complimented Ms. Geiger on her representation of Navajo County. **Supervisor Tenney made a motion** to authorize funding in the amount of \$4,000 in support of the Navajo County Scholarship Organization; Supervisor Brownlow seconded the motion. Supervisor Deal advised that the statistics provided do not reflect statistics from the reservations and requested that Ms. Geiger contact the provider of the information to provide the same information for the reservations. Ms. Geiger advised she would make these contacts. Supervisor Deal inquired if these types of funds would be available to a young man and Ms. Geiger stated this program focuses only on girls. Supervisor Deal encouraged Ms. Geiger to participate in a personal interview on the Navajo Nation radio station and provide information to the Hopi reservation. Vote unanimous approving the motion.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the submitted Personnel Action report. **Supervisor Tenney made a motion** to approve the Personnel actions as presented and authorize the Chairman to sign these items; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.

NAVAJO COUNTY PERSONNEL COMMISSION: Consideration and possible approval of additional days personal leave for FY 2006-2007: Laree Saline advised that since a salary increase will not be provided, the Personnel Commission requests four personal days to show appreciation for the employees. She stated the Personnel Commission appreciates the efforts of James Menlove and James Jayne in improving the financial state of the county. **Supervisor DeSpain made a motion** to approve four days of personal leave for FY2006-2007; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

ELECTIONS: Consideration and possible approval to conduct a precinct-based election for Timberland Acres

Special Road District #1 on September 12, 2006: Kelly Dastrup discussed the history of this district's issues related to maintaining a quorum of their Board of Directors, advising they currently have one vacant position. **Supervisor Tenney made a motion** to conduct a precinct-based election for Timberland Acres Special Road District #1 on September 12, 2006; motion seconded by Supervisor Brownlow. Supervisors Tenney and Brownlow expressed appreciation to staff James Jayne, Dusty Parsons, and Kelly Dastrup for their assistance to this district. Vote unanimous approving the motion.

NAVAJO COUNTY COOPERATIVE EXTENSION: Consideration and possible approval of continued participation in the Natural Resources Working Group Memorandum of Understanding: Steve Campbell advised that previous Supervisor Lewis Tenney had participated in the organization of this group; discussed the focus of the group and the expansion of the group. He advised a new MOU is needed because those items originally outlined have been accomplished. He reported Supervisors Brownlow and Tenney regularly represent the county at this group. **Supervisor Brownlow made a motion** to approve continued participation in the Natural Resources Working Group Memorandum of Understanding; Supervisor Tenney seconded the motion. Supervisor Tenney advised this has been an excellent project for a long time and provides a seat for Navajo County in managing the forest. He thanked Steve Campbell and Darlene Fraley for their participation in and contributions to this group. In response to a question from Supervisor Deal, Steve Campbell stated that the pinon component of forest is almost gone and there is a committee working on a seven segment forest health strategy for Arizona that includes pinon/juniper in the highlands. He advised there is a separate strategy for each area and stated that Al Christiansen with the BIA reviews all tribal plans including prevention strategies. He discussed his participation in this process and advised of factors resulting from different management strategies. Supervisor Brownlow expressed appreciation to Steve Campbell for all he does. Vote unanimous approving the motion.

SHERIFF'S OFFICE: Consideration and possible approval to authorize the Sheriff's Office to submit a grant proposal to Department of Justice COPS Office for a two year Methamphetamine Program grant for \$200,000 to be used in conjunction with the Navajo County Task Force for two positions and other related expenditures: Deputy Commander Casey Clark advised they were notified a year and a half ago that Byrne funds would sunset so he, Emery LeBarge and others met with Congressman Renzi for support and advice regarding different grant funds. He advised this grant is a result of that process and the funds would be used for equipment, overtime, a secretary, and two surveillance officers for probation all directly supporting the methamphetamine program. Chairman Thompson stated this presentation at Indian Wells was effective and expressed appreciation for seeking additional funds. **Supervisor DeSpain made a motion** to authorize the Sheriff's Office to submit a grant proposal to Department of Justice COPS Office for a two year Methamphetamine Program grant for \$200,000 to be used in conjunction with the Navajo County Task Force for two positions and other related expenditures; motion seconded by Supervisor Brownlow. In response to a question from Supervisor Deal, Deputy Commander Clark discussed the coverage area for this grant as being the entire county. Supervisor Deal requested that this grant cover communities in the Navajo Nation that are experiencing tremendous impact of the meth problem. Vote unanimous approving the motion.

