

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, June 9, 2009

PRESENT: J.R. DeSpain, Supervisor; David Tenney, Supervisor; Jonathan Nez, Supervisor; Jesse Thompson, Supervisor; and Jerry Brownlow, Chairman.

9:05a.m. Call To Order: Pledge of Allegiance and Invocation

CALL TO THE PUBLIC: Jarvis Williams with Kayenta Township Commission addressed the Board regarding the new Sheriff's presence out on the reservation and the stimulus funds from the ARRA regarding the detention center. He thanked the Board and the County Manager. He introduced the Commander of the Kayenta Veterans Organization, Rick Gray and the Secretary of the Kayenta Veterans Organization, Marion Todecheene. Supervisor Thompson congratulated him on his efforts and thanked them for being present.

CONSENT AGENDA: a) Warrants and Vouchers Report over \$1000: May 2009 b) Sympathy letter to Mark & Lori Reynolds; Jay & Shirley Turley; Tom Ortega and Dean Martin c) Approval of Amendment Number Three to the Arizona Department of Corrections Contract #070095DC, Correctional Officer Certification Training d) Approval of Memorandum of Understanding between National Park Service (Petriefied Forest) and Navajo County Sheriff's Office for another five year period, Agreement #G8430090001 e) Assessment and Tax Roll Corrections f) Approval of Application for Treasurer's Deeds for the State of Arizona g) Approval for extension of grant project titled "Microwave Link to DPS AIRS" h) Letter to Ed Collins in support of Forest Service's plans for prescribed burns in the Rodeo-Chediski burn area i) Letter to Homer Lee Wilkes in congratulations on his nomination by President Obama to serve as undersecretary for Natural Resources and Environment at the U.S. Department of Agriculture j) Approval of the appointment of Chuck Teetsel to the Planning & Zoning Commission as an alternate for District V k) Minutes: May 12, May 26, and May 27, 2009 l) Juvenile Justice System Report May, 2009 m) Constable Reports: Winslow Precinct #2, April 2009 n) Justice Court Reports: Holbrook #1, May; Winslow #2, May; Snowflake #3, May; Kayenta #4, May; Show Low #5, May; Pinetop #6, May, 2009 o) Renewal of existing contract, FRS#424330, between the Arizona Board of Regents for the University of Arizona and Navajo County for project White Mountains Natural Resource Economics, Health, Sustainability and Community Wildland Fire Prevention, Education, and Mitigation p) Contract signed by County Manager per Board of Supervisors resolution: i. Five year contract for audio conferencing with Qwest Communications using State contract pricing from EPS060014-A-6-4
Supervisor Thompson made a motion to authorize the Chairman to sign the items on the consent agenda as presented; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

BOARD OF SUPERVISORS:

- a. Presentation of plaque to Julie Farnsworth for Outstanding Correction Educator or Professional of the Year: Julie Farnsworth was recognized for her outstanding accomplishments in the Navajo County Jail.
- b. Quality Emulsions and Navajo County Recognizing Excellence: Debra Kester was recognized for her outstanding contributions to the Assessor's Office.
- c. Navajo County Cost Cutting Department Award: The Navajo County Public Works Department was recognized for their cost savings efforts. Homero Vela introduced Veronica Dale, Christine Segovia and Jeanine Carruthers and thanked them for the work they have done. Supervisor DeSpain thanked the Public Works staff.
- d. Personnel Service Awards: Rick Beeler, Anna Hancock, and Charles Bradburn were recognized for their dedicated years of service to Navajo County.

