



**OFFICE OF THE COCONINO COUNTY BOARD OF SUPERVISORS**

**SPECIAL SESSION MINUTES**

**Friday, June 23, 2023, 1:30 PM**

**In-person**

**Coconino County Administration Building, 1<sup>st</sup> Floor, Board Chamber Room  
219 E. Cherry Ave., Flagstaff, AZ 86001**

**Present:** Vice Chair Jeronimo Vasquez, Supervisor Lena Fowler, and Supervisor Judy Begay were present in person.

**Absent/Excused:** Chair Patrice Horstman and Supervisor Matt Ryan.

**Also Present:** Arizona Governor Katie Hobbs, Deputy County Attorney Heather Mosher, County Manager Steve Peru, Communications Manager Stephen Pelligrini, Deputy County Manager Andy Bertelsen, Government Affairs Manager Gregory Nelson, Government Affairs Analyst Keith Brekhus, Assistant County Manager/Elections Director Esliir Musta, District 1 Director Cindy Soqui, Administrative Specialist III Nico Hanley, Intergovernmental Affairs Director for the Governor Maggie Farry, Regional Director of Constituent Engagement for Northern Arizona for the Governor Ophelia Goatson, and Clerk of the Board of Supervisors Lindsay Daley were present, in person.

Quorum was not reached until Supervisor Lena Fowler arrived at 1:35 p.m. Call to order, introductions, and discussions regarding Department of Forestry and Fire Management's Wildfire Emergency Response Line Item and Forest Restoration/Post-Wildfire Flooding were done prior to a quorum being reached. The minutes reflect the discussion once there was a quorum in place.

**Discussion Item:**

1. Meet and greet with Arizona Governor Katie Hobbs and the Board of Supervisors. Board members will present a brief summary of current events impacting the County, which may include but not be limited to the following topics: Department of Forestry and Fire Management's Wildfire Emergency Response Line Item, Forest Restoration, Post-Wildfire Flooding, Local Groundwater Management, Local Control and Flexibility to Meet Local Community Needs, Proposed Short-Term Rental Ordinance, Baaj Nwaavjo I'tah Kukveni Grand Canyon National Monument; and Arizona Governor Katie Hobbs may also provide comments regarding the Governor's Office.

## **Local Groundwater Management**

Supervisor Fowler spoke about local control over the use of development, especially when considering development. She explained that when the Board has development cases that come before them, they can't ask about water. She stated that active management areas (AMAs) that are in southern Arizona are good, but that doesn't exist in northern Arizona and water can't be stored in northern Arizona. She explained that some communities solely on spring water and is concerned as to what happens when water dries up. She stated that she appreciates Governor Hobbs recognition of rural communities, and requests that she continue to work on this issue. She stated that she appreciates the Governor coming and that they need to have control of groundwater.

Governor Hobbs stated that she established a water council to modernize ground water management laws so people can continue to have water. She explained what the council members are tasked with.

Supervisor Fowler stated she appreciates that the Governor established a council because they need help. She said that when they talk about water rights in Arizona, it is different than other states and some areas are grandfathered in, and one is not really talking to that state but instead Salt River Project.

Government Relations Manager Gregory Nelson stated that our Board passed a resolution urging the legislature to provide water certainty for planning for rural Arizona by passing legislation on Local Ground Water Stewardship Areas in 2023. He explained that SB1306 and HB 2731 never received a hearing, and the legislature has failed to act on this important issue. He further explained that tools are needed to manage limited groundwater.

Governor Hobbs stated that there is a particular legislator that stands in the way on water legislation, but that legislator is on the water council. The Governor's Intergovernmental Affairs Director Maggie Farry stated that Ron Doba from northern Arizona is also on the water council. Supervisor Fowler stated that Ron Doba is well suited to represent them.

## **Local Control and Flexibility to Meet Local Community Needs**

Super Lena Fowler stated that the Board needs to have the ability to make decisions on behalf of our communities and have local control on issues. She explained that unfunded mandates from the state legislature come through and eat up the county's budget. Supervisor Fowler explained that the state legislature says they balance their budget but really, they put it on the counties and then the counties are expected to take on costs after the county has already balanced their own budget. She stated that legislators sometimes don't know what county government is about, and that the Board represents communities. Supervisor Fowler stated that Coconino County has the lowest property tax in the state because it was frozen by the state legislature years ago and the county has also run into issues due to the expenditure limitations put on counties and the county has to be creative in serving the community. Supervisor Fowler thanked Governor Hobbs for standing up for local control.

Governor Hobbs stated that she spent some time in the legislature and received an award from cities and towns because of her support for local control and knows that local control is important and that it is important to hear from the county on how they can be supported and how their constituents can be supported.

Supervisor Fowler stated that they are elected officials, and sometimes communities don't understand that they can't do certain things because of the state legislature.

### **Proposed Short-Term Rental Ordinance**

Vice Chair Jeronimo Vasquez spoke about the county's proposed short-term rental ordinance. He explained that the county has taken the initiative to work to implement a short-term rental ordinance enabled through the passage of SB1168 during the previous legislative session. The ordinance will enable a permitting system and will outline the civil penalties that would be imposed if verified violations occur on the property. It includes provisions designed to address short-term rentals that are mismanaged and that cause problems with their neighbors. He further explained that the highlights of the draft ordinance include:

- allows the County to require an annual permit at \$250 each year
- requires contact person responsible for responding to complaints/emergencies
- allows for other codes/ordinances to be enforced as site management or registration (permit) violations
- allows staff to perform our own investigations and issue fines relating to registration violations - no appeals
- allows for suspension or revocation of the permit for established verified violations through a judicial hearing

Vice Chair Vasquez explained that Short-term rentals have become an issue in many parts of the state, and local governments are working to find ways to address concerns as the proliferation of short-term rentals alters the character of communities. He stated that while SB1168 does offer some new authorities, they believe they are inadequate to fully address the impact that these properties are having in communities and are continuing to work to seek the rescission of the preemption of local control at the legislature.