FINANCE/PURCHASING:

- a. Consideration and possible approval for Finance/Purchasing to contract for pavement markings for Public Works IFB B06-02-090: Mary Springer advised the Board that bids were opened for this project last week and she distributed bid tabulation sheets. **Supervisor Tenney made a motion** to award the contract to Pavement Marking, Inc. for pavement markings for Public Works IFB B06-02-090; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- b. **Master Facility Planning status update:** Mary Springer provided an update of the Masters Facility planning including a description of their visit to an APS facility in Flagstaff that incorporated many of the same elements that will be utilized in the county's future. She advised that facility planning group will be present at a future meeting to provide a report.

PUBLIC WORKS:

- a. Southern Navajo County Sub-regional Transportation Plan
- i. Consideration and possible approval by Resolution Number - 06 of an intergovernmental agreement with the City of Show Low for the Southern Navajo County Sub-Regional Transportation Plan: Dusty Parsons reported this IGA will allow Show Low's participation in the previously approved IGA. **Supervisor Tenney made a motion** to approve by **Resolution Number 35-06** an intergovernmental agreement with the City of Show Low for the Southern Navajo County Sub-Regional Transportation Plan; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
 - ii. Consideration and possible approval of an amendment to the contract with Wilson and Company to include Show Low in the transportation plan study: **Supervisor Tenney made a motion** to approve an amendment to the contract with Wilson and Company to include Show Low in the transportation plan study; motion seconded by Supervisor Brownlow; vote unanimous approving the motion.
- b. Consideration and possible approval of the proposed amendment, not to exceed \$50,000, to the existing professional services contract with Ironside Engineering and Development: Dusty Parsons reported Ironside has done an excellent job for the county and he recommends extending the contract. **Supervisor Brownlow made a motion** to approve the proposed amendment, not to exceed \$50,000, to the existing professional services contract with Ironside Engineering and Development; motion seconded by Supervisor Brownlow. Supervisor DeSpain inquired if the turn around of work from this firm is timely and Mr. Parsons responded they are very responsive. Vote unanimous with Supervisor Deal absent for the vote.
- c. Shumway Road Improvement District: Board of Directors Session: Supervisor Tenney made a motion to enter into a Shumway Road Improvement District Board of Directors Session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion with Supervisor Deal absent for the vote
- i. Superintendent of Streets notification of recording of the assessment for the District: Dusty Parsons advised this assessment process is based on acreage and recommended approval. **Supervisor DeSpain made a motion** to approve the assessment for the District as presented; motion seconded by Supervisor Tenney; vote unanimous with Supervisor Deal absent for the vote.
 - ii. Consideration and possible approval of Resolution # - 06 approving assessment for the District and request to set hearing on assessment for July 10, 2006: Supervisor Brownlow made a motion to approve **Resolution # 36 - 06** approving the assessment for the Shumway Road Improvement District and to set the hearing on assessments for 9:00 a.m. July 10, 2006; motion seconded by Supervisor Tenney; vote unanimous approving the motion with Supervisor Deal absent for the vote.
Supervisor Tenney made a motion to return to regular session; motion seconded by Supervisor Brownlow; Vote unanimous with Supervisor Deal absent for the vote.
- d. Consideration and possible acceptance of the filing of the petition requesting establishment of Wild Game Trail, White Mountain Avenue, Trout Drive, Lake Drive, Wildflower Drive, and Scott's Drive as depicted on the presented map as county highways and set the public hearing at 9:00 a.m., July 10, 2006 and following the procedures as outlined in ARS § 28-6701 & 6702: Dusty Parsons advised the streets listed are included within the Scott's Pine Improvement Tract A. Supervisor Brownlow thanked Mr. Parsons for the effort in getting these roads paved. **Supervisor Brownlow made a motion** to approve the filing of the petition requesting the establishment of Wild Game Trail, White Mountain Avenue, Trout Drive, Lake Drive, Wildflower Drive, and Scott's Drive as depicted on the presented map as county highways and set the public hearing at 9:00 a.m., July 10, 2006; motion seconded by Supervisor Tenney; vote unanimous approving the motion.
- e. Scott's Pine Improvement Tract A District: Board of Directors Session: Supervisor Tenney made a motion to go into Scott's Pine Improvement Tract A District Board of Directors Session; motion seconded by Supervisor DeSpain; vote unanimous approving the motion.
- i. Consideration and possible approval of Resolution # - 06, the Resolution of Intention to Perform the Improvements of Scott's Pine Tract A Improvement: District Dusty Parsons advised this action is needed to complete paving before this winter. **Supervisor Brownlow made a motion** to approve by **Resolution # 37 - 06**, the Resolution of Intention to Perform the Improvements of Scott's Pine Tract A Improvement District; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

