

NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES
TUESDAY, May 24, 2011

PRESENT: Jerry Brownlow, Supervisor; J.R. DeSpain, Supervisor; Jonathan M. Nez, Supervisor; and Jesse Thompson, Supervisor were present.

Supervisor DeSpain indicated that Chairman Tenney was out of the office due to meetings and that he would be handling the meeting as Vice-Chairman.

9:03 a.m. Call To Order: Pledge of Allegiance and Invocation were led by **Supervisor DeSpain**.

CALL TO THE PUBLIC: Mayor Jeff Hill on behalf of the City of Holbrook expressed his gratitude for the partnership the City has with the County. He indicated that the City is deeply indebted to the County for the McLaws Road project. Brad Traver Superintendent out of the Petrified Forest National Park introduced himself to the Board. Karen MacKean President of the Republican Party introduced herself to the Board.

Jean Swarthout, President of NPC is present.

CONSENT AGENDA: a) Constable Reports: Winslow Precinct #2, April and Pinetop Precinct #6, April 2011
b) Justice Court Reports: Holbrook #1, April 2011 c) Clerk of Superior Court Report April 2011 d) County Attorney Bad Check Program Quarterly Report e) Tax exemptions filed pursuant to A.R.S. §42-11153 as a Request for Redemption of Waiver for 15 properties f) Approval of sale of 40 suitcase style voting booths for \$25.00 each to Apache County Elections Department g) Approval to conduct all mail ballot election for the Town of Pinetop-Lakeside Special Election to be held on August 30, 2011 h) Application for temporary Extension of Premises/Patio Permit for the American Legion John D. Wibby Post #86 for September 10, 2011 regarding the "5th Annual Freedom Gathering" i) Adoption of the Amended FY2011-12 Cost Allocation Schedule as per attached documentation j) Approval of a settlement agreement between the County Assessor and Timberstone Apartments LLP in TX-2009-000866/867, TX-2010-001273/1275 k) Sympathy letter to Donna Rescorla l) Sympathy letter to Mayor Tuckfield: **Supervisor Brownlow made a motion to** approve the consent agenda as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

PUBLIC WORKS: HILLTOP DRIVE IMPROVEMENT DISTRICT: Board of Directors' Session: **Supervisor Thompson made a motion to** enter into the Hilltop Drive Improvement District; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

- i) Receive and open the bids received by the Clerk for construction of the Improvement District's portion of the improvement of the streets within the District: Jeanine Carruthers opened the bids.
- ii) Open and publicly declare the bids: The four bids were publicly announced: Combs Construction, \$205,738.00; Hatch Construction and Paving, \$227,179.00; Perkins Cinders Incorporated, \$280,054.84; Circus Contracting, \$331,902.90.
- iii) Direct that the Clerk deliver all bids to the District's Superintendent of Streets for review, with instructions to complete such review prior to adjournment of the current meeting of the Board of Supervisors: The bids were delivered to the Superintendent of Streets.
- iv) Resolve back into the Board of Supervisors:

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

BOARD OF SUPERVISORS:

- a. RSC Rental Corporation and Navajo County Recognizing Excellence: Dusty Parsons and Cris Parisot recognized John Swanson for a job well done.
- b. Presentation of plaque to retiring employee Rene Grenz-Beebe: Vice-Chairman DeSpain and Margie Brakefield recognized Rene Grenz-Beebe on her retirement.

HUMAN RESOURCES: Consideration and possible approval of Personnel Actions: Shalice Cook reviewed the 20 item personnel action report. **Supervisor Thompson made a motion to** allow the Vice Chairman to sign the personnel action report as presented; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

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**; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

- a. **CONSENT AGENDA:**
 - i) Renew the Little Colorado Regional Medical center contract for radiology services: Dr. Wade Kartchner discussed the item. **Supervisor Brownlow made a motion to** approve the consent agenda; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.
- b. Consideration and possible adoption of Resolution Number 21-11, adopting fees to be charged by the Local Registrar for copies of Vital Records pursuant to A.R.S. §36-341: Mary Tyler discussed the item and answered questions of the Board members. **Supervisor Nez made a motion to** approve **Resolution Number 21-11**, adopting fees to be charged by the Local Registrar for copies of Vital Records pursuant to A.R.S. §36-341; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

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

SHERIFF: Consideration and possible approval of High Intensity Drug Trafficking Area (HIDTA) grant agreement for the Native American Project from the City of Tucson for \$11,500 for overtime and training opportunities on the reservations: Sheriff Clark discussed the item and answered questions of the Board. **Supervisor Brownlow made a motion to** approve the High Intensity Drug Trafficking Area (HIDTA) grant agreement for the Native American Project from the City of Tucson for \$11,500 for overtime and training opportunities on the reservations; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. **Supervisor Nez** expressed his appreciation for the HIDTA grant.

