

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

June 4, 2019
St. Johns, Arizona

Present were: Chairman Joe Shirley, Jr., Vice Chairman Travis Simshauser and Supervisor Alton Shepherd. Also present were 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 8:30 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona, and welcomed all in attendance.

Devin Brown gave the invocation.

Preston Raban led the Pledge of Allegiance.

Chairman Shirley called for the Public Health Services District items.

Preston Raban, Health Director, presented the item following a public hearing, discussion and possible approval of State Delegated Functions, Powers and Duties procedures for health violation hearings. **Mr. Shepherd moved to open the public hearing, seconded by Mr. Simshauser.** Vote was unanimous. George Walsh, a resident of Vernon, asked how violations have been enforced in the past without these procedures in place, and how this applies to all the applicable partnerships and agreements the county has that require an ordinance or resolution in place during the time the agreement is in effect. There was no one else wanting to address the board during the public hearing. **Mr. Shepherd moved to close the public hearing, seconded by Mr. Simshauser.** Vote was unanimous. **Mr. Shepherd moved to approve the State Delegated Functions, Powers and Duties procedures for health violation hearings, seconded by Mr. Simshauser.** Vote was unanimous.

Preston Raban, Health Director, requested approval of an Intergovernmental Agreement #ADHS18-177674 Immunization Services #3, and the amendment includes a quality improvement component for all Arizona providers that administer state supplied vaccines. **Mr. Shepherd moved approval seconded by Mr. Simshauser.** Vote was unanimous.

Mr. Simshauser moved to adjourn the Public Health Services District meeting, seconded by Mr. Shepherd. Vote was unanimous.

Mr. Patterson requested the Library District item of notification and recognition of the retirement of Library Specialist II, Christina Maennche, effective June 20, 2019 be removed from the agenda since Mrs. Maennche is not present today, and therefore no need to call the Library District meeting to order. Chairman Shirley removed the library item.

Chairman Shirley called for the regular agenda items.

Devin Brown, Community Development Director, presented the item following a public hearing, discussion and possible approval to re-adopt the Apache County Comprehensive Plan. Mr. Brown stated each county is mandated by state law to develop a Comprehensive Plan, and it must be made “with the general purpose of guiding and accomplishing a coordinated, adjusted and harmonious development” of the county; ARS §11-804(A). Mr. Brown stated many community meetings were held and the Comprehensive Plan is a general plan for the whole county and does not attempt to address specific needs of each community and the County Comprehensive Plan has also been available on the Apache County website. Mr. Brown stated the Planning Commission unanimously recommended approval on May 2, 2019. **Mr. Simshauser moved to open the public hearing, seconded by Mr. Shepherd.** Vote was unanimous. Barry Weller, a resident of Concho commended the Planning and Zoning Commission for the work they have done; they held 22 meetings and been in most of the communities he knows of and have listened to the public. **Mr. Shepherd moved to close the public hearing, seconded by Mr. Simshauser.** Vote was unanimous. **Mr. Simshauser moved to approve the Apache County Comprehensive Plan, seconded by Mr. Shepherd.** Vote was unanimous.

Devin Brown, Community Development Director, presented the item following a public hearing, discussion and possible approval to adopt the Greer Community Plan. Mr. Brown stated the Greer Community Plan was developed after holding numerous community meetings over the past two years and was revised at least 12 times and was finally brought to the Planning & Zoning Commission and after a four-hour meeting, the Commission recommended it for approval. **Mr. Simshauser moved to open the public hearing, seconded by Mr. Shepherd.** Vote was unanimous. There was no one wanting to address the Board. **Mr. Shepherd moved to close the public hearing, seconded by Mr. Simshauser.** Vote was unanimous. **Mr. Simshauser moved to approve the Greer Community Plan, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson presented the item following a public hearing, discussion and possible approval of a water franchise for Lord Water Systems, Inc. Mr. Patterson stated the franchise is in the Vernon area within the legal description: Sections 11, 12 and 13, Township 10 North, Range 24 East, of the Gila and Salt River Baseline & Meridian, and Sections 7, 17, 18, 19 and 20, Township 10 North, Range 5 East, of the Gila and Salt River Baseline & Meridian, within Apache County, Arizona. Mr. Patterson stated this franchise allows the owners of Lord Water System to use the county right-of-way and has spoken with Arizona Department of Environmental Quality and informed they are currently working with Lord Water System on some water pressure issues but is essential they have this franchise in order to solve the water problems. **Mr. Simshauser moved to open the public hearing, seconded by Mr. Shepherd.** Vote was unanimous.

