

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
August 13 2012  
St. Johns, Arizona**

Present were: Chairman Jim Claw and Supervisor R. John Lee. Also present, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting. Vice Chairman Tom M. White, Jr. was unavailable and was excused from the meeting.

Chairman Claw called to order the Apache County Board of Supervisors meeting and the Public Health District at 8:31 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Mr. Wengert led the Pledge of Allegiance.

Chairman Claw called for the Health District items.

Chris Sexton, Health Director requested authorization to remove Andreia Ochoa from probationary status with the 2.5% end of probation increase effective July 9, 2012. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Chris Sexton, Health Director, requested approval of the Professional Service Agreement with Patrick W. Connelly, M.D. to provide OB/GYN/surgical services for the Clinical Services Division. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Mr. Lee moved to adjourn the Health Services District meeting, seconded by Mr. Claw. Vote was unanimous.

There was no one wanting to address the Board during the call to the public.

Mr. Wengert presented the public hearing for consideration and possible approval to adopt the Property Tax Levy for 2012-2013. Mr. Wengert stated that the overall rate went from \$2.25 to \$1.58, a drop of about 30% and is the largest rate decrease that Apache County has ever had and will result in significant savings to the taxpayers throughout the County. Mr. Lee moved to adopt the property tax levy, seconded by Mr. Claw. Chairman Claw called for public comment or questions. Hearing none, motion passed.

**RESOLUTION NO. 2012-14**  
ASSESSED AMOUNT  
RATE VALUE PRODUCED

STATE OF ARIZONA – 544,620,229 –

APACHE COUNTY

Primary:

County 0.4143 544,620,229 2,256,362

County Schools Equalization 0.4717 544,620,229 2,568,974

Total Primary Rate 0.8860

Secondary:

General Fund Override – 559,493,639 –  
Library District 0.2216 559,493,639 1,239,838  
Public Health District 0.1224 559,493,639 684,820  
Jail District 0.2000 559,493,639 1,118,987  
Juvenile Jail District 0.0749 559,493,639 419,061  
Jr. College Tuition 0.2346 559,493,639 1,312,572  
Post 2ndry Education 0.1400 559,493,639 783,291  
Flood Control – 213,199,685 –  
Library Construction Bond 0.1118 559,493,639 625,514  
Fire Dist. Assistance 0.0732 559,493,639 409,549  
Total Secondary Rate 1.1785

TOWN OF EAGAR

Primary – 28,097,408 –  
Secondary – 29,007,514 –

TOWN OF SPRINGERVILLE

Primary – 10,571,182 –  
Secondary – 10,812,481 –

CITY OF ST. JOHNS

Primary – 12,589,586 –  
Secondary – 13,174,082 –

ST. JOHNS SCHOOL #1

Primary 2.0075 37,608,791 754,996  
Secondary 0.2190 39,215,292 85,881

CONCHO SCHOOL #6

Primary 3.6102 33,591,227 1,212,710  
Secondary 0.3209 35,777,809 114,811

ALPINE SCHOOL #7

Primary 2.3179 22,563,190 522,992  
Secondary – 25,495,796 –

WINDOW ROCK SCHOOL #8

Primary – 15,266,767 –  
Secondary 2.4094 15,273,144 367,991

VERNON SCHOOL #9

Primary 3.2057 25,850,986 828,705  
Secondary – 28,014,510 –

ROUND VALLEY SCHOOL #10

Primary 2.1102 363,919,397 7,679,427  
Secondary 0.2521 369,502,913 931,517

SANDERS SCHOOL #18  
Primary – 16,135,250 –  
Secondary – 16,529,554 –

GANADO SCHOOL #20  
Primary – 25,139,504 –  
Secondary – 25,139,504 –

McNARY SCHOOL #23  
Primary – 780,381 –  
Secondary – 780,381 –

CHINLE SCHOOL #24  
Primary – 2,836,767 –  
Secondary – 2,836,767 –

RED MESA SCHOOL #27  
Primary – 927,969 –  
Secondary – 927,969 –

CONCHO FIRE DISTRICT 1.9111 7,348,194 140,431  
GREER FIRE DISTRICT 1.3246 26,520,422 351,290  
PUERCO VALLEY FIRE DISTRICT 3.0230 13,287,413 401,678  
GANADO FIRE DISTRICT 3.2500 25,139,504 817,034  
GANADO FIRE DISTRICT (Bond) 0.3307 25,139,504 83,136  
ALPINE FIRE DISTRICT 1.1500 24,217,113 278,497  
VERNON FIRE DISTRICT 2.2333 23,758,981 530,609  
NUTRIOSO FIRE DISTRICT 1.4775 10,759,918 158,978  
ALPINE SANITARY DISTRICT 1.3850 8,492,226 117,617  
ALPINE DOMESTIC WID – 8,492,226 –  
NAVAPACHE HOSPITAL DISTRICT – 799,663 –  
OJO BONITO WATER DISTRICT – 717,390 –  
VERNON WATER DISTRICT – 323,124 –  
LITTLE COLO. SANITARY 0.5035 24,537,949 123,549  
WHITE MOUNTAIN HCD 0.4262 154,856,977 660,000  
NO. APACHE COUNTY HCD 2.9385 60,706,938 1,783,873  
NO. ARIZONA VIT 0.5000 408,718,205 2,043,591  
NATIVE 0.5000 60,706,938 303,535

