

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY

BOARD OF SUPERVISORS MEETING

August 3, 2015

St. Johns, Arizona

Present were: Supervisor Barry Weller, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting and Chief Deputy Attorney Joe Young. Chairman Joe Shirley, Jr. and Vice Chairman Tom M. White, Jr. participated via the telephone.

Chairman Shirley called to order the Board of Supervisors meeting at 8:33 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Beth Bond led the Pledge of Allegiance.

Delwin Wengert gave the invocation.

Chairman Shirley called for the Library District items.

Judith Pepple, Library Director, requested approval of a lease agreement between the Apache County Library District and the Vernon Domestic Water Improvement District from July 1, 2015 through June 30, 2016 at the rate of \$25.00 per month. Mr. White moved approval, seconded by Mr. Weller. Vote was unanimous.

Judith Pepple, Library Director, requested approval of a lease agreement between Apache County Library District and the Vernon Community Park Committee from July 1, 2015 through June 30, 2016 at the rate of \$25.00 per month. Mr. Weller moved approval, seconded by Mr. White. George Walsh, resident of Vernon, asked with these types of agreements, should the County have an agreement with the Vernon Park Committee for the lease of the park to prevent liability to the County. Mr. Weller stated that issue is unrelated but important to address at a later time. Vote was unanimous.

Judith Pepple, Library Director, requested approval to authorize Judith Pepple or other library district employees, blanket authority for Fiscal Year 2015-2016 to accept donations to our libraries in amounts up to \$1,000. Mr. White moved approval to approve, seconded by Mr. Shirley. Mr. Weller stated there is no legal approval signature on the agenda item form on this item and others, and chooses not to go back to verbal approvals and without a legal approval signature on the item he will abstain from the vote. Mr. Wengert

stated during the agenda review meeting, a verbal approval was given by Mr. Young who is also in attendance at the meeting today. Ms. Pepple stated she would withdraw the item and place it on the next agenda if needed. Chief Deputy Attorney Joe Young stated there isn't necessarily a need to move it to another agenda; the agenda item is a reoccurring action item that has been addressed in the past and Ms. Pepple is doing it correctly and based on past communications so there isn't a need to put off the item for another meeting. Chairman Shirley stated the county attorney has reviewed the agenda item and everything is legally in order. Mr. Weller stated the item may pass but he will continue to abstain when he doesn't see a signature from the County Attorney's Office on the agenda item form. Mr. White stated he also feels there should be signatures on the agreements. Chairman asked if there were other items lacking signatures. Mr. Wengert stated Mr. Young was in the process of moving last week and obtained verbal approval on three items for the Library District. Mr. Weller stated there are three items for the Library District and the agenda item forms for the budgets hearings did not have signatures on them as well. County Attorney Michael Whiting stated he personally reviewed all the items on the agenda and are legally sufficient and if the Board wants a signature on the agenda item form he will sign them. Mr. White stated Mr. Whiting has said he personally reviewed the items so he is ok with approving. Motion passed 2-0 with Mr. Weller abstaining.

Judith Pepple requested approval for Fiscal Year 2015-2016 to make available to other libraries, local schools, senior centers, Boys and Girls Clubs, jails and prisons, discarded library materials and gift materials which are out of scope for our collections. Mr. White moved approval, second by Mr. Shirley. Mr. Weller stated it is important that the citizens of the county understand what is going on with the preliminary information that is presented and the Board agenda should be complete and he has had discussions many times about having the items being signed properly by all departments and has even offered them the ability to email in the documentation to he continues to abstain for that reason. Motion passed 2-0 with Mr. Weller abstaining.

Judith Pepple, Library Director, requested approval for Fiscal Year 2015-2016 to dispose of materials that have been donated to or withdrawn from library collections, by offering them for sale at each of the library facilities. Mr. White moved approval, seconded by Mr. Shirley. Motion passed 2-0 with Mr. Weller abstaining.

Ms. Pepple apologized to the Board for items 3, 4, & 5. Ms. Pepple stated the items were not signed due to the fact of her misunderstanding; she thought the action on those items was solely a Board decision and didn't require attorney approval and stated it won't happen again.

