

**NAVAJO COUNTY BOARD OF SUPERVISORS' MINUTES**  
**TUESDAY, November 18, 2008**

**PRESENT:** J.R. DeSpain, Chairman; David Tenney, Supervisor; Jesse Thompson, Supervisor; and Jerry Brownlow, Supervisor and Percy Deal, Supervisor are present.

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

**CALL TO THE PUBLIC:** Billy Breedlove of Family Solutions Foundation spoke to the board and stated he would like to address the drug problems in the White Mountains with a Christian based drug treatment program patterned after Teen Challenge and, when completed, gives individuals an opportunity to succeed and end up without a criminal record. He asked the board for support and introduced Pastor Dave Marshall from Snowflake who has a facility that can house up to 80 people. Chairman DeSpain announced that Item 8a. will be pulled from the agenda.

**CONSENT AGENDA:** a) Sympathy letter for Michael Jeanes and Family; b) Tax roll corrections; c) Juvenile Justice System report: October, 2008; d) Constable Reports: Snowflake #3 October, 2008. **Supervisor Brownlow made a motion** to authorize the Chairman to sign the items on the Consent Agenda as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

**BOARD OF SUPERVISORS:**

- a. **Quality Emulsions and Navajo County Recognizing Excellence:** Alan LoBue recognized Jane Kargas for her service to Navajo County. He indicated she is an excellent employee who is involved in every facet of the operations of the office of the Public Defender. Chairman DeSpain and the Board welcomed Dan Hinz back from medical leave with a fruit basket and card.
- b. **Consideration and possible approval of interim permit and new Liquor License Application #10093056 by Kamel Jamil Shiha of the Overgaard Food Center located at the corner of Highway 260 and Mogollon Drive in Overgaard, AZ:** Lorinda Brown presented the item and responded to questions from the board. **Supervisor Tenney made a motion** to approve the application for an interim permit and new Liquor License #10093056 as presented; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
- c. **Consideration and possible approval of Resolution Number -08 endorsing and supporting the Town of Pinetop-Lakeside's Safe Route to School Grant Proposals to the Arizona Department of Transportation:** Lorinda Brown presented the item for Mary French Jones and Dusty Parsons, Assistant County Manager, indicated the county is in full support of the grant proposal. **Supervisor Brownlow made a motion to adopt Resolution #68-08** endorsing and supporting the Town of Pinetop-Lakeside's Safe Routes to School Grant Proposal to the Arizona Department of Transportation; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.
- d. **Consideration and possible approval of Resolution Number -08 endorsing and supporting the submission of an application to the Arizona Department of Commerce by the Town of Pinetop-Lakeside for Economic Strength Project (ESP) Program Funds:** Lorinda Brown presented the item for Mary French Jones. **Supervisor Brownlow made a motion** to adopt **Resolution #69-08** endorsing the application by the Town of Pinetop-Lakeside to the Arizona Department of Commerce for Economic Strength Project (ESP) Program Funds; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- e. **Consideration and possible approval of the 2009 Navajo County Board of Supervisors' meeting schedule:** Dusty Parsons presented the item. **Supervisor Tenney made a motion** to approve the meeting schedule for the 2009 Navajo County Board of Supervisors; motion seconded by Supervisor Deal. Vote unanimous approving the motion.

- f. Consideration and possible approval of Resolution Number \_\_\_\_\_-08 endorsing and supporting the Hardrock Chapter in application for Fuel Excise Tax Funds to be used for road improvements to N-8031, a school bus route: Supervisor Deal presented the item and asked for support from the Board. **Supervisor Deal made a motion to adopt Resolution #70-08** supporting the Hardrock Chapter's application for Navajo Nation Fuel Excise Tax funds to be used for improvements to N-8031; motion seconded by Supervisor Thompson. After discussion and advise from Deputy County Attorney, Brad Carlyon, **Supervisor Deal amended the motion** to revise Resolution #70-08 to include language for the Oraibi Wash bridge. Vote unanimous approving the motion.

**HUMAN RESOURCES:** Consideration and possible approval of Personnel Actions: Gail Calisen reviewed the 27 item Personnel Action Report. **Supervisor Thompson made a motion** to approve the Personnel Action Report as presented; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.