Linda Hale, a resident of Vernon expressed her concern with Lord Water System and how she does not have good water pressure at certain times of the year and asked the board to assist with the water system issues.

Tom Lord, owner of the Lord Water System stated he has had the water system since 1988 and he didn't drill the wells on it; they have 4 inch pipes which does not allow very big pumps and has had low water pressure. Mr. Lord stated the engineers are working on a new well system to alleviate the problem and ADEQ and the Arizona Corporation Commission are involved, and the franchise before the board today is just to renew the right to go on the county easements, nothing to do with the pressure issue.

Kenneth Luttrell, a resident of Vernon, expressed his concerns with the water system and the problems with the water lines that have never been inspected and the inadequate wells and the need for there to be hydrology tests and things done to ensure an adequate water system or there will be leaks, pressure and volume problems. Mr. Luttrell stated there is not adequate line flushing and the community needs the assurance of at least a 100-year water supply.

Mr. Lord responded that all water lines have been pressure tested and approved by ADEQ.

Mrs. Hale stated Mr. Lord is proposing a 41% rate increase to the water bill and that will be a hardship on the community, and she does not get good customer service from the water company.

Mr. Luttrell again addressed the board and asked that the action to approve the franchise be postponed in order to verify whatever is required is being sent in to ADEQ.

Jerry Vaughn, a resident of Vernon stated he agrees with his neighbors, though he sympathizes with Mr. Lord and the issues with the water system and would like to be part of the solution and help in any way he can.

David Peelman, a resident of Vernon, but who is not part of the water franchise stated Mr. Lord has a failed business and has failed his customers. Mr. Peelman requested the board deny the franchise. Mr. Peelman stated he has no idea what area the franchise is located in, and there should be a map with detail and proof of the hydrology testing and proof there will be 100 years of water.

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

County Attorney Whiting stated he understands the frustration of Mr. Lord and his customers but the item before the Board of Supervisors is a franchise for the Lord Water System and all it does is allow Mr. Lord to continue to operate the pipes, pumps and valves that exist on county property. Mr. Whiting stated the franchise does not get into the hydrology or the 100-year water supply, it is only to allow Mr. Lord to continue to operate on the easements and highways that the board of supervisors has authority over.

Mr. Shirley asked if the franchise is not approved, what happens to the water for the people. Mr. Patterson stated without the franchise Mr. Lord would could not legally function with the current system. Mr. Patterson stated a clear map of the franchise area is in the backup material for those

wanting to see where the franchise is located. Mr. Patterson stated he spoke with Arizona Department of Quality this morning and there are no current violations or water quality issues; the only issue is the water pressure and according the ADEQ, without this franchise there is no way to address the water pressure issue.

Mr. Simshauser moved approval, seconded by Mr. Shepherd. Mr. Simshauser stated the franchise is to only use county rights-of-ways to operate the system and he is concerned with the pressure issue but without this franchise, the customers will have no water and he is not aware of any alternative if the system is shut down. Mr. Simshauser asked Mr. Whiting if this restricts anyone else from bringing in a water company. Mr. Whiting stated this franchise does not provide any exclusive use or keep any competitors from starting a water system, it simply allows Mr. Lord to legally access property owned or controlled by the county to continue his water system with the easements that currently exist.

Barry Weller, a resident of Concho, stated it appears by allowing the franchise to exist, the board somewhat agree this is a good system and requested only a short-term approval and require a report to show the progress of the water company. Mr. Whiting responded that approval of the franchise does not create any legal liability for the county or to the effectiveness or adequacy of the water supply and in regard to any required reports, that is handled by ADEQ and other state agencies and we are not able to usurp any authority at the state level.

Mr. Peelman stated he agrees with Mr. Weller and he would like to see the board do something proactive for the community.

Mr. Luttrell stated ADEQ, the real estate department and the county has let the community down and there needs to be some decisions made to assist the citizens within the water system.

Mr. Weller stated he understands the legal standpoint, but safety and health is under the jurisdiction of the Board of Supervisors who has the oversight for what happens in the county and if other agencies are not doing their job, the board is the citizen's support.

Mrs. Hale stated with the needed repairs to the water system, she is concerned with how that will affect the water rates and requested the franchise be tabled for a period of time.