APPROVED:  
/s/ Jim Claw  
Chairman, Board of Supervisors

ATTEST:  
/s/ Delwin Wengert  
Clerk, Board of Supervisors

Mr. Wengert requested approval of a resolution urging the United States Environmental Protection Agency to hold local public meetings and extend the public comment period for a rule that would

require additional pollution controls for nitrogen oxide at three power plants in eastern Arizona. Mr. Wengert provided an overview of the issues facing the coal operated power plants. Mr. Lee moved approval, seconded by Mr. Claw.

Lenora Fulton, County Recorder asked for more information for the public regarding the haze. A discussion was held regarding the location of the public meetings and where to find information on the issue.

Dan Bevier, the Manager of the Salt River Project in St. Johns, provided an overview of the federal implementation plan that the EPA is pushing and the astronomical costs facing the coal powered units in Arizona if this issue is allowed to move forward.

Laura Doty, a resident of Apache County supported the resolution and stated that there is a letter template that the public can use to submit a letter to the EPA and that it helps explain the issue in layman's terms and she will send it to the County if interested. Mr. Wengert asked Mrs. Doty to send him the letter.

Barry Weller, a resident of the County, stated that he supports this resolution and a discussion was held regarding the legal rights of the utility plants. Mr. Bevier stated that if these new requirements are allowed to go forward, the astronomical costs that the power plants will be facing will either have to be passed on to the customers or the power plants will have to be shut down. Mr. Bevier stated that the nation is at a profound economic risk right now with these new requirements facing coal powered electric plants. Mr. Whiting stated that whatever is needed from a legal standpoint from Apache County the help is there. Motion passed.

#### **Resolution 2012-13**

**Whereas**, Arizona's rural communities and urban areas alike need affordable and reliable electricity for their businesses and homes; and

**Whereas**, affordable and reliable electricity powers our communities' critical infrastructure and the equipment that provides clean water, health care, and public safety; and

**Whereas**, Arizona's rural communities rely on electric generation as a stable base of employment; and

**Whereas**, the Salt River Project's Coronado Generating Station in St. Johns, Apache County, Arizona is a key economic driver, directly employing more than 220 people and many more indirectly; and

**Whereas**, the Salt River Project's Coronado Generating Station is one of the county's largest taxpayers, providing critical revenues for schools, public safety, transportation and public health; and

**Whereas**, the Salt River Project is already investing more than \$500 million on improvements at Coronado Generating Station to reduce air pollutant emissions; and

**Whereas**, construction for these improvements is substantially underway; and

**Whereas**, the regional haze rule is not designed to address public health; and

**Whereas**, in the Clean Air Act Congress deferred to the States in developing Plans to improve visibility; and

**Whereas**, the United States' Environmental Protection Agency has proposed to disapprove Arizona's Regional Haze State Implementation Plan (SIP) and impose a Federal Implementation Plan (FIP) at Coronado Generating Station, APS's Cholla Station in Joseph City and AEPCO's Apache Station in Benson; and

**Whereas**, the EPA's proposal for disapproval of the SIP and implementation of a FIP requires significant technical evaluation; and

**Whereas**, the EPA has provided limited opportunities for Apache County residents to participate in the public process;

**Whereas**, the people of Apache County deserve an opportunity to voice their concerns about the impacts of this regulation on their homes, businesses and quality of life.

Therefore be it resolved, The Apache County Board of Supervisors urges the EPA to schedule a separate public hearing for the proposed FIP in St Johns in addition to the public hearing scheduled for August 14, 2012 in Holbrook and on August 15, 2012 in Benson, Arizona in order to give the Apache County residents a fair opportunity to review and respond to the EPA's proposed regulation; and

Therefore be it resolved, the Board of Supervisors urges the EPA to extend the public comment period to at least 90 days to allow individuals the opportunity to fully analyze the basis for the proposed requirements; and

Therefore be it further resolved, the Board of Supervisors urges the EPA to withdraw the proposed FIP and work with the State of Arizona to put in place a State Implementation Plan that addresses regional haze in a sound and economical manner.

Approved this 13th day of August, 2012.