SHERIFF: Consideration and possible adoption of Resolution Number _____-09 approving the submission of project for radar and video recording equipment to Governor's Office of Highway Safety and appointing Sheriff K.C. Clark as agent for the County to conduct all negotiations in connection with said grant: Sheriff Clark discussed the item. **Supervisor DeSpain made a motion** to adopt **Resolution Number 42-09** approving the submission of project for radar and video recording equipment to Governor's Office of Highway Safety and

appointing Sheriff K.C. Clark as agent for the County to conduct all negotiations in connection with said grant; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

ASSESSOR: Consideration and possible approval of negotiated settlement of Bashas' "walk-in-cooler" tax case for tax years 1998, 1999 and 2000 (Bashas' v. Navajo County, Arizona Tax Court Number TX2002-000165) and authorize County Attorney's Office to sign and file Stipulated Judgment with Tax Court: Cammy Darris discussed the item. **Supervisor DeSpain made a motion** to approve the negotiated settlement of Bashas' "walk-in-cooler" tax case for tax years 1998, 1999 and 2000 (Bashas' vs. Navajo County, Arizona Tax Court Number TX2002-000165) and authorize County Attorney's Office to sign and file Stipulated Judgment with Tax Court; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

HUMAN RESOURCES:

- a. Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 24 item Personnel Action Report. **Supervisor Tenney made a motion** to approve the Personnel Action Report as presented; motion seconded by Supervisor Nez. Vote unanimous approving the motion.
- b. Consideration and possible approval of revisions to the Personnel Policies Manual, Sections 3.1 and 3.2 regarding annual and sick leave hours: Gail Calisen discussed the item. Supervisor DeSpain asked LaRee Saline if this item had been approved by the Personnel Commission. Ms. Saline indicated that it had gone before the Personnel Commission and was approved. Supervisor Nez asked a question about an accumulation of annual time, which Ms. Calisen indicated is not a new item. She further reviewed the procedure for requesting donated time from other employees. **Supervisor Tenney made a motion** to approve the revisions to the Personnel Policies Manual, Sections 3.1 and 3.2 regarding annual and sick leave hours; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

EMERGENCY MANAGEMENT: Consideration and possible adoption of Resolution Number _____-09 naming Tommy Price as Navajo County applicant agent for all disasters: Chief Bernard Huser discussed the item. Supervisor DeSpain asked about representation on the RAC which Chief Huser advised that Tim Zaremba will continue on the RAC. **Supervisor Thompson made a motion** to adopt **Resolution Number 43-09** naming Tommy Price as Navajo County applicant agent for all disasters; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

FINANCE:

- a. **Public Hearing:** NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session: Consideration and possible adoption of Ordinance Number PHSD 01-09, amending Ordinance Number PHSD 01-03, the "Licensing Fees Ordinance": **Supervisor DeSpain made a motion** to enter into the Navajo County Public Health Services District Board of Directors Session; motion seconded by Supervisor Tenney. Vote unanimous approving the motion. Cris Parisot discussed the item and answered question of the Board. A Call to the Public was made with no answer. **Supervisor DeSpain made a motion** to adopt **Ordinance Number PHSD 01-09**, amending Ordinance Number PHSD 01-03, the "Licensing Fees Ordinance; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor Thompson made a motion** to return to regular session; motion seconded by Supervisor Nez. Vote unanimous approving the motion.
- b. Consideration and possible authorization for Finance/Purchasing to conduct internet public auctions utilizing cooperative contract with PublicSurplus.com for disposal of surplus/obsolete equipment and approve auction schedule for fiscal year 2009/2010: John Swanson discussed the item. **Supervisor Nez made a motion** to authorize Finance/Purchasing to conduct internet public auctions utilizing cooperative contract with PublicSurplus.com for disposal of surplus/obsolete equipment and approve auction schedule for fiscal year 2009/2010; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