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

Chairman Shirley called for the Flood Control District item.

Ferrin Crosby, County Engineer, requested approval to use Apache County Flood Control District funds for the Town of Eagar in the amount of \$14,000 to be used in the design of the School Bus Road and Maricopa Drive Projects. Mr. Crosby also requested approval to redirect previously distributed Flood Control District funds in the amount of \$5,000 for a Master Drainage Plan to be used in grant applications to FEMA for School Bus Road and Maricopa Drive. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Mr. White moved to adjourn the Flood Control District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman Shirley called for the regular agenda items and sit as the Board of Directors, and opened the floor for a public hearing, discussion and possible adoption of the 2015-2016 Final Budgets for the Apache County Library District, Apache County Public Health Services District, the Apache County Flood Control District, and the Apache County Juvenile Jail District and Apache County Jail District. Mr. Wengert stated a copy of the proposed Final Budget has been available online and in the County Manager's Office.

George Walsh, a resident of Vernon, stated he has concerns with how Apache County approves the budget for the Special Districts so he contacted the Arizona Tax Research Association about his concerns with both the budget process for the special districts and the failure of the reports by the special districts as required by statute. Mr. Walsh read an email he received from the Arizona Tax Research Association stating they talked to the Auditor General's Office and they are looking into the issue further, and they also included this issue as a part of the budget meeting discussions with other counties and informed them this is an issue they are investigating further. Mr. Walsh stated even if Attorney Whiting says the notice isn't required, if a public hearing is scheduled, the public should be informed a public hearing is taking place and he does not believe this public hearing was noticed in the paper whether required or not. Mr. Walsh stated there is no supplemental information in the agenda review package as there normally has been until this agenda, so he was not able to determine if a notice was ever given. Mr. Walsh stated he wanted to make the Board aware the Auditor General and the Arizona Tax Research Association has concerns about the processes the County is using. Mr. Wengert responded that he also has been in discussions with Arizona Tax Research Association and they agree what Mr. Walsh is saying isn't required by law; they are interested in it but they agree it is not required by law at this time. Mr. Wengert stated as far as Mr. Walsh's comments about notification of the public hearing, he has a copy of the newspaper publication and the dates it was published and staff even went overboard and published the entire budget in the paper as well as reviewed by the Attorney's Office and by staff and the

notification shows the public has had ample notice of the public hearing. Mr. Whiting stated Mr. Walsh continues to say the same thing and he is incorrect and continues to be incorrect on this issue.

Mr. Weller stated the agenda review form did not have a signature on the legal approval section but on a positive note, he received an annual report from the library district for the first time; he has not seen an annual report from any special district and wanted to commend the library district director for getting it in on time and wished he got that from every special districts as required by law. Mr. Weller stated he has seen health district reports through FY2014 but not received the annual FY2015 report. Mr. Weller stated he has only seen the overall budget for other special districts but they haven't provided all the annual report information to him. Mr. Weller stated he knows of no meetings where the special district meetings were held where all the detailed budgets have been presented and approved. Mr. Weller stated the jail district budget did not have a hearing at the last board meeting, like the other special districts did and that concerns him. Mr. Weller stated he views many of the special district issues as a lack of transparency and any reasonable attempt to meet the letter of the law and transparency is the intent of the statutes. Mr. Weller stated he is concerned with the \$400,000 flexibility language that is being used to pull money from the juvenile jail district taxpayers, and used elsewhere in the budget which he considers completely unnecessary. Mr. Weller stated he is concerned with \$40,000 for clerk and judge campaign funds, and sees them as an unacceptable expense for the county. Mr. Weller stated he sees an amount greater than \$180,000 in funding out of the district for a judge yet to be approved in his opinion, and another \$40,000 for a grand jury system that seemingly is unjustified since we just sent the juveniles to Navajo County for lack of numbers, but are now hiring a judge and doing other things that deal with that in the money that the people are putting into the juvenile jail district and these matters need presentation and discussion for justification to the Board before moving forward with them. Mr. Weller stated the citizens should not be taxed an additional \$620,000 and should have those funds used elsewhere. Mr. Weller stated there is a great increase in secondary taxes which is not needed if we truly examine the details of the budget.