George Walsh, a resident of Vernon, stated he watched the video with the corporation commission and his understanding is, there is a second well on the north side of Highway 60 that once they get online, some of the water pressure issues on the south side will be remedied. Mr. Walsh stated because there are such narrow pipes being used, they have to run smaller pumps and that causes more wear on the pumps which then causes occasional pressure issues but by putting in the other line it will help quite a bit. Mr. Walsh stated there is some miscommunication with this issue, the franchise is only for the right-of-way easement; there were some concerns expressed with the management of the water company and it seems to him (in the video) they were trying to guide them into finding outside management to better serve the community.

Mr. Shirley stated if this item isn't approved there will be no water for the community and he does not want to see that happen, but he does hear the concerns of the people and the issues regarding their water and he would like to see improvements. Mr. Shirley stated the community can create an association or incorporate a body that can address the water issues; its been going on for 25 years and the community needs to see that something is done and the county can assist with what it can, such as contacting ADEQ to see what the issues are. Mr. Simshauser stated this is a tough decision for him as well; if this isn't approved the water company cannot use the county rights-of-way and that means no water but he understands the concern with the water pressure and management issues, he sees both sides and understands living with water problems. Mr. Shepherd stated this issue is not unfamiliar to him; there was a school on New Lands that had uranium in it and the county worked with ADEQ and the corporation commission and does not know why we can't again but we do choose to live where we do and sometimes there are water issues and this approval today is needed to continue to operate, otherwise there is not an immediate alternative. Mr. Shepherd stated to continue to supply water there is always a cost to run the pipes, but the county should assist with anything it can and not just leave the community on its own. Vote was unanimous to approve the Lord Water Franchise.

Mr. Simshauser moved to sit as the Board of Directors and opened the public hearing, seconded by Mr. Shepherd. Vote was unanimous. The Board of Supervisors sat as the Board of Directors for possible approval of the 2019-2020 Tentative Budgets for the Apache County Library District, Apache County Public Health Services District, Apache County Flood Control District, Apache County Juvenile Jail District, Apache County Jail District, Junior College Tuition and the Post-Secondary Education. Mr. Patterson stated this is to set the tentative budget which sets the limits on how high the budget can be as well as placeholders for grants until the final budget is presented and those grants will increase or decrease. Mr. Patterson stated this proposed budget will increase $\frac{3}{4}$ of 1% or .7 of an increase and incorporates an increase to the employees for insurance. Chairman opened the floor for the public hearing. There was no one wanting to address the board. **Mr. Simshauser moved to close the public hearing, seconded by Mr. Shepherd.** Vote was unanimous. **Mr. Shepherd moved to approve the tentative budget, seconded by Mr. Simshauser.** Vote was unanimous.

Mr. Simshauser moved to sit as the Board of Supervisors and a public hearing, discussion and possible adoption of the 2019-2020 Tentative Budget for Apache County seconded by Mr. Shepherd. Vote was unanimous. There was no one wanting to address the board during the public hearing. **Mr. Shepherd moved to close the public hearing, seconded by Mr. Simshauser.** Vote was unanimous. Mr. Patterson stated the county has a new Finance Director. Mr. Timothy Hinton was introduced to the board. **Mr. Shepherd moved to approve the tentative budget, seconded by Mr. Simshauser.** Vote was unanimous.

RESOLUTION NO. 2019-09
APACHE COUNTY RESOLUTION FOR THE TENTATIVE ADOPTION
OF THE BUDGET FOR FISCAL YEAR 2019-2020

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 June 4, 2019 make an estimate of the different amounts required to meet the public expenditures for the ensuing year, also an estimate of revenues from sources other than direct taxation, and an estimate of the amount to be raised by

taxation upon real and personal property, and

THEREFORE, BE IT RESOLVED, that the said estimates of revenues and expenditures shown on the accompanying schedules are hereby adopted as the Tentative Budget of Apache County for Fiscal Year 2019-2020.

Passed and adopted by the Board of Supervisors of Apache County this 4th day of June 2019.