- c. Consideration and possible award of professional services contract F09-04-10 to Housing and Development Services, Incorporated for consulting services on Community Development Block Grant housing rehabilitation project at a cost of \$2,400 per home serviced under this Community Development Block Grant (CDBG) project: John Swanson discussed the item. **Supervisor Tenney made a motion** to award professional services contract F09-04-10 to Housing and Development services, Incorporated for consulting services on Community Development Block Grant housing rehabilitation project at a cost of \$2,400 per home serviced under this Community Development Block Grant project; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- d. Consideration and possible award of annual newspaper printing and advertising bid to lowest responsive and responsible bidder: John Swanson discussed the item and indicated that the bid will be given to the Holbrook Tribune News. **Supervisor Thompson made a motion** to approve the award of annual newspaper printing and advertising bid to Holbrook Tribune News; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion
- e. Fiscal Years 2009/2010 Budget Updates: James Menlove and Dusty Parsons discussed the item and answered questions. Mr. Menlove reviewed the revenue budget report which was handed out to the Board members. The reports gave estimated figures as to the Legislative and the Governor's budget, and the hits taken to Navajo County by both budgets. Mr. Menlove indicated about a \$700,000 shortfall in the 2009-2010 budget. James Jayne asked Mr. Menlove to clarify the new amounts shown. Mr. Menlove indicated that the vacancy savings, utility cost savings and the four day work week have now been included in this amount and the amount was reduced by \$100,000. Dusty Parsons gave a brief overview of the decline in revenue and County sales tax. Mr. Parsons discussed the options. Mr. Parsons discussed a possibility of furlough time, 2 hours per pay period and further indicated that he will likely be coming back on June 23 and make a recommendation. Mr. Parsons indicated that we are trying to save jobs. Mr. Menlove indicated that Board policy is to set aside 10% of our budget and indicated that we may not be able to make our payroll if we tap into that contingency. We are at a minimum as required to keep functioning financially as a county. Marlin Gillespie addressed the Board regarding the option of furloughs. Mr. Gillespie indicated that furloughs could be disastrous to some of the employees. Mr. Gillespie encouraged the Board to consider furloughs as a last resort. Sheriff Clark, Assessor Cammy Darris, Recorder Laurie Justman, Treasurer Manny Hernandez, Clerk of the Court Juanita Mann and County Attorney Brad Carlyon addressed the Board regarding the option of furloughs and asked the Board to look at other options with the last option being furlough hours. Assessor Cammy Darris read a letter into the record from Superintendent of Schools, Linda Morrow asking the Board that furloughs be the last resort. Mrs. Darris indicated that as a whole they would rather have a furlough than a layoff. LaRee Saline, Dan Hinz, Doris Clark, Debra Kester, David Shondee and Barbara Hunt addressed the Board regarding the option of furloughs. James Jayne indicated a cell phone stipend and take home vehicle list will be available to the Board on the 23rd of June.

ADMINISTRATION: Consideration and possible approval of the request from Indian Wells Elementary School for assistance in new playground equipment in an amount not to exceed \$60,000 from District II Secure Rural Schools Funding: Dusty Parsons discussed the item. **Supervisor Thompson made a motion** to approve the request from Indian Wells Elementary School for assistance in new playground equipment in an amount not to exceed \$60,000 from District II Secure Rural Schools Funding; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.

PUBLIC WORKS:

- a. Consideration and possible adoption of Resolution Number _____-09 adding three roads in Summer Place North Unit 3C into Navajo County road maintenance system: Homero Vela discussed the item. **Supervisor Tenney made a motion** to adopt **Resolution Number 44-09** adding three roads in Summer Place North Unit 3C into Navajo County road maintenance system; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- b. Consideration and possible adoption of Resolution Number _____-09 approving the revised attachment B to Intergovernmental Agreement between the Navajo Nation and Navajo County for the development of two new road yards and extend the contract through September 30, 2011: Homero Vela discussed the item. **Supervisor Thompson made a motion** to adopt **Resolution 45-09**, approving the revised attachment B to Intergovernmental Agreement between the Navajo Nation and Navajo County for the development of two new road yards and extend the contract through September 30, 2011; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- c. Consideration and possible rejection of Contract #B09-04-007 Supply of Aggregate for Cover Materials: Homero Vela discussed the item. **Supervisor DeSpain made a motion** to reject Contract #B09-04-007 Supply of Aggregate for Cover Materials; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- d. *Consideration and possible approval of the Supply of Aggregate for Cover Materials, Contract #B08-05-140 with Hatch Construction and Paving Incorporated and Cholla Ready Mix, Incorporated, be extended an additional year (June 17, 2009-June 16, 2010): Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve the Supply of Aggregate for Cover Materials, Contract #B08-05-140 with Hatch Construction and Paving Incorporated and Cholla Ready Mix, Incorporated, be extended an additional year June 17, 2009-June 16, 2010; motion seconded by Supervisor DeSpain. Vote unanimous approving the motion.
- e. Consideration and possible award of Contract #B09-04-021 Hauling Waste Tires to the lowest bidder, CRM of America, LLC: Homero Vela discussed the item. **Supervisor DeSpain made a motion** to award Contract #B09-04-021 Hauling Waste Tires to the lowest bidder, CRM of America, LLC; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- f. Consideration and possible award of Contract #B09-04-020 Pavement Markings to the lowest bidder, Highway Technologies, Incorporated: Homero Vela discussed the item. **Supervisor Tenney made a motion** to award Contract #B09-04-020 Pavement Markings to the lowest bidder, Highway Technologies, Incorporated; motion seconded by Supervisor Nez. Vote unanimous approving the motion
- g. VICTORY HEIGHTS ROAD MAINTENANCE DISTRICT Board of Directors Session: Consideration and possible approval of Victory Heights Road Maintenance District, Contract #B07-03-140 with Perkins Cinders, Incorporated, be extended an additional year (June 19, 2009-June 18, 2010): **Supervisor Tenney made a motion** to enter into the Victory Heights Road Maintenance District Board of Directors Session; motion seconded by Supervisor Nez. Vote unanimous approving the motion. Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve Victory Heights Road Maintenance District, Contract #B07-03-140 with Perkins Cinders, Incorporated, be extended an additional year June 19, 2009-June 18, 2010; motion seconded by Supervisor Nez; Vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; motion seconded by Supervisor Nez. Vote unanimous approving the motion.
- h. Consideration and possible approval of funding in an amount not to exceed \$38,789.40 from District I Local Transportation Assistance Fund II (LTAF II) for the purchase of a Suburban for the Kayenta Township: Homero Vela discussed the item. **Supervisor Nez made a motion** to approve funding in an amount not to exceed \$38,789.40 from District I Local Transportation Assistance Fund II for the purchase of a Suburban for the Kayenta Township; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Members from the Kayenta Veterans Organization thanked the Board. David Shondee, Counsel Delegate, thanked the Board.

- i. Consideration and possible approval of funding in an amount not to exceed \$34,070.39 from District III, District IV, and District V Local Transportation Assistance Fund II (LTAF II) to pay for Navajo County, City of Holbrook, City of Show Low, Town of Pinetop-Lakeside, Town of Taylor and the Town of Snowflake cost share for the White Mountain Regional Connector transit service through June 2010: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve funding in an amount not to exceed \$34,070.39 from District III, District IV and District V Local Transportation Assistance Fund II to pay for Navajo County, City of Holbrook, City of Show Low, Town of Pinetop-Lakeside, Town of Taylor and the Town of Snowflake cost share for the White Mountain Regional Connector transit service through June 2010; motion seconded by Supervisor DeSpain . Vote unanimous approving the motion.
- j. Consideration and possible approval of funding in a total amount not to exceed \$5,207.66 from District IV and District V Local Transportation Assistance Fund II (LTAF II) for the City of Show Low and Town of Pinetop-Lakeside Four Seasons Connection: Homero Vela discussed the item. **Supervisor Tenney made a motion** to approve funding in a total amount not to exceed \$5,207.66 from District IV and District V Local Transportation Assistance Fund II for the City of Show Low and Town of Pinetop-Lakeside Four Seasons Connection; motion seconded by Supervisor DeSpain . Vote unanimous approving the motion.

COUNTY BUSINESS UPDATE: Report from Board Members, County Attorney and County Manager: James Jayne, County Manager, read a letter into the record regarding Catalyst. No opposition from Board Members. Supervisors give reports from their districts.

ADJOURN: At 12:29 **Supervisor Thompson made a motion** to adjourn; motion seconded by Supervisor Nez. Vote unanimous approving the motion.

APPROVED:

DATE: June 23, 2009

Jerry Brownlow, Chairman

ATTEST:

Melissa W. Buckley, Clerk of the Board

**Electronic recording of the Board of Supervisors Meeting
is available for review upon a Public Records Request**