Mr. Wengert stated most of Mr. Weller's issues are legal and have been answered in the past but one thing he would speak to is the flexibility language that was used only because we have to; the State hit Apache County for about \$300,000 in addition to all the other money taken in the past and if money isn't found elsewhere to make up for the cuts the State passes on to us, we will have to lay off people. Mr. Wengert stated the county has many vacant positions that have not been filled and does not know Mr. Weller's intent is to keep cutting; the county has to keep running and with the cuts from the state we were able to use the flexibility language in the juvenile jail district and thereby not have to raise the other districts which is the best place to take the

money and even after that, the juvenile jail district tax rate went down and didn't have to use as much flexibility as he initially thought and it is his understanding in speaking with the county attorney, the judge is responsible for the juvenile jail district. Mr. Wengert stated he feels comfortable with what has been done; there are no increases for staff this year at all and kept all budgets level only because of the use of the flexibility language to use \$400,000 out of the juvenile jail district; if we weren't able to use that, we would be making employee cuts throughout the county.

Mr. Weller stated he takes great exception to the wording that they have to use the flexibility language; he sees no statute requiring them to do such; it is a choice of the board to discuss the budget and find out if we really need to after all the issues are reviewed. Mr. Weller stated it isn't up to the county manager to say we have to do it and there is a tremendous increase on the taxpayer with increases to their taxes and that is what should be looked at. Mr. Weller stated when he mentioned the numbers in the juvenile jail district of new expenses that were not needed last year and probably aren't needed this year, and add that to some other issues he will mention in the main budget, he can see giving a raise to County employees and a raise to the citizens by not raising their taxes by eliminating some expenses in the budget.

Mr. Wengert stated when he said there was a drop in taxes, he was referring to the tax rate in the juvenile jail district which did go down slightly.

Chairman Shirley stated since there were no one else wanting to speak he would close the public hearing and called for a motion. Mr. Weller interrupted Chairman Shirley asking if a sole chairman can close a public hearing without a motion and a second. Mr. Whiting stated that is a best practice but not legally required. Chairman Shirley called for a motion to close the public hearing. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Chairman Shirley called for a motion to approve the special district budget. Mr. White moved to approve, seconded by Mr. Shirley. Motion passed 2-1 with Mr. Weller voting nay.

The Board sat as the Board of Supervisors, and Chairman Shirley opened the floor for public hearing for possible adoption of the Final 2015-2016 budget for Apache County as well as Truth and Taxation increase. Mr. Wengert stated a copy of the proposed Final Budget and Truth and Taxation calculation has been available online and in the County Manager's Office.

Ryan Patterson, Finance Director, read the Truth and Taxation statement: In compliance with section 42-17107, Arizona Revised Statutes, Apache County is notifying its property taxpayers of Apache County's intention to raise its primary property taxes over last year's level. Apache County is proposing an increase in primary property taxes of \$49,952 or 2%. For example, the proposed tax increase will cause Apache County's primary property taxes on a \$100,000 home to increase from \$51.00 to \$52.02

This proposed increase is exclusive of increased primary property taxes received from new construction. The increase is also exclusive of any changes that may occur from property tax levies for voter approved bonded indebtedness or budget and tax overrides.

Mr. Weller stated the letter of the law says the Truth and Taxation shall be published and Mr. Patterson spoke of a 2% increase but the truth is, there is an 8.9% increase to many taxpayers in the county when you add up the secondary taxes and the intent of the law is to be as transparent as possible and he is trying to be transparent in this meeting; that when added up it is a 8.9% increase to many citizens. Mr. Weller stated he previously attempted to discuss the many certified officers that are located on the Navajo Nation without jurisdiction that are costing the taxpayer a million dollars with vehicles, salaries and retirement, who don't have jurisdiction to help citizens the way a certified officer should be able to help. Mr. Weller stated the Board needs to look at other methods of helping those citizens other than to have certified officers with that much money coming out for taxpayer's pockets to deal with this. Mr. Weller stated putting that million with the other \$600,000 he spoke about earlier in the special district, that is being inappropriately spent in his opinion, that is how he says county employees could get a raise and reduce the taxes on the citizens with that 1.6 million dollars if the board sat down and talked about it.

