

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
August 18, 2014
St. Johns, Arizona**

Present were: Chairman Tom M. White, Jr., Vice Chairman Barry Weller and County Manager/Clerk of the Board, Delwin Wengert. County Attorney Michael Whiting and Supervisor Joe Shirley, Jr. participated via the telephone. Chairman White called to order the Board of Supervisors, Library District, Health District and Jail District meetings 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.

Lance Spivey gave the Invocation.

Karen Houston led the Pledge of Allegiance.

Chairman White called for the Library District items.

Judith Pepple, Library Director requested approval to accept a donation from the Alpine Area Library Friends group to pay for the proposed landscaping project by Pico's Nursery in the amount of \$3,752.00. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Mr. Shirley moved to adjourn the Library District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman White called for the Health District item.

Chris Sexton, Health Director, requested approval of a donation from Tucson Electric Power in the amount of \$500 to be used for supplies for the Family Health and Fitness Day 5K Color Fun Run on October 4, 2014. Mr. Weller moved approval, seconded by Mr. Shirley. Mr. White asked where the run would be held. Mr. Sexton responded Round Valley. Vote was unanimous.

Mr. Shirley moved to adjourn, seconded by Mr. Weller. Vote was unanimous. Chairman White called for the Jail District item.

Commander Mike Cirivello, on behalf of the Sheriff's Office, requested approval to allow the current part time nursing positions to be either RN's or LPN's. Commander Cirivello stated this will save money by using LPN's for some things because they are paid a lower rate. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Mr. Shirley moved to adjourn the Jail District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman White called for the regular agenda items.

Ryan Patterson, Finance Director, presented the Property Tax Levy for 2014-2015 and recommended adoption. Mr. Patterson stated that the numbers are based off the rates in the budget passed at the last board meeting which also include all school districts and other special levy districts that have been given to us by their respective boards and recommended approval. Mr. Shirley moved approval. Mr. Weller stated he would be opposing. Mr. White seconded the motion. Mr. Weller stated he is opposing this under the concern he has for the many issues that were brought up at the previous meeting, and the fact that he has not received the attorney general's written response as promised by our county attorney's office stating that there is no problems with the posting of budget notices and the budget process. Mr. Weller stated he will be opposing this because he does not want to contribute to the problems he thinks exists. Motion passed 2-1 with Mr. Weller voting nay.

Craig Sullivan, Executive Director of the County Supervisors Association provided an overview of the activities of the County Supervisors Association including a discussion on the recent legislative session. The Board thanked Mr. Sullivan for the exceptional work done by Mr. Sullivan and his staff for all of the counties. No action n was needed or taken.

Mr. Wengert presented the **Consent Items A-E** and recommended approval. Mr. Shirley moved approval. Mr. Weller stated he would not be seconding the motion. Mr. White seconded Mr. Shirley's

