

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING

March 12, 2019  
St. Johns, Arizona

Present were: Chairman Joe Shirley, Jr., Vice Chairman Travis Simshauser and Supervisor Alton Shepherd. Also present, County Manager/Clerk of the Board Ryan Patterson, County Attorney Michael Whiting and Chief Deputy County Attorney Joe Young.

Chairman Shirley called to order the Board of Supervisors meeting at 8:35 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona, and welcomed all in attendance.

David Lamm gave the invocation.

SueAn Stradling-Collins led the Pledge of Allegiance.

Chairman Shirley called for the Public Health Services District items.

Mr. Patterson presented notification of the retirement of Health Director Chris Sexton, effective April 1, 2019 and recognition of his 35 years of service with public health; the past 9 years here with Apache County. Mr. Sexton thanked the Board of Supervisors and county staff. Chairman Shirley, Mr. Simshauser and Mr. Shepherd thanked Mr. Sexton for his years of service. No action was needed or taken.

Chris Sexton, Health Director, presented the submission of Clinical Services Quarterly Update for October –December 2018. No action was needed or taken.

Chris Sexton, Health Director, requested approval of an Intergovernmental Agreement (Contract #CTR041628) Childhood Lead Poisoning Prevention Services effective February 1, 2019 to January 31, 2024 in the amount of \$25,000. Mr. Sexton stated this agreement will provide funds to support the Health District in building capacity to implement lead poisoning prevention activities with the goal of increasing blood lead testing of children in high-risk areas and reporting of test results to AHDS. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chris Sexton, Health Director, requested approval to increase the hours of two employees from 32 hours to 40 hours per week to be covered by the funding provided by Contract CR041628. Mr. Sexton stated the requested positions are grant-funded and accordingly, both positions will be converted back to 32 hours once the grant funds have been depleted. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Chris Sexton, Health Director, requested approval of the FDP Cost Reimbursement Research Sub-Award Agreement with Arizona Board of Regents, University of Arizona to provide services for the Arizona Nutrition Local Incentive Award-DES Food Stamp Nutrition Education Program to southern Apache County from October 1, 2018 to September 30, 2019. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chris Sexton, Health Director, requested approval of Reservation and County Management Roles and Responsibilities for Navajo Nation Agreement describing the roles and responsibilities of tribal, county and state partners that are conducting surveillance and/or case investigation of sexually transmitted diseases (STD's) via the Patient Reporting Investigation Surveillance Manager (PRISM). **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chris Sexton, Health Director, requested approval of the Special Supplemental Nutrition Program for Women, Infants and Children (WIC). Breastfeeding Peer Counseling Program (BFPC). Women and Children's Farmers Market Nutrition Programs (FMNP), and Online Nutrition Education Discussion (ONED) for the State of Arizona Amendment #1 and the amendment changes the contract number to CTR041404. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chris Sexton, Health Director, requested approval of a contract between the Public Health Services District and Western Drug to dispense prescription medications, effective February 1, 2019 and has been budgeted for FY19. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

**Mr. Simshauser moved to adjourn the Heath District meeting, seconded by Mr. Shepherd.** Vote was unanimous.

Chairman Shirley called for the Library District item.

SueAn Stradling-Collings, Library Director, requested approval of the completed Strategic Plan for the Sanders Public Library. Ms. Stradling-Collins stated the plan is in effect for three years. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

**Mr. Simshauser moved to adjourn the Library District meeting, seconded by Mr. Shepherd.** Vote was unanimous.

Chairman Shirley called for the regular agenda items.

Ferrin Crosby, County Engineer presented notification of the retirement of Tamie Herrick and recognition of her 21 years of service. Chairman Shirley, Mr. Simshauser and Mr. Shepherd thanked Mrs. Herrick for her service. No action as needed or taken.

Joyce Alves, and Mike Hauser with the University of Arizona Cooperative Extension in Apache County, presented an update on activities and programs within Apache County. Kristy Kinlicheenie , the 4-H Program Coordinator on the Navajo Nation and Josh Grace, the new Extension Area Agent for Range and Animal Science were introduced. A presentation by the Black Creek 4-H and 4-H camp counselors to Supervisor Simshauser and County Attorney Whiting was made for their support of the 4-H program. No action was needed or taken.

David Lamm, Finance Director, provided an overview and update on the General Fund Revenue Projections and 2019-2020 Budget. Mr. Lamm stated the projected budget should remain level with no increase or decrease in revenue for the upcoming fiscal year. No action as needed or taken.

