

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
April 15, 2014
St. Johns, Arizona**

Present were, Chairman Tom M. White, Jr. Vice Chairman Barry Weller and Supervisor Joe Shirley. Also present was County Manager/Clerk of the Board, Delwin Wengert and County Attorney Michael Whiting.

Chairman White called to order the Board of Supervisors meeting at 8:34 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Bonnie Weller gave the invocation.

Michael Whiting led the Pledge of Allegiance.

Brad Traver, Petrified Forest Superintendent provided a presentation on opening new lands within the Petrified Forest National Park and the work being done at the park. No action was needed or taken.

Mr. Wengert presented the **Consent Items A-D** and recommended approval. Mr. Shirley moved approval seconded by Mr. White. **County Manager/Clerk of the Board:** **A.** Request approval of minutes dated March 27, 2014, April 1, 2014 and April 3, 2014. **B.** Request approval of demands dated April 1, 2014 to April 15, 2014. Demands are payments made by the County. Specific details of the demands may be requested through the County public record request process. Payee Amount
ANDERSON RESOURCE GROUP INC 1,865.24 AZ COUNTIES INSURANCE POOL 3,453.21
BILLS DISCOUNT AUTO PARTS (NAPA) 1,650.43 BOB BARKER COMPANY INC 2,458.05
BRADCO 2,672.56 BROWN, DEVIN R 1,005.27 CDW GOVERNMENT LLC 1,059.27 COURTESY
CHEVROLET 30,920.97 DEMATTEO, JOHN JOSEPH 1,724.64 ELLER EXECUTIVE EDUCATION
1,500.00 EMPIRE MACHINERY 7,639.32 FERRELLGAS 3,173.77 FRONTIER 4,539.43
GOLIGHTLY TIRE 1,066.35 GTI 21,915.00 HATCH CONSTRUCTION 10,792.22 INGRAM
LIBRARY SERVICES 2,524.64 K9 CONSULTANTS OF AMERICA LLC 2,500.00 L R
INVESTIGATIONS LLC 1,090.00 LATHAM, MICHAEL 1,800.00 NATIONAL BUSINESS
FURNITURE 1,090.38 NAVAJO TIMES PUBLISHING COMPANY INC 1,632.96 NAVOPACHE
ELECTRIC COOPERATIVE 2,433.86 OVERDRIVE INC 2,746.97 PRO COMM 2,656.22 QUILL
CORP 5,042.43 SALSBURY INDUSTRIES 1,131.70 SIERRA PROPANE 2,643.89 STAFFNIK,
JAMES G 1,050.00 TGI SYSTEMS LLC 16,000.00 THE AARONS COMPANY LLC 3,000.00 THE
LIBRARY STORE INC 1,119.09 THORNHILL, JAMES DEWEY 2,320.00 TJP COMMUNICATIONS
2,341.50 US POSTMASTER 6,026.00 VERITAS RESEARCH CONSULTING 1,080.00 VERIZON
WIRELESS 1,011.44 WELLS FARGO BANK 1,872.70 WHITE MOUNTAIN PUBLISHING CO
7,726.73 WHITING, GARRET LEE 1,800.00 WHITING, MICHAEL B 1,800.00 YOUNG, JOSEPH
7,750.00 APACHE COUNTY MEDICAL 148,002.00 APACHE COUNTY TAX WITHHOLDING
131,371.49 AZ STATE RETIREMENT SYSTEM 85,355.07 COLONIAL LIFE AND ACCIDENT INS
1,291.45 CORRECTIONS OFFICER RET PLAN 8,793.52 CORRECTIONS OFFICER
RETIREMENT PLAN 520 4,205.93 MUTUAL OF OMAHA 1,288.42 NATIONWIDE 1,605.00 PUBLIC
SAFETY PERSONNEL 401 13,825.82 PUBLIC SAFETY SHERIFF RET 31,356.34 SECURITY
BENEFIT GROUP 1,371.00 SUPPORT PAYMENT CLEARINGHOUSE 2,554.58 TRINITY
SERVICES GROUP INC 14,318.91 A-1 GLASS AND MIRROR INC 1,472.21 AMIGO CHEVROLET
3,923.80 AZ BOILER COMPANY INC 1,665.01 AZ DEPT OF HEALTH SERVICES 1,140.00 AZ
DEPT OF RISK MANAGEMENT 2,295.56 AZLGEBT 293,881.32 BACK TO LIFE INC 16,740.00
BRADCO 4,663.70 BREWER LAW OFFICE PLLC 2,200.00 CENTRAL ARIZONA SUPPLY 1,488.07
CRESCENT ELECTRIC SUPPLY CO 1,207.62 DELL COMPUTER CORPORATION 12,899.85