Mr. Wengert stated the Truth and Taxation has to do with the primary property rate and Mr. Weller is lumping it together with the secondary rates, and the Truth and Taxation only applies to the primary property rate and that is why it only went up 1.02 cents, a 2% increase in the general fund. Mr. Wengert stated Mr. Weller continues to say the taxpayers are funding officers on the Navajo Nation; the property taxes is one part of the money that comes into the county, but there is also the state shared revenues which is about 5 million a year as well as HURF and as he has explained to Mr. Weller in the past, the formulas that bring the money into the county for state shared revenues is based about $\frac{3}{4}$ on unincorporated population and there are about 70,000 people in the county and all but 16,000 are on the Navajo Nation so the money that comes that in from state shared revenue is generated tremendously by the folks that live on the Navajo Nation. Mr. Wengert stated for Mr. Weller to say the taxpayers are paying for the deputies up north is not entirely true because of the other

sources of revenue that don't depend on taxes. Mr. Wengert stated the County has always felt the revenue is returned to where it is generated just as with the road program on the Navajo Nation and the HURF formula, is driven primarily by unincorporated population.

Mr. Patterson stated he appreciates Mr. Weller's comments and his concerns and has discussed at length the tentative budget and there have been no big adjustments and the health district went down 1½ cents and fire district Assistance went down over a penny so the overall secondary rate from the tentative budget is down 2.69 cents per 1,000 assessed and the overall tentative budget to the final budget is down \$342,000. Mr. Patterson stated the finance department has every desire to be open to the public and is willing to meet with anyone and the Truth and Taxation publication is actually word for word as the statute requires the county to publish it so the County is trying as hard as possible to be open about what we are doing. Mr. Weller stated he thought he stated the county is meeting the letter of the law and that is appropriate and by publishing the budget for the people to see, that is a good attempt to be transparent with those numbers even though they keep changing right up to the day of the vote, it is hard to be transparent with that.

Mr. Weller stated he has said he knows the county is meeting the letter of the law and by publishing the budget for the people to see is a good attempt to be transparent with those numbers though they keep changing right up to the day of the vote, it is hard to be too transparent with that he is putting in out there for the record, the 2% is not the full story so that is the transparency he is trying to present. Mr. Weller stated as to the other issues, once or twice now Mr. Wengert has told him he doesn't like to be political; but that was the most political speech he ever heard out of anyone up on the podium and he begs to differ, Mr. Wengert is very political and this is especially a very political issue. Mr. Weller stated he agrees, the HURF funds are not on the table for discussion; those are based on population and road mileage and distributed appropriately throughout the Nation and down here. Mr. Weller stated the state shared tax revenue is a five million dollar issue and the property taxes are a nine million dollar issue as other associated taxes that bring it to about a twenty million dollar hit on the citizens of this county that contribute to the budget of the county and that five million is not a major portion of that. Mr. Weller stated he is concerned that much of the nine million dollars from the taxpayers is what is really being utilized for the officers up on the Navajo Nation. Mr. Weller stated he will continue to have discussions such as this until a clear open discussion between Board members is held. Mr. Weller stated he thinks it's interesting that the finance director and the county manager say they have discussed it with the board because as far as he knows the board is supposed to discuss these matters and that has not happened but he would invite that discussion especially the one million dollars for the certified officers

on the Navajo Nation. Mr. Weller stated he has looked at the details of the budget vary closely and believes Mr. Wengert is misleading the public with some of his statements.

Lenora Fulton, County Recorder, thanked the Board for reviewing the budgets with the departments and stated the funding received is almost adequate for the programs and the services, though it seems every year there isn't enough money or staff but works with what she has and makes all the efforts possible to meet the needs of the citizens and will work with the budget given to her. Ms. Fulton stated she is concerned with statements being made; whether the citizens are part of the Navajo Nation or not, they are citizens of Apache County and feels comfortable that the county continues to provide services to the entire county, particularly with law enforcement. Ms. Fulton stated she is concerned with the comment "the money generated by taxpayers" because she is a tax payer as well as many native Americans in the county and is glad the county protects the citizens wherever they may be. Ms. Fulton stated she wanted to commend the county manager, who does a great job and tries to speak on behalf of the departments as well as the citizens and asked the Board to approve the budget as is so we can continue to work together because the citizens have a great need wherever they may reside in the county.