Mr. Patterson presented the Consent agenda items A-H. **Mr. Simshauser moved to approve the consent items, seconded by Mr. Shepherd.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between February 5, 2019 and March 12, 2019. Demands are payments made, or to be made, by the County. Payee Amount APACHE COUNTY HSA 3,429.57 APACHE COUNTY MEDICAL 168,976.02 APACHE COUNTY TAX WITHHOLDING 148,094.63 ASRS LEGACY EORP 5,933.16 AZ STATE RETIREMENT SYSTEM 105,919.25 COLONIAL LIFE AND ACCIDENT INS 1,560.30 CORRECTIONS OFFICER RET PLAN 9,607.65 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,298.34 EORP LEGACY 2,723.78 NATIONWIDE 2,171.00 NATIONWIDE TRUST FSB 3,303.42 PUBLIC SAFETY PERSONNEL 401 15,987.81 PUBLIC SAFETY SHERIFF RET 45,351.20 SUPPORT PAYMENT CLEARINGHOUSE 1,606.39 ALLEGRA 2,233.83 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,528.86 AMAZON COM INC 2,216.33 AMIGOS LIBRARY SERVICES 7828.50 AZ DEPT OF HEALTH SERVICES 1,220.00 BILTMORE PRO PRINT 2,763.88 BOOT BARN 1,276.55 CIVIL & ENVIRONMENTAL CONSULTANTS INC 19,896.25 CONTINUANT INC 1,015.20 DATABANK IMX LLC 1,218.75 EMPIRE thoroughly MACHINERY 7,519.01 FLEET PRIDE 2,092.65 FRONTIER 1,828.53 GLAXO SMITHKLINE PHARMACY 1,386.00 HILLYARD/FLAGSTAFF 2,263.45 INGRAM LIBRARY SERVICES 2,732.27 KATHLEEN M MCGUIRE PSY D LLC 1,975.00 LARRY H MILLER DODGE RAM AVONDALE 129,497.76 MOREZ, ALLAN T Junior 1,505.00 NATIONAL BANK OF ARIZONA 0127 2,681.20 NATIONAL BANK OF ARIZONA 0085 2,880.22 NATIONAL BUSINESS FURNITURE 3,100.97 NAVAJO TRIBAL UTILITY AUTHORITY 4,098.86 OFFICE DEPOT 2,932.00 OVERDRIVE INC 1,284.44 PROFORCE LAW ENFORCEMENT 2,923.88 QUALITY 1ST ROOFING INC 61,611.90 QUILL CORP 4,598.03 RAMIREZ, BENJAMIN M 2,250.00 RHINEHART OIL CO 15,286.16 THOMSON REUTERS WEST 1,408.47 TRINITY SERVICES GROUP INC 22,206.91 US CORRECTIONS LLC 2,643.00 VALLEY AUTO PARTS 1,688.81 VERIZON WIRELESS 2,084.98 WOODLAND BUILDING CENTER 2,591.65 WORLD OF TRAVEL 2,356.06 WRIGHT EXPRESS FSC 2,904.20 YAVAPAI COUNTY GOVERNMENT 10,850.00 YAZZIE'S AUTO PARTS INC 1,982.40 NAVOPACHE ELECTRIC COOPERATIVE 2,231.10 AAA OR NORTHERN CALIFORNIA, NEVADA & UTAH 1,536.00 ABEITA GLASS CO 3,220.00 ADHS AZ HEALTH CARE COST 22,400.00 ALLEGRA 2,223.05 AMIGO CHEVROLET 2,314.92 BREWER LAW OFFICE PLLC 8,500.00 EMPIRE MACHINERY 1,282.68 ESRI INC 9,741.54 GOLIGHTLY TIRE 2,338.12 GREAT AMERICA FINANCIAL SERVICES CORP 8,426.45 HAMBLIN