DEMCO 4,290.97 EASTERN ARIZONA COUNTIES ORGANIZATION EAC 6,000.00 HILLYARD INC 2,548.26 INCLUSIONS SOLUTIONS LLC 2,749.67 J & J SIGNS AND DESIGNS 1,695.50 KB WELDING INC 1,918.56 KTNN RADIO STATION 1,680.00 LAWSON PRODUCTS INC 1,694.01 LOWES COMPANIES INC 4,565.55 NACO 10,525.00 NAVOPACHE ELECTRIC COOPERATIVE 6,759.73 ON THE MEND ON THE MOVE PHYSICAL THERAPY 1,624.00 PERFECT PRINTZ LLC 2,870.02 PITNEY BOWES 1,175.04 QUILL CORP 4,579.40 REED, SHAWN R 6,699.20 SECURUS TECHNOLOGIES INC 1,857.93 ST JOHNS CITY 1,593.95 TAYLOR LAW OFFICE PC 1,166.00 TJP COMMUNICATIONS 2,311.00 TYLER TECHNOLOGIES INC 3,955.00 US DEPARTMENT OF AGRICULTURE 7,793.97 US GEOLOGICAL SURVEY 11,200.00 US POSTMASTER 8,292.76 VERITAS RESEARCH CONSULTING 3,420.00 WILLIAMS GC NEWSPAPERS INC 1,431.49 WILLIAMS LAW GROUP PLLC 8,500.00

C. Request approval of a Special Event Liquor License for the Alpine Business Association for the Alpine Country Blues Festival, located at 42665 Highway 180 in Alpine, Arizona on June 20 & 21, 2014. **School Superintendent's Office: D.** Request authorization to use donation money from Navajo Tribal Utility Authority in the amount of \$125.00 for the Annual Teacher of the Year event. Mr. Weller stated that he would be abstaining from the vote because he did not have an opportunity to fully study the demands or the process leading up to the demands. Motion passed 2-0 with Mr. Weller abstaining from the vote.

Chief Deputy Sheriff Brannon Eagar, requested approval to enter into a Cooperative Law Enforcement Agreement with the USDA/Forest Service Apache-Sitgreaves National Forest in the Amount of \$10,120.00 with no matching funds required and is an ongoing Grant. Chief Eagar stated that the Sheriff's office has had this grant for several years and provides for overtime for a deputy to patrol the forest during busy weekends during the summer at no cost to the County. Mr. Shirley moved approval. Mr. Weller stated that he is opposing this agreement. Mr. White seconded the motion. Mr. Weller stated that he has concerns with the agreement and feels there is wording that is inappropriate; that it states these are National Forest Service lands and should read National Forest Service administered lands or managed lands and he would hope that the County Supervisors of the sovereign nation of the Navajo Nation would have issue with that as well. Mr. Weller stated that the agreement references a cooperating law enforcement agreement that was not included with the grant backup material and believes the County should be segregating itself from any funding from the federal government towards law enforcement so we don't lead ourselves toward the situation like just took place in Nevada where a sheriff refused to respond to a citizen's request for protection to stand between the federal government and the citizen and nearly escalated into a violent confrontation. Mr. Weller stated that he hoped Chief Eagar would make a public statement that (the sheriff's office) would always respond to stand between the federal government's law enforcement capabilities and stop it before it get to the citizens. Chief Eagar stated that the Sheriff has the authority to deputize anyone he sees fit in his county and the forest service's law enforcement has come to the sheriff's office multiple times requesting to be deputized and Sheriff Dedman has always refused to do that. Chief Eagar stated that there is a working relationship with them which has nothing to do with being tied to any funding. Mr. Weller stated that he understands that has been the history to this point and he is not making any accusations; he just hasn't seen the documentation associated with this grant and he will raise issue on a regular basis with any funding that comes from the federal government towards law enforcement and asked Chief Eagar to think about that because he wants to protect the citizens of the county. Mr. Weller stated that if we had our lands back and could utilize the lands appropriately, we could start building the economic base to build the sheriff's department and the educational systems in the county. Mr. Weller stated that he stands for not bringing that funding into this County any longer and will be voting against the grant. Motion passed 2-1 with Mr. Weller voting nay.