**NAVAJO COUNTY PUBLIC HEALTH SERVICES DISTRICT Board of Directors Session:**

- a. Consideration and possible approval of Memorandum of Agreement dated October 1, 2008, between Arizona Wing of the Civil Air Patrol (AZWG,CAP) and Navajo County Public Health Services District for mutual support in the event of a Public Health Crisis: **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. Dr. Wade Kartchner discussed the item. Supervisor Deal asked for a clarification if the MOA included the Navajo Nation. Dr. Kartchner responded that both the Navajo Nation and the Hopi Tribe have arranged for their own regional distribution site in Gallup, NM therefore the shipments from Washington, DC go directly to that site and only the White River Apache Tribe is included in this MOA. **Supervisor Thompson made a motion** to approve the Memorandum of Agreement (MOA) as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- b. Consideration and possible approval of Professional Services contract with Regina Rich, RDH, AP for Dental Hygiene services through the Dental Sealant Program effective November 1, 2008 through December 31, 2008 in the amount of \$45.00 per hour. Dr. Kartchner discussed the item and answered questions from the Board. **Supervisor Thompson made a motion** to approve the Professional Services contract as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- c. Consideration and possible approval of Professional Services contract with Kelly Soderquist for assistance through the Dental Sealant Program effective November 1, 2008 to December 31, 2008 in the amount of \$14.00 per hour: Dr. Kartchner discussed the item. **Supervisor Thompson made a motion** to approve the Professional Services contract as presented; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.
- d. Consideration and possible approval of Memorandum of Agreement between North Country Healthcare and the Navajo County Public Health Services District to provide Vaccines for Children (VFC) for underinsured children in Navajo County: Dr. Kartchner discussed the item. **Supervisor Thompson made a motion** to approve the Memorandum of Agreement; motion seconded by Supervisor Deal. Vote unanimous approving the motion. Supervisor Tenney and Chairman DeSpain were out of the room.

**CONSENT AGENDA:** The following item(s) are considered to be of a routine or administrative nature and will be approved as group unless a member of the Board wishes to discuss a particular item:

- a. Approval of Amendment #1 of Contract #HG854320 to extend STD services to December 31, 2009: Dr. Kartchner presented the item. **Supervisor Thompson made a motion** to approve Amendment #1 of Contract HG854320; motion seconded by Supervisor Deal. Vote unanimous approving the motion. Supervisor Tenney and Chairman DeSpain were out of the room.

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

**SHERIFF'S OFFICE:** Consideration and possible action related to Resolution Number \_\_\_\_\_-08 authorizing application to AZ State Parks, Law Enforcement Boating and Safety Fund (LEBSF) and authorizing the Sheriff to act on behalf of Navajo County in conducting all negotiations related to the LEBSF project for FY 09/10: Chief Bernard Huser discussed the item. **Supervisor Thompson made a motion** to adopt **Resolution 71-08** approving the application to the Arizona State Parks Board for a Law Enforcement and Boating Safety Fund (LEBSF) Allocation; motion seconded by Supervisor Deal. Vote unanimous approving the motion. Chairman DeSpain returned to the meeting.

#### **ELECTIONS:**

- a. Consideration and possible approval to conduct:
  - i. an all mail ballot election for the Town of Pinetop-Lakeside for their 2009 Spring Primary to be held on March 10, 2009 and, if necessary, a 2009 General Election to be held on May 19, 2009 which will include four (4) council seats. The Town Clerk will canvass her Board:
  - ii. a walk in, polling place election for the City of Holbrook for their Primary (including the Mayor and three (3) council seats) to be held on March 10, 2009 and, if necessary, a 2009 General Election to be held on May 19, 2009. The City Clerk to conduct early voting and Election Services to canvass the returns: Lisa McKee discussed both items and responded to a question from Supervisor Deal. **Supervisor Brownlow made a motion to approve the item as presented;** Supervisor Thompson seconded the motion. Vote unanimous approving the motion.
- b. Consideration and possible approval to call for an election for McLaws Road Fire District and Sun Valley Fire District to be held as a precinct based election March 10, 2009: Lisa McKee presented the item and responded to questions from the Board. **Supervisor Thompson made a motion** to approve the item as presented; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion. Supervisor Brownlow thanked Ms. McKee for a great job on the general election.

**LIBRARY DISTRICT:** Consideration and possible acceptance of two LSTA grant awards to the Library District; Arizona Centennial on Display in Navajo County and Careering or Recareering? – Your library can help!: **Supervisor Brownlow made a motion** to enter into the Navajo County Library District; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. Geneva Durkee presented the item. **Supervisor Deal** thanked Ms. Durkee for her help with the establishment of a community library in Kayenta and **made a motion to** accept the two federal LSTA grant awards; motion seconded by Supervisor Thompson. Vote unanimous approving the motion. **Supervisor Brownlow made a motion** to return to regular session; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

#### **PUBLIC WORKS:**

- a. Hilltop Drive Improvement District **Board of Director's Session:** Consideration and possible approval of
  - i. **Resolution Number \_\_\_\_\_-08**, the Resolution of Intention to Perform the Improvements of Hilltop Drive Improvement District, and
  - ii. the Notice of Proposed Improvements and direct distribution of the Notice as required (Carol Fraley) This item pulled from the agenda.
- b. Consideration and possible approval to accept the filing of a petition requesting establishment of Hilltop Drive, Ox Bow Drive, Pioneer Lane, Happy Trail Lane, Frontier Lane, Lacie Lane and Hilltop Lane as County Highways and set the public hearing at 9:00 a.m. on December 2, 2008:

Carol Fraley presented the item and responded to questions from the Board. **Supervisor Brownlow made a motion** to accept the filing of the petition as presented and set a public hearing for 9:00 a.m. on December 2, 2008; motion seconded by Supervisor Tenney. Vote unanimous approving the motion.