LAW OFFICE PLC 8,500.00 HEAP, KLINT 1,356.10 HIGH COUNTRY PROPANE 2,311.66  
KTNN RADIO STATION 2,518.56 LEGATE, PENROD & ASSOCIATES 8,500.00 MIDWAY  
CHEVROLET 121,410.32 NATIONAL ASSOC COUNTY AND CITY HEALTH OFF  
2,100.00 NAVOPACHE ELECTRIC COOPERATIVE 6,952.98 NORTHLAND PIONEER  
COLLEGE 41,121.00 PATTERSON, DANA BRYCE 8,500.00 PATTERSON, RYAN N  
1,262.84 QUILL CORP 4,542.42 RHINEHART OIL CO 3,946.60 SANOFI PASTEUR  
INC 1,147.98 SCHIFF, LAURENCE 2,000.00 SECURUS TECHNOLOGIES INC 1,095.46  
SW ECOLOGY LLC 2,346.25 THE AARONS COMPANY LLC 3,000.00 TOTAL AUTO  
PROS WHOLESALE LLC 1,023.00 TYLER TECHNOLOGIES INC 1,900.00 VALLEY  
AUTO PARTS 1,618.76 VERITAS RESEARCH CONSULTING 3,250.00 VERIZON  
WIRELESS 1,069.00 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 2,072.77  
WORLD OF TRAVEL 1,775.84 YAZZIE'S AUTO PARTS INC 1,103.89 AZ DEPT OF  
REVENUE 1,918.08 APACHE COUNTY HSA 3,479.57 APACHE COUNTY MEDICAL  
169,101.40 APACHE COUNTY TAX WITHHOLDING 134,451.05 ASRS LEGACY EORP  
5,933.16 AZ STATE RETIREMENT SYSTEM 103,910.95 COLONIAL LIFE AND  
ACCIDENT INS 1,448.95 CORRECTIONS OFFICER RET PLAN 9,516.11 CORRECTIONS  
OFFICER RETIREMENT PLAN 520 4,923.35 EORP LEGACY 2,723.78 NATIONWIDE  
2,093.11 NATIONWIDE TRUST FSB 3,322.79 PUBLIC SAFETY PERSONNEL 401  
15,987.81 PUBLIC SAFETY SHERIFF RET 43,110.08 SUPPORT PAYMENT  
CLEARINGHOUSE 1,606.39 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,342.38  
AMERIGAS – GALLUP 1,573.83 APACHE COUNTY SCHOOLS CONSORTIUM  
3,300.00 AZ DEPT OF HEALTH SERVICES 1,390.00 BARCO PRODUCTS CO 2,178.56  
BRAD PETERSON B & B FABRICATIONS 1,805.50 CDW GOVERNMENT LLC 12,210.83  
CRISS CANDELARIA LAW OFFICE 3,190.00 DH PACE COMPANY INC 6,177.80  
DIAMOND DRUGS INC 9,817.81 EMPIRE MACHINERY 8,504.18 FERRELLGAS  
1,476.07 FRONTIER 4,530.07 FRONTIER 1,287.35 HILLYARD/FLAGSTAFF 1,582.22  
HOME DEPOT 1,261.86 INGRAM LIBRARY SERVICES 1,089.75 L R INVESTIGATIONS  
LLC 1,115.00 MARRIOTT ST LOUIS GRAND 2,530.88 MOORE LAW FIRM PLLC  
1,188.00 NAVAJO NATION 1,200.00 NAVAJO TRIBAL UTILITY AUTHORITY 8,598.79  
NAVOPACHE ELECTRIC COOPERATIVE 10,689.83 NEWMAN SIGNS INC 5,743.35  
NORCHEM DRUG TESTING LABORATORY 1,388.25 OVERDRIVE INC 1,255.74  
PITNEY BOWES RESERVE ACCOUNT 5,000.00 QUALITY 1ST ROOFING INC  
61,611.90 QUILL CORP 2,383.88 REDW LLC 11,000.00 REED'S TREE SERVICE  
1,500.00 REIDHEAD SAND AND ROCK 2,637.64 RESIDENCE INN WASHINGTON  
DOWNTOWN 1,506.00 RHINEHART OIL CO 16,807.72 RITE OF PASSAGE INC  
4,808.10 SECURUS TECHNOLOGIES INC 1,263.59 SHELL OIL 1,160.47 SIERRA  
PROPANE 1,076.01 ST JOHNS CITY 1,182.32 SW ECOLOGY LLC 1,480.00  
TWIN CITY HARDWARE - TCH SOUTHWEST 3,453.02 US CORRECTIONS LLC  
5,992.00 WHITE MOUNTAIN PUBLISHING CO 10,276.60 RESIDENCE INN  
WASHINGTON DOWNTOWN 1,442.62 AMAZON CAPITAL SERVICES INC (IT DEPT)  
1,169.75 AMERICAN PROBATION & PAROLE ASSOCIATION 1,575.00 ASHTONS  
REPAIR INC 1,260.61 AZLGEBT 2,800.00 BAUMAN HOME AND AUTO INC  
2,552.01 CHAVEZ, VICTOR L 2,352.06 COCONINO COUNTY 1,860.00  
CREATIVE MULTIMEDIA INC (CMI) 13,920.00 DELL COMPUTER CORPORATION  
3,271.13 EM HALE LAW 4,074.40 FERRELLGAS 1,084.69 FONTES, MIGUEL R  
3,675.00 GUINN, ADA C 1,939.80 HANCOCK, PAUL 2,287.78 IKARD & NEWSOM