Mr. Weller stated he wanted to clarify the issue with certified officers is a special issue, he is not making it an issue about the citizens of the county; this county is very interestingly put together, 2/3 of the county in land mass and jurisdiction is Navajo nation and when you deal with certified officers, jurisdiction should be very clearly understood and stated and made appropriately with the budgeting issues. Mr. Weller stated there are 15 counties in this State and Apache is the poorest, and there are over 20 tribes in this State and Apache County is the only county that has certified officers assigned to Native American lands and that concerns him since we are the poorest county. Mr. Weller stated the Navajo Nation very clearly and frequently states their sovereignty and have their own policing forces and take care of their own citizens so that is part for the future discussion. Mr. Weller stated there is nothing other to do than make sure we respect the jurisdiction as all other counties in the State do.

Mr. Wengert stated Mr. Weller keeps referring to there being nine million dollars, which there is, but that includes all of the secondary districts; the primary property tax that we receive is only 2.5 million, and that money is used for general fund departments including the sheriff's office, so it is misleading so say that nine million is available for all departments because it is not. Mr. Wengert stated the majority, or all but 2.5 million goes to the districts, with 2.5 million for the general funds which is not a whole lot of money. Mr. Wengert stated he wanted to remind the Board the state shared revenue is 5 million so the state shared revenue

contributes more to the general fund departments than the primary property tax and not a penny of the secondary taxes goes to the general fund departments unless there is the flexibility language so he wanted to clarify that for the public and the paper.

George Walsh, a resident of Vernon, stated since it does not seem to be a problem to put officers on the Navajo reservation that has no jurisdiction, he would like to suggest the County put sanitary engineers up there for septic inspections through the health department because they have no jurisdiction either so we might as well put some more employees up there we can pay for.

Chairman Shirley stated Mr. Weller alluded to law enforcement in other counties that certified officers are not on native lands and here in Apache County there are certified officers serving and that is because we are working together and believes the county is not an island to itself, we are serving the constituency of Apache County which includes Navajos who are also constituents. Chairman Shirley stated maybe other countries are not working together but here in Apache County we reach out and try to work together and encourage intergovernmental agreements and have done that since he has been a supervisors and it is working. Chairman Shirley stated instead of saying this is my turf here and over there is your turf that is wrong. Mr. Shirley stated in the Navajo culture the elders teach we are all on the same side and the enemy are hunger, thirst, poverty and drugs and we need to work together serving all the people in Apache County. Mr. Shirley stated we are all doing the best we can with limited resources and he will continue to emphasize we work closely with county attorney and try to do everything legal and as far as he knows the way it has been done in the past is legal.

Chief Deputy Sheriff Brannon Eagar stated there have been a lot of things said about certified officers and jurisdiction and obviously the people that have spoken about jurisdiction have not done their homework because we do have jurisdiction on the Navajo Nation, on any non-native and over the governmental properties that belong to the County. Chief Eagar stated the sheriff believes we serve all people and in Apache County and there is a completely different dynamic than any other county as far as tribal and non-tribal lands so if you are going to lump together and compare this sheriff's office to the others in the state, he recommends that be done across the board with salaries and benefits. Chief Eagar stated the sheriff's office works well with the County and have cut and cut and are doing the best they can with the resources they have and the sheriff is dedicated to continue to provide the services to all members of Apache County that can legally and lawfully be provided.