- ii. Consideration and possible approval of Notice of Proposed Improvements and direct the Clerk of the Board to publish and distribute the Notice as required: **Supervisor Tenney made a motion** to approve Notice of Proposed Improvements and direct the Clerk of the Board to publish and distribute the Notice as required; motion seconded by Supervisor Tenney; vote unanimous approving the motion.

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

BOARD OF SUPERVISORS: Consideration and possible of expenditure of \$800 from District IV and District V funds for support of the White Mountains Roundup Committee for advertising costs for the July 22nd White Mountain Roundup: **Supervisor Tenney made a motion** to expend \$800 from District IV and District V funds for support of the White Mountains Roundup Committee for advertising costs for the July 22nd White Mountain Roundup; motion seconded by Supervisor Brownlow. James Jayne advised that this event will successfully promote Navajo County. Vote unanimous approving the motion.

BOARD BUSINESS: Supervisors Brownlow, DeSpain, Tenney, Deal and Thompson reported on activities within their district, events they had participated in throughout the county and state and future events/activities that impact the county.

The Board of Supervisors recessed at 11:14 a.m.

1:35 p.m. NAVAJO COUNTY COOPERATIVE EXTENSION: Consideration and possible approval of participation in the development of Community Wildfire Protection Plan for communities within District II, III and IV: Steve Campbell advised that the Bureau of Land Management is providing \$25,000 for the development of an additional Community Wildfire Protection Plan (CWPP) to address fire issues in the districts II, III and IV of the county that will especially address tamarisk and pinon/juniper. He advised there is a need for three additional CWPPs for the Hopi/Navajo communities, that the Bureau of Land Management will not participate in the development of northern Arizona CWPPs and the BIA is mandated to develop a CWPP in a joint participation process. He stated that in the CWPP being proposed today, he anticipates that Holbrook, Snowflake, Winslow, Taylor and cthe ounty will each commit \$5,000. Supervisor Deal requested that Mr. Campbell send contact information for the reservation area. **Supervisor Tenney made a motion** to approve participation in the development of Community Wildfire Protection Plan for communities within District II, III and IV and direct administration to include the \$5,000.00 development cost in the FY2007 budget; Supervisor Brownlow seconded the motion; vote unanimous approving the motion. Supervisor Deal requested that funding be reserved for a future CWPPs for northern Arizona.

James Jayne advised it is necessary to schedule a special meeting to address implementing section 7 of the fire ordinance on June 8th or June 13th for zones 2 and 3. He stated Pinetop and Show Low have implemented these restrictions and there is an Apache/Sitgreaves forest meeting scheduled at 9:00 tomorrow to implement stage 3 in the forest. He further reported neighboring forests have gone to stage 3 restrictions.

At 1:00 p.m., Supervisor DeSpain made a motion to adjourn; Supervisor Tenney seconded the motion; vote unanimous approving the motion.

APPROVED:

DATE:

Jesse Thompson, Chairman

ATTEST:

Clerk of the Board