motion. Mr. Weller stated that he is still working on the logistics related to the demands as well as still waiting on the requested information from the County Attorney's office, so he is opposing. **County Manager/Clerk of the Board:** **A.** Request approval of minutes dated August 4, 2014. **B.** Request approval of demands dated August 4, 2014 – August 18, 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 4IMPRINT 2,094.40 AMIGO CHEVROLET 1,652.75 BURNHAM MORTUARY 1,732.50 CCS PRESENTATION SYSTEMS 11,805.31 CDW GOVERNMENT LLC 2,122.93 COUNTY SUPERVISORS ASSOCIATION OF ARIZONA 55,285.00 DELL COMPUTER CORPORATION 2,087.99 DEWITT, COLLIN J 1,600.00 EMPIRE MACHINERY 4,402.76 FIREFIGHTERS AND POLICE OFFICERS CANCER INSURANCE 1,400.00 FRONTIER 1,738.31 GALL'S INC 2,084.11 GALLUP LUMBER & SUPPLY 1,313.43 GARY AUSTIN ADVERTISING 5,520.44 GILSBAR LLC 299,554.92 GREER, YVETTE L 1,246.04 HEWLETT PACKARD COMPANY 17,227.14 HUGHES SUPPLY INC (LAKESIDE) 3,361.37 NATIONAL NATIVE AMERICAN LAW ENFORCEMENT ASSOC 1,275.00 NAVAJO SANITATION INC 1,780.81 PIMA COUNTY MEDICAL 6,600.00 QUILL CORP 2,814.21 RUSH TRUCK CENTER 1,941.19 SALINE PEST MANAGEMENT INC 1,005.00 SHELL OIL 1,743.37 STALEY LAW FIRM PLLC 1,221.00 THATCHER, JOHN L III 1,000.00 THE AARONS COMPANY LLC 3,000.00 THE LIBRARY STORE INC 1,681.17 TJP COMMUNICATIONS 3,289.39 TRINITY SERVICES GROUP INC 17,153.99 TWIN EAGLE DISTRIBUTING INC 2,756.34 VALLEY AUTO PARTS 1,236.75 WELLS FARGO BANK 1,572.65 WHOLESALE FLOORS LLC 7,091.01 WYMAN CENTER INC 1,653.75 YOUNG, JOSEPH 7,140.00 ARIZONA WIRELESS AND RADIO INC 29,417.06 BANK OF THE WEST 2,118.32 BLUE HILLS ENVIRONMENTAL 12,232.10 COMMUNITY COUNSELING CENTERS INC 10,644.00 COUNTY SUPERVISORS ASSOCIATION OF ARIZONA 5,000.00 D & H PETROLEUM & ENVIRONMENTAL SERVICES 16,499.07 EMPIRE MACHINERY 6,479.80 EZE TRAILER AND BOAT SALES 1,132.75 NACOG 5,000.00 OFFICE DEPOT 1,258.64 QUILL CORP 2,403.50 SWEETLANDS COMPLETE AUTO 1,089.14 WOODLAND BUILDING CENTER 2,085.45 YOUNG, JOSEPH 6,730.00 SHELL OIL 3,516.60 CASTLE FURNITURE 1,943.78 HENRY PRODUCTS INC 2,924.11 APACHE COUNTY HAS 2,749.59 APACHE COUNTY MEDICAL 139,569.02 APACHE COUNTY TAX WITHHOLDING 134,342.19 AZ STATE RETIREMENT SYSTEM 85,428.54 COLONIAL LIFE AND ACCIDENT INS 1,275.01 CORRECTIONS OFFICER RET PLAN 8,275.95 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,313.48 NATIONWIDE 1,605.00 PUBLIC SAFETY PERSONNEL 401 14,122.03 PUBLIC SAFETY SHERIFF RET 26,989.67 SECURITY BENEFIT GROUP 1,321.00 SUPPORT PAYMENT CLEARINGHOUSE 2,589.68 AZ BRAKE & CLUTCH SUPPLY 1,133.46 AZ DEPT OF HEALTH SERVICES 1,295.00 AZ STATE LIBRARY ARCHIVES & PUBLIC RECORD 8,807.48 BAUMAN HOME AND AUTO INC 1,149.87 BREWER LAW OFFICE PLLC 1,320.00 COCONINO COUNTY 3,733.33 CRISS CANDELARIA LAW OFFICE 1,661.00 DIAMOND DRUGS INC 4,727.78 FOUR CORNERS MATREIALS 1,086.00 FRONTIER 1,024.30 GBH COMMUNICATIONS INC 1,800.00 HILLYARD INC 1,558.94 KENDALL AND SON LTD 1,209.20 LAW OFFICE OF MARSHA GREGORY 8,841.00 MERCK SHARP & DOHME CORP 1,471.90 MERRILL, KYLER GRANT 1,890.00 NAVOPACHE ELECTRIC COOPERATIVE 10,195.31 QUILL CORP 2,945.70 SCHIFF, LAURENCE 1,000.00 ST JOHNS EMERGENCY SERVICES 1,333.26 TJP COMMUNICATIONS 1,783.45 UNIVERSAL FLEET CARD 1,695.90 VERITAS RESEARCH CONSULTING 1,400.00 VERIZON WIRELESS 2,192.92 WILLIAMS LAW GROUP PLLC 8,500.00 AZ COUNTIES INSURANCE POOL ,702.86 KTNM RADIO STATION 4,987.50 PITNEY BOWES 4,851.68 QUILL CORP 5,813.44 AZ DEPT OF RISK MANAGEMENT 3,247.89 **C.** Request approval of a Special Event Liquor License application for American Legion Corporal Joe McCarthy for the event Octoberfest, to be held on October 4, 2014 located at the Concho Lions Club Park, Commercial Street in Concho, Arizona. Personnel Items: **D.** Notification of the retirement of Deputy Alfonso Morales who retired on July 31, 2014 after 19 years of service for the Apache County Sheriff's Office. **E.** Notification of the retirement of Pat Hall and request authorization to pay out her accumulated leave balance per Human Resources Policy. Motion passed 2-1 with Mr. Weller voting nay. Mr. Wengert presented the item for possible action regarding a cost of living increase of 3% for those employees making a salary less than