ATTEST:/s/ Jim Claw /s/ Delwin Wengert  
Chairman of the Board Clerk of the Board

Mr. Wengert presented the **consent items A-G** and recommended approval except for item **E. County Manager/Clerk of the Board:** **A.** Request approval of the demands. AMAZON.COM, INC. \$1,152.32 AMK SOLUTIONS \$1,136.16 AZ CHILDREN ASSOCIATION \$8,920.00 Az Dept of Economic Security \$7,336.92 Bauman Home & Auto, Inc. \$2,172.44 BRADCO \$23,076.84 CELLULAR ONE NE ARIZONA \$1,257.62 Double D Furniture \$1,360.09 FOUR CORNERS WELDING & GAS SUP \$1,677.04 GMCO CORPORATION \$32,071.61 HILLYARD Inc \$1,824.73 KIMBALL EQUIPMENT COMPANY \$9,769.05 NAVAJO TRIBAL UTILITY \$1,223.46 PACIFIC PONDEROSA CO. INC. \$1,803.65 PATTERSON II, G.L. \$1,116.50 PIMA UNIFORMS \$1,020.78 Rush Truck Center \$1,110.00 STAPLES CREDIT PLAN \$5,800.48 State of Arizona \$2,756.36 VERIZON WIRELESS, BELLEVUE \$3,570.17 WHITE MOUNTAIN PUBLISHING \$2,592.26 Young, Joseph D. \$8,370.00 **Human Resources: B. District I:** Request authorization to hire a temporary Road Maintenance Worker I, not to exceed 30 days. **C. Recorder's Office:** Request authorization to extend the temporary employment of Mae Clark, Administrative Assistant II for an additional 120 days. **D. Recorder's Office:** request authorization to hire a part time temporary Clerk at \$8.20 per hour, for 20 hours per week, not to exceed 120 days. **E. County Manager:** Request authorization to convert the currently vacant Administrative Assistance III position from full time to part time (19) hours. **F. District I:** Request authorization to extend the temporary employment of Raymond Totsoni, Facilities and Construction Worker I, for an additional 30 days. **G. District II:** Request authorization to extend the temporary employment for Raymond Tsosie and David Kinlichee Sr. for an additional 60 days. Mr. Lee moved approved with the exception of Item E, seconded by Mr. Claw. Motion passed.

Milton Ollerton, Community Development Director, requested approval of a contract with Shums Coda Associates (SCA) for professional services to include construction document review, and field and management personnel. Mr. Ollerton stated that there are some intensive and elaborate plans that require a plan review by an engineering firm so this company will be available for such plan reviews. Mr. Ollerton stated any additional fees will be charged to the contractor or building. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Mr. Wengert requested authorization to transfer Bonnie Stallings-Carter to her previously held Administrative Coordinator position with no change in salary. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Michael Whiting, County Attorney, requested the item to give 9% raise from non-general fund money

to County Attorney Garrett Whiting and County Attorney Mike Latham be removed from the agenda. No action was taken.

Chief Deputy Brannon Eagar, on behalf of the Sheriff's Office, requested approval of an agreement to donate a used 2000 Ford Expedition to the ADABI women's shelter in Chinle. Mr. Lee moved approval, seconded by Mr. Claw. A discussion was held regarding the shape of the vehicle and that the county holds no liability to the vehicle. Vote was unanimous.

Ferrin Crosby, County Engineer, requested authorization to award Bid #201303 for the purchase of a 9 wheel roller for District III to Empire Machinery, the sole bidder in the amount of \$61,870.34. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Ryan Patterson, Treasurer's Office, provided an update on the current status of the Treasurer's Office. Mr. Patterson informed the Board that the Auditor General's report was completed and reviewed by the County and he was in the process of implementing their recommendations and feels confident that if the treasurer's office follows the policies and procedures that his won't happen in the future. Mr. Wengert asked how many people were working in the office. Mr. Patterson stated that there are three full time staff and is working fine, and once a chief deputy along with the three regular staff, there are plenty of people to do the workload. Mr. Lee asked Mr. Patterson if he has been briefing Mrs. Arviso. Mr. Patterson stated yes. Mr. Lee asked Mr. Patterson when the treasurer was last in the office. Mr. Patterson stated about 6 weeks ago. Mr. Wengert asked Mr. Patterson that if the policies and procedures that are being implemented, if followed will that prevent something like this from happening again. Mr. Patterson stated yes. No action was taken.

Craig Sullivan, Executive Director of the County Supervisors Association provided a presentation and update on legislative session and budget. No action was taken.

Mr. Wengert presented notification of a presentation and luncheon with the Arizona Association of Counties on August 15, 2012 at 11:00 a.m. in the County Manager's Conference Room, 75 West Cleveland Street in St. Johns. No action was taken.

Chairman Claw stated that there were three items added to the agenda.

Chief Deputy Sheriff Brannon Eagar on behalf of Emergency Management, requested authorization to purchase a 2013 Jeep Cherokee for \$28,956.68 from Avondale Dodge utilizing State Contract and using Emergency Management Performance Grant funds. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Chief Deputy Brannon Eagar, on behalf of the Sheriff's Office, requested authorization to purchase a 2013 Tahoe for \$39,722.98 from Courtesy Chevrolet and a 2013 Dodge 2500 Crew Cab pickup for \$29,313.54 from Avondale Dodge utilizing State Contract using the Sheriff's General Fund. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Karen Houston, Human Resources Director, on behalf of District II, requested authorization to hire a temporary Road Maintenance Worker II not to exceed 60 days. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Mr. Lee moved to adjourn the meeting, seconded by Mr. Claw. Motion passed.

Approved this 4th day of September, 2012.

/s/ Jim Claw  
Chairman of the Board

/s/ Delwin Wengert  
Clerk of the Board