/s/ Joe Shirley, Jr.
Chairman, Board of Supervisors

ATTEST:
/s/Ryan Patterson
Clerk of the Board of Supervisors

Mr. Patterson presented Consent Agenda items A-G and recommended approval. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between May 7, 2019 and June 4, 2019. Payee Amount ALL AROUND CLEAN UP 1,250.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,289.32 ARIZONA STATE FORESTRY DIVISION 8,161.14 ASHTONS REPAIR INC 1,463.93 COALITION OF ARIZONA NEW MEXICO COUNTIES 2,600.00 DELL COMPUTER CORPORATION 2,891.43 DLT SOLUTIONS LLC 1,607.28 EMPIRE MACHINERY 6,729.07 GALLAGHER RECLAMATION LLC 8,700.00 GLAXO SMITHKLINE PHARMACY 1,440.60 HILLYARD/FLAGSTAFF 1,605.10 INGRAM LIBRARY SERVICES 1,769.78 KOMATSU FINANCIAL LIMITED PARTNERSHIP 116,775.59 LIGHT HOUSE OF ARIZONA 2,362.26 NATIONAL BUSINESS FURNITURE 1,143.37 NAVAJO NATION 1,200.00 NAVAJO TRIBAL UTILITY AUTHORITY 2,476.39 NORCHEM DRUG TESTING LABORATORY 1,694.20 PACIFIC PONDEROSA CO INC 1,398.80 PINAL COUNTY ARIZONA 4,375.00 QUEST ENTERPRISES INC 4,877.56 QUILL CORP 3,496.12 ROAD MACHINERY LLC 1,960.00 SECURUS TECHNOLOGIES INC 2,318.00 STEVEN J SERBALIK PLC 1,725.00 SW ECOLOGY LLC 1,439.20 TATES AUTO CENTER 1,405.72 TOWN OF EAGAR 1,500.00 VERITAS RESEARCH CONSULTING 1,650.00 VERIZON WIRELESS 1,945.72 WESTERN DRUG COMPANY 5,320.81 YAVAPAI COUNTY GOVERNMENT 15,500.00 THE BANCORP BANK 105,138.60 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,729.64 AZ SUPREME COURT 2,160.00 BLACK CREEK 4-H CLUB 1,000.00 CDW GOVERNMENT LLC 2,679.74 CEDAR GROVE WATER CO 3,594.43 COCONINO COUNTY 1,860.00 EMPIRE MACHINERY 12,352.89 GLENDALE PARADE STORE LLC 2,470.20 GOLIGHTLY TIRE 3,913.52 KLINT HEAP 1,846.63 HOME DEPOT 1,363.24 LAWSON PRODUCTS INC 4,491.53 MICHAEL E MADRID 1,243.44 MOORE LAW FIRM PLLC 1,969.00 MOUNTAIN LEGAL PLLC 1,082.50 NATIONAL BANK 4,420.92 NATIONAL BANK OF ARIZONA 1389 1,486.34 NATIONAL BANK OF ARIZONA 0085 1,221.73 NATIONAL BANK OF ARIZONA 0822 1,286.60 PACIFIC PONDEROSA CO INC 1,121.74 PRAXAIR DISTRIBUTION INC 2,828.83 PUBLIC SAFETY SHERIFF RET 31,352.71 QUALITY 1ST ROOFING INC 20,537.30 QUILL CORP 2,065.23 RUSH TRUCK CENTER 1,000.45 SANDSTONE PUBLIC RELATIONS