Mr. Weller stated the non-native citizens up on the Navajo Nation and the property we have jurisdiction over is less than 1/10th of 1% of the area and population which does not justify 1/3 of the workforce in the sheriff's

department to be up there. Mr. Weller stated as to the issue of comparing to other counties, if a portion of those 9 certified officers were down in a jurisdiction where they had full authority to do whatever the normal certified officer can do in all situations that occur, your numbers would be much better and you would be comparable to other counties on number of officers per area and per number of citizens. Mr. Weller stated this needs a long discussion and his point can be twisted any way someone wants to twist it; he has nothing against the wonderful citizens who live on the Navajo Nation and he does everything he can to assist them but this is a significant issue that needs to be thoroughly vetted and understood and it contributes to the difficulties between the Navajo Nation and southern Apache County. Mr. Weller stated (the Board) didn't draw the line and has heard Mr. Shirley say many times the Navajo Nation is sovereign and wants to stay sovereign and has its own set of laws so you shut us out when you say that just as we have our own set of laws. Mr. Weller stated he isn't the one shutting it out, he is saying we need to open this up for discussion and make sure it is vetted thoroughly.

Raymond Smith Jr, a member of the Navajo Nation Council as well as represents the Sanders/Lupton area as well as the vice-chair on the Law and Order Committee for the Navajo Nation. Mr. Smith stated he came down to hear the meeting today and didn't realize the Board would be talking about law and order in the northern area. Mr. Smith stated the discussion is quite interesting because he does welcome law enforcement to assist with the constituents of Apache County. Mr. Smith stated they are in talks with Coconino and Navajo County because they need officers to be proactive on the Navajo Nation. Mr. Smith stated the Navajo Nation does have their own laws that govern the Navajo People but there are visitors and others that come onto the Navajo Nation that need to be covered under state and federal laws. Mr. Smith stated the Law & Order Committee is diligently working to speak on behalf of cross deputizing and there are events like the Chinle and Navajo Nation Fairs that bring many other nationalities to the Navajo Nation. Mr. Weller asked Mr. Smith if funding is being discussed at the meetings to assist with the agreements between the different counties to provide officers. Mr. Smith stated the Committee is working with the 638 Contract to try and get more funding and can bring that issue to future discussions and he would like to have more cross deputized and certified officers to assist the Navajo Nation so he will bring that request back to the Chairman of the Law & Order Committee. Mr. Weller stated it would be great to put funding in the dialogue for more officers so funding is understood and equated throughout the area. Mr. Smith stated the citizens of the Navajo Nation are taxpayers and would like to see services in the area.

Mr. White, addressing Mr. Smith, stated at times the Navajo Nation Council has been asked for funding for transportation and roads and there are many county roads on the Navajo Nation in District I and District II and

part of District III and he will be approaching the Council in the near future asking for funding. Mr. White stated years ago the County would receive around \$300,000 a year and now receives nothing but the County does a lot of work on the Navajo Nation improving and graveling roads and asked for Mr. Smith's support. Mr. Smith stated the reason why he came to the meeting today was to begin talks on the road issues because school will begin shortly. Mr. Smith stated he supports the fact that we do need to help each other with funding for county roads and there is Navajo Department of Transportation and BIA as well.

Mr. White moved to close the public hearing, seconded by Mr. Weller. Vote was unanimous.

Mr. Wengert requested adoption of the Final 2015-2016 budget for Apache County as well as Truth and Taxation increase and recommended approval. Mr. White moved to adopt the final budget for FY2015-2016 as well and the Truth in Taxation increase, seconded by Mr. Shirley. Motion passed 2-1 with Mr. Weller voting nay.

**APACHE COUNTY RESOLUTION FOR THE ADOPTION OF
THE BUDGET FISCAL YEAR 2015-2016
RESOLUTION NO 2015-09**

WHEREAS, in accordance with the provisions of Title 42 Chapter 17, Articles 1-5, Arizona Revised Statutes (A.R.S.), the Board of Supervisors did, on July 7, 2015, make an estimate of the different amounts required to meet the public expenditures/expenses for the ensuing year, also an estimate of revenues from sources other than direct taxation, and the amount to be raised by taxation upon real and personal property of Apache County, and

WHEREAS, in accordance with said sections of said title, and following due public notice, the Board met on August 3, 2015, at which meeting any taxpayer was privileged to appear and be heard in favor of or against any of the proposed expenditures/expenses or tax levies, and

WHEREAS, it appears that publication has been duly made as required by law, of said estimates together with a notice that the Board would meet on August 17, 2015, at the office of the Board for the purpose of hearing taxpayers and making tax levies as set forth in said estimates, and

WHEREAS, it appears that the sums to be raised by taxation, as specified therein, do not in the aggregate amount exceed that amount as computed in A.R.S. §42-17051(A),

THEREFORE BE IT RESOLVED, that said estimates of revenues and expenditures/expenses shown on the accompanying schedules as now increased, reduced or changed by and the same are hereby adopted as the budget of Apache County for the fiscal year 2015-2016.