RECORDER: Consideration and possible approval of the Memorandum of Agreement between the Board of Supervisors and the Recorder for Election Services: Laurie Justman discussed the item. **Supervisor Nez made a motion to** approve the Memorandum of Agreement between the Board of Supervisors and the Recorder for Election Services; motion seconded by **Supervisor Thompson**. **Supervisor Brownlow** thanked the Recorder and indicated that this is new responsibilities with no compensation. He further indicated that this will be a savings of \$70,373.00. Mr. Jayne thanked Laurie Justman. Vote unanimous approving the motion.

COUNTY ATTORNEY: Consideration and possible approval of the current precinct boundary lines being utilized by the Northland Pioneer Community College District retroactive to May 31, 2002, and submit those changes to the United States Department of Justice for retroactive preclearance: Jason Moore discussed the item, **Resolution #26-11**. **Supervisor Thompson made a motion to** adopt **Resolution #26-11**, the current precinct boundary lines being utilized by the Northland Pioneer Community College District retroactive to May

31, 2002, and submit those changes to the United States Department of Justice for retroactive preclearance; motion seconded by **Supervisor Brownlow**. Vote unanimous approving the motion.

COUNTY ATTORNEY/ADMINISTRATION: Consideration and possible approval of a lease between the County and the Pinedale Pioneer Heritage Foundation for the Pinedale School building property recently purchased by the County: Mr. Jayne introduced Danita Keith and Mrs. Lewis who will be in charge of this building. Jason Moore discussed the item. **Supervisor Brownlow made a motion** to approve the lease between the County and the Pinedale Pioneer Heritage Foundation for the Pinedale School building property recently purchased by the County; motion seconded by **Supervisor Thompson**. Danita Keith discussed what they are going to do with the building. Vote unanimous approving the motion. Jimmy thanked Brad and Jason for the help in making this happen.

PUBLIC WORKS:

- a. Consideration and possible adoption of **Resolution Number 22-11**, approving a request by Aztec Land and Cattle Company for the designation of the Aztec Area Plan as an “Area Plan” and as such a major amendment to the Navajo County Comprehensive Plan: Greg Loper discussed the item. Vice Chairman welcomed Steve Brophy. **Supervisor DeSpain** declared a conflict and left the room due to his family having land in this area. 9:49 a.m. **Supervisor Brownlow** asked for comment from Steve Brophy. Mr. Brophy indicated that it has been a pleasure working with the Board of Supervisors and staff and indicated that Navajo County is head and shoulders the best County in the State from a land standpoint. **Supervisor Thompson** made comments. **Supervisor Brownlow** opened the public hearing, Karen Mackean asked Mr. Brophy what the plan entailed and Steve Brophy gave a brief description. **Supervisor Brownlow** closed the public hearing. **Supervisor Thompson made a motion to adopt Resolution Number 22-11**, approving a request by Aztec Land and Cattle Company for the designation of the Aztec Area Plan as an “Area Plan” and as such a major amendment to the Navajo County Comprehensive Plan; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion. **Supervisor Brownlow** thanked Mr. Brophy.
- b. Consideration and possible adoption of **Resolution Number 23-11**, approving the major amendments to the Navajo County Comprehensive Plan: Greg Loper discussed the item. **Supervisor Brownlow** opened up the public hearing. 10:05 a.m. **Supervisor DeSpain** returned. Discussion was held regarding changes to the plan. Supervisor DeSpain closed the public hearing. **Supervisor Brownlow made a motion to adopt Resolution Number 23-11**, approving the major amendments to the Navajo County Comprehensive Plan; motion second by **Supervisor Thompson**. Vote unanimous approving the motion.
- c. Consideration and possible adoption of **Resolution Number 24-11**, approving the amendment to the Special Use Permit for Waltner’s RV Park, subject to the stipulations noted in the staff report: Greg Loper discussed the item and discussed that over the years the lots have expanded from 35 to 147 spaces. **Vice Chairman DeSpain** opened up the public hearing; Mr. Ken Sullivan spoke in favor of the item. Bill Lamphere addressed the Board. Alan Converse from Gilbert Arizona representing the owners of the Waltner’s RV Park spoke regarding off site issues with offsite easements regarding power. He further indicated that it is the owner’s intention to complete the items of work. **Vice Chairman DeSpain** closed the public hearing. **Supervisor Brownlow made a motion to adopt Resolution Number 24-11**, approving the amendment to the Special Use Permit for Waltner’s RV Park, subject to the stipulations noted in the staff report; motion seconded by **Supervisor Thompson**. Vote unanimous approving the motion.