1,569.88 INGRAM LIBRARY SERVICES 3,699.95 LATHAM, MICHAEL 3,832.89  
NAVAJO TRIBAL UTILITY AUTHORITY 2,405.37 NAVAJO TRIBAL UTILITY  
AUTHORITY 4,852.60 NAVOPACHE ELECTRIC COOPERATIVE 3,907.08 OFFICE  
DEPOT 1,196.92 PITNEY BOWES RESERVE ACCOUNT 5,000.00 QUILL CORP  
2,314.19 RHINEHART OIL CO 8,678.82 RUSH TRUCK CENTER 3,118.30  
SANOFI PASTEUR INC 1,266.82 SECURUS TECHNOLOGIES INC 1,053.13  
SIERRA PROPANE 2,251.62 ST JOHNS EMERGENCY SERVICES 2,314.09  
THOMSON REUTERS WEST 2,380.77 US GEOLOGICAL SURVEY 3,100.00  
VERITAS RESEARCH CONSULTING 3,450.00 VERIZON WIRELESS 1,804.87  
WRIGHT EXPRESS FSC 2,929.94 YAVAPAI COUNTY GOVERNMENT 15,500.00  
YELLOWHORSE, JAY 2,341.09 YELTON AND ASSOCIATES 10,050.00 Specific details of  
the demands may be requested through the County public record request process. B. Request  
approval of the minutes dated February 5, 2019 and February 21, 2019. Human Resources:  
C. District I: Request approval to convert a vacant Road Maintenance Worker II position (range  
30) to a Road Maintenance Worker III position (range 36). D. District II: Request approval to  
eliminate a Senior Planner (range 48) position and create a Planning and Engineering Manager  
(range 48) position, and eliminate a Community Resource Liaison (range 46) position and create  
a Logistic & Support Services Manager (range 51) position. Community Development: E.  
Request approval to waive the \$1,112.00 building permit fee for Concho CAN, a 501(c) (3)  
nonprofit organization to build a community center in the Concho area for community events and  
activities. The property is located on the frontage road in Concho at parcel 201-30-003. F.  
Request approval of a Zone Change application for Robert Lansford to rezone his 40 acre lot  
from Agriculture General (AG) to Light Commercial Zone (C1) due to expanding his vineyard to  
include a wine tasting room, reception hall and a small electric train to transport patrons through  
the vineyard. The property is located at parcel 212-62-088 in Concho, Unit 2 of the Rancho  
Alegre Subdivision, next to the Lavender Farm. School Superintendent's Office: G.  
Submission of the annual report of revenues and expenditures of the Apache County Schools  
Business Consortium. County Attorney's Office: H. Request authorization to create an  
additional Legal Clerk position (Range 42). This amount has been budgeted for in the general  
fund budget, and there is money to fund this position. Vote was unanimous.

Mr. Patterson, on behalf of the Recorder's Office requested the notification of the resignation of  
Recorder Edison Wauneka and possible appointment to fill the vacancy, be removed from the  
agenda. Chairman Shirley removed the item.

Ferrin Crosby, County Engineer, presented the item to award Bid #2019-04 for contract  
trucking. Mr. Crosby stated two bids were received; Brimhall Sand and Rock and Perkins  
Cinders and the bid submitted by Perkins Cinders was only for District III and the bid  
specifications require the bid be for all three districts. Mr. Crosby stated Brimhall's bid was for  
all three districts but the rates they quoted are too high compared to the going rate. Mr. Crosby  
recommended the bids be rejected and go out to bid again. **Mr. Simshauser moved to reject  
the submitted bids, seconded by Mr. Shepherd.** Vote was unanimous.

Stephanie McCarthy, Human Resources Manager, requested approval to enter into an Affiliation Agreement with Grand Canyon University for a Field Experience Program for current and future employees in the nursing program working within the jail and this will be at no cost to the county. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chief Deputy Sheriff Brannon Eagar, on behalf of Emergency Management, requested approval to amend the current Cooperative Fire Rate Agreement for equipment and resources, between Apache County and the Arizona Department of Forestry and Fire Management. **Mr. Simshauser moved to table the item, seconded by Mr. Shepherd.** Vote was unanimous.