Passed and adopted by the Board of Supervisors of Apache County, this 3rd day of August, 2015.

ATTEST:

/s/ Joe Shirley, Jr.

/s/ Delwin Wengert

Chairman, Board of Supervisors

Clerk of the Board

Mr. Wengert presented **Consent Items A-F** and recommended approval. Mr. Weller moved approval, seconded Mr. White. County Manager/Clerk of the Board Request approval of demands as distributed to the Apache County Board of Supervisors between July 21, 2015 to August 3, 2015. Payee Amount ARIZONA STATE FORESTRY DIVISION 5,444.40 AZ COUNTIES INSURANCE POOL 1,063.00 AZ SECRETARY OF STATE 5,425.00 CRESCENT ELECTRIC SUPPLY CO 2,875.03 HATCH CONSTRUCTION 2,539.52 KIMBALL EQUIPMENT COMPANY 77,711.16 KTNN RADIO STATION 1,680.00 MISBACH, CHRISTOPHER BRIAN 1,800.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,548.15 NAVOPACHE ELECTRIC COOPERATIVE 3,244.49 QED INC 3,243.00 SHELL OIL 2,025.63 ST JOHNS CITY 2,375.42 THE GUIDANCE CENTER 1,575.00 THOMSON REUTERS WEST 1,055.19 VERITAS RESEARCH CONSULTING 2,520.00 VERIZON WIRELESS 1,089.15 WOODLAND BUILDING CENTER 3,334.25 YOUNG, JOSEPH 7,600.00 AGUERO, ROBIN R 1,076.82 AZ STATE LIBRARY ARCHIVES & PUBLIC RECORDS 8,875.34 BANK OF THE WEST – 4762 2,720.47 BLUE HILLS ENVIRONMENTAL 1,292.65 CARTER, JAMES P 4,500.00 COCONINO COUNTY 3,733.37 FRONTIER 1,026.08 FRONTIER 4,591.36 GOSERCO, INC. 3,864.57 INGRAM LIBRARY SERVICES 2,796.74 KARPEL COMPUTER SYSTEMS INC 18,900.00 KONICA MINOLTA 1,670.28 MAVRIDES, ODESSA RENELL 1,076.02 MOORE MEDICAL LLC 1,007.37 NEVES UNIFORMS & EQUIPMENT 1,808.95 PIMENTEL CONTRACT CLEANING 3,350.00 PITNEY BOWES RESERVE ACCOUNT 5,000.00 PTS OF AMERIC LLC 1,362.90 QUALITY READY MIX INC 5,847.76 QUILL CORP 2,482.32 REIDHEAD, BRANDY 3,205.00 SECURUS TECHNOLOGIES INC 1,276.08 SPRINGERVILLE-EAGAR CHAMBER OF COMMERCE 4,125.00 UPSHAW-CRANK, ERICA 1,125.00 WELLS FARGO BANK 0609 1,143.17 YOUNGS FUTURE TIRE 4,730.24 Heap, Justin 2,040.85 Shirley, Joe Junior 2,028.25 Rogers, Kent 1,219.44 Stradling, Reed 1,464.04 Vezina, Melissa 1,249.77 Chavez, Lillian C 1,049.47 King, Walter Scott 1,313.60 Bia, Johnnie Senior 1,036.71 APACHE COUNTY TAX WITHHOLDING 134,237.21 AZ STATE RETIREMENT SYSTEM 88,121.79 CORRECTIONS OFFICER RET PLAN 5,407.11 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,837.57 PUBLIC SAFETY PERSONNEL 401 10,971.63 PUBLIC SAFETY SHERIFF RET 37,284.45 J P SALES & SERVICE INC 3,382.00 OFFICE DEPOT 8,123.67 ADHS