- c. Consideration and possible approval to accept the filing of the petition requesting establishment of a portion of Silver Lake Boulevard as County Highways (from Huggins Drive to Bourdon Ranch Road) and set the public hearing at 9:00 a.m. on December 2, 2008: Carol Fraley discussed the item. **Supervisor Tenney made a motion** to accept the filing of the petition as presented and set a public hearing for 9:00 a.m. on December 2, 2008; motion seconded by Supervisor Brownlow and stated he supported the county helping citizens improve their roads. Vote unanimous approving the motion.
- d. Victory Heights Maintenance District Board of Director's Session: Consideration and possible approval of Victory Heights Maintenance District expenditure of funds of over \$1,000: **Supervisor Tenney made a motion** to enter into the Victory Heights Maintenance District Board of Director's Session; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion. Carol Fraley discussed the item. **Supervisor Tenney made a motion** to approve a total expenditure of \$4,112.80; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion. **Supervisor Tenney made a motion** to return to regular session; Supervisor Thompson seconded the motion. Vote unanimous approving the motion.
- e. Consideration and possible approval of funding in an amount not to exceed \$7,595.00 from District III LTAF II funds to pay for the City of Holbrook's first year cost share for the regional connector transit service. Homero Vela discussed the item and responded to questions from the Board. **Supervisor Brownlow made a motion** to approve the expenditure of \$7,595.00 from District III LTAF II funds to pay for the City of Holbrook's cost share for the first year assessment for the regional connector transit service; motion seconded by Supervisor Deal. Vote unanimous approving the motion.
- f. Consideration and possible approval of Task Agreement # Four ( 4 ) between Bureau of Indian Affairs, Fort Apache Agency and Navajo County for the purchase of 200 tons of Asphalt Cold Mix in an amount not to exceed \$25,800.00 to be used to make road repairs within the BIA public roads system in Navajo County: Homero Vela presented the item. **Supervisor Brownlow asked the Board for support of this item and made a motion** to approve Task Agreement # Four (4) for the purchase of 200 tons of Asphalt Cold mix from District V Special Road Funds in an amount not to exceed \$25,800.00; motion seconded by Supervisor Deal. Vote unanimous approving the motion.
- g. Consideration and possible approval of Task Agreement # Fourteen (14) of MOU AGN00030004 between Bureau of Indian Affairs, Navajo Region and Navajo County in the amount of \$41,000.00 to be used to reimburse BIA, Western Navajo Agency for the expense of funding an employee for 12 months to serve as a motor grader operator: Homero Vela presented the item. **Supervisor Deal made a motion** to approve Task Agreement #14 of MOU AGN00030004 for \$41,000.00 from District I Special Road Funds to fund a motor grader operator for 12 months; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.
- h. Consideration and possible approval to change the work week schedules for various Public Works offices and work locations with an effective date of December 1, 2008: Homero Vela discussed the item and responded to concerns from the Board. He stated \$11,419.00 in utility savings will be generated. **Supervisor Brownlow made a motion** to approve the item as presented; Supervisor Deal seconded the motion. Vote unanimous approving the motion.
- i. Consideration and possible approval of amendment of Contract B08-05-022, Various Roadway Materials, with Perkins Cinders, Inc. for Hot Asphaltic Concrete Mix unit price bid, per ton, be increased to \$87.00 for quantities 0-100 and \$85.00 for quantities greater than 100, as of

November 1, 2008: Homero Vela presented the item. **Supervisor Deal made a motion** to approve the item as presented; motion seconded by Supervisor Thompson. Vote unanimous approving the motion.

**BOARD BUSINESS: Report from Board Members:** The Supervisors gave reports from their districts. Chairman DeSpain presented plaques thanking the Board and Navajo County for their generous support to the 2008 Fair and Rodeo. County Manager Jayne accepted the plaque on behalf of the county.

**ADJOURN:** At 11:25 a.m. **Supervisor Thompson made a motion to adjourn**; motion seconded by Supervisor Brownlow. Vote unanimous approving the motion.

**APPROVED:**

**DATE: July 28, 2009**

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**Jerry Brownlow, Chairman**

**ATTEST:**

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**Melissa W. Buckley, Clerk of the Board**

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