\$50,000 and a 2% increase for those employees making a salary more than \$50,000. Mr. Shirley stated that he would have rather supported an across the Board increase but he understands the employees deserve the raise and as he has said before, the employees are the ones who make Apache County look good and he feels as a board, they need to do everything they can to support the staff and moved to approve the raises as outlined. Mr. White seconded the motion and stated that the employees deserve a raise and he advocated giving 3% to those making under \$50,000 and 2% to those making over \$50,000. Mr. Weller stated he would love to do everything possible for the employees who take care of the necessities of the county so his vote against is not directed at the employees; he looks at his job as trying to protect the taxpayers of the County and if you look at the tax rate increase it is almost a 4.5% increase to get a 2% increase in revenues and part of that revenue increase is going to a 3% increase to the employees of a county who received an increase last year, so the logic does not fit the concerns for the taxpayers of Apache County. Mr. Weller stated he would have been more supportive of an across the board increase because he is concerned with what it does long term to the style of management that an organization needs to have. Motion passed 2-1 with Mr. Weller voting nay.

Commander Mike Cirivello, on behalf of the Sheriff's Office, stated that the San Juan Fire was completely out now and requested ending the current state of emergency that was put into effect June 27, 2014. Mr. White moved to end the state of emergency, seconded by Mr. Shirley. Vote was unanimous. Commander Mike Cirivello, on behalf of the Sheriff's Office, requested approval to enter into a one (1) year renewal lease agreement with Sanders Unified School District #18 ending June 30, 2015 for the use of the Apache County Sheriff's Office substation. Commander Cirivello stated that buildings are not available in that area so this is to rent two rooms at the school. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Ferrin Crosby, County Engineer requested approval to enter into a contract with Smith and Annala Engineering Company for consulting services at the limestone pit. Mr. Crosby stated that periodically he is required to blast new portions of the pit in order to obtain the limestone material and this company specializes in blasting and would like to contract with them for those engineering services. Mr. Weller and Mr. Crosby held a discussion on the issues related to the blasting issues. Mr. Crosby clarified this is an engineering company, not a blasting company, and in their scope of work, they work with the blasting company who they drill holes and the engineering company then places cameras in those holes and from what they see, they then develop strategies to blast the material in a more efficient and effective manner. Mr. Weller and Mr. Crosby held a discussion related to evaluating and selecting this specific company. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous. Ferrin Crosby, County Engineer requested approval to increase the weight limit of County Road 5020 to be compliant with state limits and to be consistent with Navajo County. Mr. Weller and Mr. Crosby held a discussion related to the impact to the road by the increase in trucks that would now be driving on it. Mr. Weller made a motion to table the item so he could obtain more information related to their issue. Hearing no seconded, motion died for lack of a second. Mr. Shirley moved approval, seconded by Mr. White. Vote was unanimous.

Mr. Wengert presented notification of the Northern Arizona Council of Governments Regional Council meeting on August 28, 2014 at the High Country Conference Center, 201 W. Butler Ave. in Flagstaff, Arizona at 10:00 a.m. where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed.

Chairman White opened the floor for the call to the public.

Lorraine Vaught, a resident of Vernon stated in the past months she has attended the meetings, she has seen a lack of respect towards the taxpayers and residents of the County as well as distention and lack of respect of board members toward one another and she is tired of hearing the phrase "we have done this for years"; just because something has been done for years does not necessarily mean it needs to continue. Mrs. Vaught stated she and others feel the system is broken and has been for a long time and she has heard excuse after excuse why things are not done. Mrs. Vaught stated some are doing a great job but others need improvement and writing off over a million in revenue for debts that could not be collected, giving raises when the county is in debt and raising

property taxes does not make sense to her. Mrs. Vaught asked the Board to pay closer attention to what is being done and make some correction in their course.

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

Approved this 2nd day of September, 2014.

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

/s/ Delwin Wengert
Clerk of the Board