AZ HEALTH CARE COST 22,400.00 ARIZONA STATE FORESTRY DIVISION 1,158.88 AVAYA COMMUNICATIONS 1,381.19 AZ COUNTIES INSURANCE POOL 491,264.00 AZ DEPT OF ECONOMIC SECURITY 3,787.02 AZLGEBT 322,242.52 BLUE HILLS ENVIRONMENTAL 27,993.34 BRADCO 18,715.87 BUNTON, KELLY L 1,620.00 CHEVRON USA INC 1,924.86 COUNTY SUPERVISORS ASSOCIATION OF ARIZONA 55,123.00 CREIGHTON, RONALD 3,150.00 DELL COMPUTER CORPORATION 5,834.42 EMPIRE MACHINERY 5,159.22 FARONICS TECHNOLOGIES USA INC 1,569.68 HATCH MOTOR COMPANY SNOWFLAKE 1,138.22 HILLYARD INC 1,841.82 INGRAM LIBRARY SERVICES 3,492.03 JOHN, TENEYA A 3,719.59 MAVRIDES, ODESSA RENELL 2,272.78 PILKINGTON ADVERTISING DESIGN LLC 3,625.00 PIMA COUNTY MEDICAL 2,200.00 QUILL CORP 4,163.83 RUSH TRUCK CENTER 1,347.23 SALINE PEST MANAGEMENT INC 1,005.00 SAN DIEGO POLICE EQUIPMENT 6,721.32 SPRINGERVILLE-EAGAR CHAMBER OF COMMERCE 1,010.00 ST JOHNS EMERGENCY SERVICES 1,127.83 SYSTEM EXCHANGE CORPORATION 4,625.00 UNIVERSAL FLEET CARD 1,151.36 VERIZON WIRELESS 1,965.48 WELLS FARGO BANK 0609 1,513.16 WILLIAMS LAW GROUP PLLC 8,500.00 VERIZON WIRELESS 1,365.48 Demands are payments

made or to be made, by the County. Specific details of the demands may be requested through the County public record request process. **B.** Request approval of minutes dated July 21, 2015. Personnel

Items: **C. District II:** Request authorization to extend the temporary employment of Raymond Tsosie, Facilities and Construction Worker III, for an additional 120 days, at a rate of \$14.11 an hour. **D. Sheriff's Office/Jail:** Notification of the retirement of Marvin McCoo, Detention Officer II, effective July 31, 2015 and request approval for the payout of his accumulated sick leave per Apache County Human Resources Policy 3.25. **E. District I:** Request authorization to convert the currently vacant Civil Engineering Aide II (Range 29) to an Equipment Mechanic I (Range 27). Community Development: **F.** Request approval of a Conditional Use Permit to allow Lee Walp to add an additional residence with new septic system and power to his 40 acre property, located at #34 County Road N3134, Vernon, Arizona. This was approved unanimously by the Planning and Zoning Commission. Vote was unanimous.

Chief Deputy Sheriff Brannon Eagar, on behalf of the Sheriff's Office, requested approval of an Emergency Contract between the State of Arizona Department of Corrections and Apache County for the use of facilities for the housing and care of inmates. Chief Eagar stated the State of Arizona needs assistance with housing inmates after a riot in Yuma. Chief Eagar stated the contract has been worked out with all applicable departments and puts the County in a good position. Mr. Weller stated the contract is written as a resolution and asked if it needed to be approved as a resolution. Chief Deputy Attorney Joe Young stated it is written as a resolution but is a contractual resolution and if the Board approves the contract, the resolution is also approved. Mr. Weller stated there is a potential for financial risk to the County with the medical care for the prisoners and

asked if that issue was worked out. Commander Michael Cirivello stated the State of Arizona will cover all medical care and the detention officers needed to guard the prisoners. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

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

Mr. Weller moved to adjourn the meeting, seconded by Mr. White. Vote was unanimous.

Approved this 17th day of August, 2015.

/s/ Joe Shirley, Jr.

Chairman of the Board

/s/ Delwin Wengert

Clerk of the Board