Supervisor Lena Fowler added that on January 26 an apartment building was sold, and a company came in and had everyone living there leave so it could become a short-term rental facility. She stated that there is a housing crisis in the community and every county department that spoke at county budget meetings spoke about the challenge of hiring quality staff to work here because of the cost of housing, shortage of housing, high rent, and overcrowding and people are having to drive in from other areas. She explained that in Tuba City buses are transporting medical staff and that Page has really been hit with this problem and more needs to be done. She explained that it is companies coming in and taking advantage.

Supervisor Judy Begay stated that something needs to be done to deal with this issue because students are also impacted, they are the future, and the cost is so much, and they can't afford it and it seems like a no-win situation.

County Manager Steve Peru spoke about human services and serving vulnerable populations and how those numbers are rising, and how the county has some remoteness and vastness. He stated that the county relies on nonprofits because we can't do it alone. He spoke about rural areas where there are no nonprofits and how some individuals may create a food bank out of their car or garage and how the county is focused on how to work countywide, across jurisdictions and sovereign land.

The Governor's Regional Director of Constituent Engagement for Northern Arizona, Ophelia Goatson spoke about how she will be covering seven counties and would like to connect to the county Board and staff to support them.

Supervisor Fowler spoke about there being so many vehicles outside of homes because they have to drive several miles to get to work.

### **Baaj Nwaavjo I'tah Kukeveni Grand Canyon National Monument Area**

Supervisor Judy Begay spoke about the proposed national monument and how it would prevent new uranium mine claims on 1.1 million acres surrounding Grand Canyon National Park. She stated that they call on President Biden to establish Monument through Antiquities Act, and how there are 600 active claims that could be mined if no protection is provided. Supervisor Begay explained that uranium mining has left a toxic legacy on Navajo Nation where over 500 abandoned uranium mines still await clean up. She stated that the monument would maintain existing uses like grazing, logging, hunting and outdoor recreation but would restrict new uranium mining activity, which is critical to protecting watershed and natural and cultural resources of the region. She further stated that national monuments and outdoor tourism increase economic growth and are better economic drivers than uranium mining which doesn't create many jobs. Lastly, she stated that Headwaters Economics did a study of 17 national monuments and found that after the establishment of the monument, the counties they were in all showed economic growth and increases in household income in the region.

Governor Hobbs stated that they did officially take that position with the Biden administration and that they are on the same page as the county and are happy to work with the county on the issue.

Vice Chair Vasquez stated that they appreciate the support. Supervisor Fowler stated that several communities do not support it, however, the logging, hunting and recreation activities, are already on forest land and stated that she is very supportive of it, especially when thinking about uranium and the years it took to clean it up. She stated that she is happy the Governor supports it.

Government Affairs Manager Gregory Nelson stated that the County's resolution on the issue is included in the folder provided to the Governor. Supervisor Fowler mentioned that the county staff is amazing and on top of everything.

### **Other Topics**

Supervisor Lena Fowler spoke about the Navajo Generating Station shutting down on Navajo land and how there was no corporate responsibility. She explained that it created a trauma in the

community and a loss of \$85 million. She explained that there has been trauma after trauma with Peabody also shutting down and how when this happens it impacts the economy and the social structure of the community and individuals. She stated that the pandemic had impacts, the low water levels have had impacts and before that the collapse of Highway 89. She stated that there has been a lot of trauma in her district but it has also rippled to Flagstaff. She explained that she is on the Aspen Institute and they started co-impact meetings with the National Association of Counties. Manager Nelson stated it is for coal impacted communities. Supervisor Fowler stated they have a technical assistance program and are now convening and how it is across the board with the tribes and how they wrote a grant and they got it and that it covers Navajo and they are currently working on that. She explained that a rural communities office was created and dollars have been dedicated to coal impacted communities. She stated that she would like to see that state do that as well because there will be more that shut down. She explained that Northern Arizona University has a study now that shows the impact of this. She stated that attention needs to be given to coal communities and assistance needs to be provided.

Governor Hobbs stated that coal communities are on their radar, and they are trying to focus on economic development around the state not just in Maricopa and they want to do what they can to be helpful and supportive.

Supervisor Fowler stated that she has been talking to the commerce authority and the other issue that needs to be addressed is broadband. She explained that Coconino County was supposed to get \$10 million yet didn't get it because we didn't have matching funds.

Governor Hobbs stated that a fund is being created in the budget for this.


The Governor's Intergovernmental Affairs Director Maggie Farry stated that the Governor's budget this year has funds to use matching dollars to access those dollars.

Governor Hobbs stated that connecting the entire state is a priority for her office, and that the pandemic made it clear that broadband is needed and that there is a better understanding where it is lacking. She thanked the Supervisors for the meeting.

Vice Chair Jeronimo Vasquez adjourned the meeting at 2:12 p.m.

**COCONINO COUNTY BOARD OF SUPERVISORS**

  
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Jeronimo Vasquez, Vice Chair

**ATTEST:**   
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Lindsay Daley, Clerk of the Board of Supervisors