Chief Deputy Sheriff Brannon Eagar, on behalf of Emergency Management, requested approval to accept the Emergency Management Performance Grant (EMPG) EMF-2018-EP-00012-SO1 from the Arizona Department of Emergency and Military Affairs for the amount of \$203,815.00. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Chief Deputy Brannon Eagar provided an update on the snow and mud emergency and And due to the predicted future weather, he is unsure of the amount of precipitation the county may receive, requested the Board extend the State of Emergency declared on February 21, 2019 until the April 2, 2019 Board meeting. **Mr. Simshauser moved to approve the extension of the declared emergency through to April 2, 2019, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson presented the Proclamation signed by Governor Ducey designating April as County Government Month. No action was taken.

Mr. Patterson requested the item to extend Bid #2019-03 for Publication Services to March 21, 2019 be removed from the agenda. Chairman Shirley removed the item.

Mr. Patterson requested approval to allow exempt employees that have worked during the declared February 2019 Winter Storm Emergency to be paid overtime. Costs may be reimbursed by the State of Arizona as outlined in the Declaration of Emergency signed by Governor Ducey on February 28, 2019. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson presented the item following a possible executive session for legal advice pursuant to A.R.S. §38-431.03 (A)(3), discussion and possible approval to move Emergency Management under the direction of the Board of Supervisors. Mr. Patterson stated this item was tabled at the last meeting. Mr. Patterson stated he was asked to provide a proposed transition plan for emergency management in the Board decided to make a transition. Mr. Patterson stated the proposal would assign Kerry Pena, the current Public Health Emergency Manager as the interim Emergency Management Director. Mr. Patterson stated Ms. Pena has been through several emergencies and has received all required trainings and certifications. Mr. Patterson stated a move would bring both the public health emergency management and emergency management together under one roof at the Round Valley Annex where the public health emergency management division and the 311 call center is already established at that location. Mr. Patterson stated the funding would continue to be the same including the \$203,000 that was just approved

as well as \$200,000 in the public health emergency management and the required match of \$100,000, so there would be no additional cost to the general fund. Mr. Patterson stated the transition proposal was only done in case the Board decided to remove emergency management from under the sheriff's office. Chairman Shirley asked if there was a need to go into executive session. Mr. Shepherd stated this topic has been discussed for several months and it seems the questions have been answered on a process to move forward. Mr. Shepherd stated he wants emergency management to have 100% of the director's time devoted to emergency management and the funding is there to support the move and putting it all under one roof is a good plan. **Mr. Shepherd made the motion to move emergency management under the Board of Supervisors, seconded by Mr. Simshauser.** Mr. Simshauser asked what personnel would transition over with the move. Mr. Patterson stated the emergency management director would report directly to the Board of Supervisors thorough the county manager with the public health emergency preparedness director, and three administrative coordinators; 2 dedicated to the public health emergency preparedness and the current emergency management specialist. Mr. Simshauser asked if they would all work at one location and is it ready now in case of an emergency. Mr. Patterson stated the building houses the Emergency Operations Center (EOC) with a backup generator for any emergencies and is ready to go. Mr. Simshauser asked if the move would reduce any overlap or dual process that is currently happening. Mr. Patterson stated there is crossover between emergency management and public health emergency management with community outreach and trainings and merging the departments would result in creating efficiencies by having it all under one department. Motion passed 2-1 with Chairman Shirley voting nay.

Mr. Patterson presented notification of the following meetings where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed.

- Eastern Arizona Counties Organization meeting on March 20, 2019 at 3:00 p.m. located at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The Small Counties Forum meeting on March 20, 2019 at 5:00 p.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The County Supervisors Association meeting on March 21, 2019 at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

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

David Peelman, a resident of Vernon, thanked the Apache County 4-H for their presentation. Mr. Peelman referenced the resignation of Recorder Wauneka that was removed from the agenda, and stated he met with Mr. Wauneka and appreciated the good and honest work he does for the county. Mr. Peelman stated Mr. Wauneka was recently elected as a delegate for the Navajo Nation and now serves in two elected positions and Mr. Wauneka had informed him that filling both elected positions may not be the best for the county and the reservation due to possible conflicts. Mr. Peelman stated Mr. Wauneka told him he will offer legislation to the reservation to disallow dual representation between reservation elected officials and county elected officials. Mr. Peelman expressed his disappointment with emergency management being moved from under the sheriff's office.

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

**Mr. Simshauser moved to adjourn the meeting, seconded by Mr. Shepherd.** Vote was unanimous.

Approved this 2<sup>nd</sup> day of April, 2019.

/s/ Dr. Joe Shirley, Jr.  
Chairman of the Board

/s/ Ryan N. Patterson  
Clerk of the Board