HILLTOP DRIVE IMPROVEMENT DISTRICT: Board of Directors' Session: Supervisor Brownlow made a motion to re-enter into the Hilltop Drive Improvement District Board of Directors' Session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

- i) Receive a report and recommendation from the Superintendent of Streets as to the lowest and best bid. Mr. Bill Bess indicated that the lowest bidder is with \$205,738.00 to Combs Construction and would recommend award of contract.
- ii) Act to award the contract to the lowest and best bidder and direct the Clerk to complete, execute and cause a Notice of Award of Contract to be published as required by law: **Supervisor Brownlow made a motion to award bid to Combs Construction in the amount of \$205,738.00; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.**
- iii) Introduce, discuss, amend if desired, and adopt Resolution Number 25-11, approving the Assessment Diagram for the Assessment to be levied on the lots and parcels within the District to pay for the District's share of the work and incidental expenses: **Supervisor Brownlow made a motion to adopt Resolution 25-11 approving the diagram; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.**
- iv) Order the Superintendent of Streets to make, execute and record an assessment assessing the costs and expenses of the work on the lots and parcels benefitted by the work, and direct that upon recordation of the assessment, such Superintendent of Streets direct the District's agents and attorneys to complete, mail, post and publish, if and as required by law, Notice of Hearing on the Assessment: Filed with the Clerk.
- v) Set the date for Hearing on the Assessment (by motion) June 28, 2011 at 9:00 am: **Supervisor Brownlow made a motion to set the date for Hearing on the Assessment for June 28, 2011 at 9:00 a.m.; motion seconded by Supervisor Nez. Vote unanimous approving the motion.**
- vi) Direct the Superintendent of Streets to make cash demand for payment of the several assessments, and to report the amount of all such cash collections to this Board on the fortieth day after mailing of such demands: **Supervisor Brownlow made a motion to Direct the Superintendent of Streets to make cash demand for payment of the several assessments, and to report the amount of all such cash collections to this Board on the fortieth day after mailing of such demands; motion seconded by Supervisor Nez. Directed Superintendent of streets to make cash demand. Vote unanimous approving the motion.**
Supervisor Nez made a motion to return to regular session; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

BOARD OF SUPERVISORS: Presentation regarding Redistricting Process: Tony Sissons and Michael Mandell made a presentation to the BOS on the redistricting advisory committee. James Jayne commented about this item. Discussion was held.

COUNTY BUSINESS UPDATE: Report from Board members, County Attorney and County Manager: **Supervisor Thompson** discussed the Hopi Memorial Veterans Center event. **Supervisor Brownlow** reported on the ADOT transportation board meeting in Chinle. **Supervisor Nez** discussed gravel road projects and thanked everyone for well wishes for his son. James Jayne indicated ADOT board meeting is scheduled for Friday, June 17th and he will be gone after tomorrow. Brad Carlyon reported that on Memorial weekend we will be having a car & craft show and a parade on Saturday. **Supervisor DeSpain** thanked the Clerk of the Board Melissa Buckley and her staff for all that they do. Mr. Jayne thanked Melissa and her staff again for all that they do to get these meetings posted and set up.

RECESS: At 11:28 a.m. **Supervisor Thompson** made a motion to recess; motion seconded by **Supervisor Nez**. Vote unanimous approving the motion.

RECONVENE: At 1:00 p.m.

FINANCE: County Finance Update: James Menlove was not able to be in attendance. James Jayne stepped in for Mr. Menlove and discussed the item.

1:15 P.M. BUDGET HEARINGS FOR DISCUSSION ONLY

- a. **Assessor:** Assessor Cammy Darris discussed the item.
- b. **Constables:** Constable Ryan Reinhold discussed the item and indicated that travel has been reduced.
- c. **County Attorney:** Brad Carlyon discussed the item.
- d. **Judicial Branch/Clerk of the Court:** Judge Ruechel and Marla Randall discussed the item and indicated that there is a savings of \$62,000 under from last year's budget.
- e. **Recorder/Voter Registration/Elections:** Recorder Laurie Justman discussed the item and indicated that the Recorders' budget is flat.
- f. **Sheriff/Jail:** Sheriff KC Clark discussed the item and reported on the jail fees.
- g. **Superintendent of Schools:** Tammy Phillips discussed the item and indicated that the budget is flat and they do not anticipate any added expenditures.
- h. **Treasurer:** Treasurer Manny Hernandez discussed the item and indicated that the office is having employees that will only work 40 hours a week for 5 months out of the year and the other 7 months will work 32 hours a week. He further indicated that there will not be a lot of travel to save money.

ADJOURN: At 2:12 p.m. **Supervisor Thompson** made a motion to adjourn; motion seconded by **Supervisor DeSpain**. Vote unanimous approving the motion.

APPROVED:

DATE: June 14, 2011

David Tenney, 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**