Chief Deputy Sheriff Brannon Eagar requested approval to enter into an Agreement for Services with LeadsOnline, an online reporting and criminal investigation system for receiving data for use by law enforcement. Chief Eagar stated the cost is \$2,238 and will be paid using RICO funds. Chief Eagar stated this program is used to track stolen items that are pawned or scrapped and is a beneficial tool

for law enforcement with burglaries and copper wire theft. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Ryan Patterson, Finance Director, requested approval of the amendments to the Finance Department's Purchasing Policy regarding professional services such as engineering & surveying services, software consultants, architects, etc. Mr. Shirley moved approval Mr. Weller stated he will be opposing the policy amendments and wanted to discuss the issue. Mr. White seconded the motion. Mr. Weller stated that this is an unneeded reduction in the powers of the Board and believes it is critical to the Board's powers and ability to analyze (the contracts). Mr. Weller stated that approval of contracts is infrequent and is not a burden to be brought before the Board for approval and is the Board's responsibility to stay in touch with the professional services going on within the County and he opposes a reduction to the Board's powers. Mr. Wengert stated that it is not the intent to reduce the Board's authority it is only to reduce administrative work for the Board and to allow the Board to concentrate on contracts and policies and this amendment to the policy is to allow for services below \$20,000 and anything above that would go before the Board. Mr. Wengert stated that the amount could be reduced to an even smaller amount if the Board wanted. Mr. Weller stated that he has seen evidence that is suspicious in the fact that the small quantities of purchasing could be spread out and is concerned that this threshold could be skirted at times and the Board should have close scrutiny on professional services contracts. Mr. Shirley stated that this can be changed at any time and sees no problem with the amendment. Motion passed 2-1 with Mr. Weller voting nay.

Michael Whiting, County Attorney, requested approval to convert a vacant Attorney I position to an Attorney II position and hire James Parker at a salary of \$73,834. Mr. Shirley moved approval, seconded by Mr. White. Mr. Weller asked Mr. Whiting if hiring Mr. Parker would increase the services to the Board in the civil area. Mr. Whiting responded that an Attorney I resigned and Mr. Parker will replacing that attorney and will be primarily a criminal prosecutor. Vote was unanimous.

Mr. Wengert presented notification of the Governor's Proclamation designating April as County Government Month and there are several departments that are doing activities related to the proclamation. No action was needed or taken.

Mr. Wengert provided a presentation regarding legislative updates on the HURF and PILT funds. No action was needed or taken.

Mr. Wengert requested approval of the renewal of the Agreement between Apache County and Veritas Research Consulting to serve as the Apache County Natural Resource Coordinator. Mr. Wengert stated that a couple changes include the new effective date and the new cost amounts. Mr. Weller moved approval, seconded by Mr. Shirley. Mr. Weller stated that Mr. Shamley has done tremendous work in dealing in many areas associated with state and federal government related to natural resources issues and this new contract is actually a reduction in cost. Mr. White asked if Eastern Counties Organization (ECO) is doing the same thing as Mr. Shamley. Mr. Wengert stated that Apache County is part of ECO and we pay dues in the amount of \$6,000 a year and the legislature has a program that funds projects in each county and that money is passed back to ECO to administer projects and there is a lot of analysis, research and reports that are provided that are in a similar manner as Mr. Shamley provides. Mr. Weller stated that Mr. Shamley looks out specifically for Apache County resources. Mr. White stated that he is concerned with the costs associated with this. Motion passed 2-0 with Mr. White abstaining.

Mr. Wengert presented the item for possible approval of an agreement with Veritas Research Consulting to prepare a "Gap" analysis for the Apache County Natural Resources Plan at a not to

exceed cost of \$9,000 provided through a grant to the Eastern Arizona Counties Association at no cost to the County. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Dale Hauser provided an update on the surplus items offered at public auction and presented an overview of the auction process. Mr. Weller stated that he had asked for the written procedures and has not received it and asked if it was available. Mr. Hauser stated that there are procedures and is in the process of adding it to the fixed asset policy and expects that to come to the Board in the near future. Mr. Weller and Mr. White asked for the procedure as it is now to be sent to them. Mr. Weller also asked how the funds are tracked from the sale to the deposit. Mr. Hauser provided an overview of the process and stated that in the past 7 months of the program, total sales have been approximately \$83,000. No action was needed or taken.

Mr. Wengert presented notification of the Small Counties Forum meeting on April 16, 2014 at 6:00 p.m. at the County Supervisors Association Building (CSA), 1905 W. Washington Street in Phoenix, and the County Supervisors Association meeting on April 17, 2014 at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street in Phoenix. Also notification of the Northern Arizona Council of Governments (NACOG) meeting on April 24, 2014 at 9:00 a.m. at the High Country Conference Center, 201 West Butler Avenue, in Flagstaff, Arizona, where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed or taken.

Mr. Shirley moved to adjourn, seconded by Mr. Weller. Vote was unanimous.

Approved this 6th day of May, 2014.

/s/ Tom M. White, Jr.	/s/ Delwin Wengert
Chairman of the Board	Clerk of the Board