1,500.00 SECURUS TECHNOLOGIES INC 1,416.59 THE AARONS COMPANY
LLC3,000.00 TRINITY SERVICES GROUP INC 21,937.25 TRUCK PRO DBA AZ BRAKE &
CLUTCH SUPPLY 3,305.50 ULINE INC 1,669.09 VALLEY AUTO PARTS 1,143.75
WRIGHT EXPRESS FSC 3,326.97 YAZZIE'S AUTO PARTS INC 4,000.11 JAY
YELLOWHORSE 1,464.32 APACHE COUNTY HAS 3,554.57 APACHE COUNTY
MEDICAL 169,681.33 APACHE COUNTY TAX WITHHOLDING 137,831.02 ASRS
LEGACY EORP 5,933.16 AZ STATE RETIREMENT SYSTEM 105,863.59 COLONIAL LIFE
AND ACCIDENT INS 1,430.20 CORRECTIONS OFFICER RET PLAN 8,931.28
CORRECTIONS OFFICER RETIREMENT PLAN 520 4,697.08 EORP LEGACY 2,723.78
NATIONWIDE 2,132.91 NATIONWIDE TRUST FSB 3,270.28 PUBLIC SAFETY
PERSONNEL 40115,987.81 PUBLIC SAFETY SHERIFF RET 43,599.74 SUPPORT
PAYMENT CLEARINGHOUSE 1,741.14 ADHS AZ HEALTH CARE COST 22,400.00
APACHE COUNTY 4-H LEADERS COUNCIL 1,000.00 AZ EMERGENCY PRODUCTS
2,754.39 AZ SECRETARY OF STATE 5,706.13 BILTMORE PRO PRINT 3,150.00
BREWER LAW OFFICE PLLC 8,500.00 SUSAN K BYRUM 2,477.91 CONTINUANT INC
1,015.20 CRYSTALYNE G CURLEY 2,000.00 DISCOUNTCELL INC 2,228.46 EMBASSY
SUITES 2,096.08 FRONTIER 1,221.14 GALL'S INC 1,640.28 GALLUP BLUEPRINT
1,681.73 HAMBLIN LAW OFFICE PLC 8,500.00 HIGH COUNTRY SIGNS LLC
1,225.00 HISTORICSTREETSCAPES PLLC 17,556.75 JCG TECHNOLOGIES INC
1,134.53 KARPEL COMPUTER SYSTEMS INC 6,300.00 KATHLEEN M MCGUIRE PSY D
LLC 1,705.00 LEGATE, PENROD & ASSOCIATES 8,500.00 NAVAJO TRIBAL UTILITY
AUTHORITY 4,002.79 NAVOPACHE ELECTRIC COOPERATIVE 6,449.38 OVERDRIVE
INC 2,061.13 PACIFIC PONDEROSA CO INC 10,256.20 DANA BRYCE PATTERSON
8,500.00 PERFECT PRINTZ LLC 5,032.62 QUEST ENTERPRISES INC 1,595.50 QUILL
CORP 8,440.17 RHINEHART OIL CO 4,734.12 LAURENCE SCHIFF 2,400.00 ST JOHNS
CITY 1,138.07 SW ECOLOGY LLC1,040.00 TREFFEN SAINT JOHN LLC 3,000.00 TYLER
TECHNOLOGIES INC 2,850.00 UNITED RENTALS 6,124.80 VERIZON WIRELESS
2,786.44 WESTERN DRUG COMPANY 5,741.93 VERIZON WIRELESS 2,786.44 EMPIRE
MACHINERY 72,504.00 JACKSSONS TRAILERS INC 4,935.17 ABEITA GLASS CO
2,040.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,483.81 ASHTONS REPAIR INC
1,736.17 AZ DEPT OF HEALTH SERVICES 1,430.00 BOB BARKER COMPANY INC
1,765.28 COCONINO COUNTY 1,800.00 COURTESY CHEVROLET 31,304.75 DAN
BROOKS SURVEYING LLC 1,650.00 DIAMOND DRUGS INC 5,151.75 FERRELLGAS
1,412.06 FRONTIER 4,534.84 FRONTIER 1,821.14 HAMBLIN & ASSOCIATES LLC
3,400.00 HILLYARD/FLAGSTAFF 1,604.53 HOME DEPOT 1,486.55 LEHIGH
OUTFITTERS LLC 1,289.99 NAVAJO TRIBAL UTILITY AUTHORITY 1,537.93
NAVOPACHE ELECTRIC COOPERATIVE 11,286.54 OFFICE DEPOT 3,241.33
OVERDRIVE INC 1,451.54 PINAL COUNTY ARIZONA 1,575.00 QUILL CORP
1,783.54 RELIABLE BACKGROUND SCREENING 1,327.02 SANOFI PASTEUR INC
3,140.60 SECURUS TECHNOLOGIES INC 1,526.60 ST JOHNS CITY 9,500.00 SW
ECOLOGY LLC 1,010.00 TEN COW COMPANY INC 1,065.13 THOMSON REUTERS
WEST 1,670.19 VALLEY AUTO PARTS 1,937.76 WRIGHT EXPRESS FSC 2,052.47 JAY
YELLOWHORSE 1,510.97 ALL AROUND CLEAN UP 1,250.00 APACHE COUNTY TAX
WITHHOLDING 144,724.39 ASRS LEGACY EORP 5,933.16 AZ STATE RETIREMENT
SYSTEM 106,792.07 CORRECTIONS OFFICER RET PLAN 8,931.22 CORRECTIONS
OFFICER RETIREMENT PLAN 520 4,710.46 EORP LEGACY 2,723.78 NATIONWIDE

TRUST FSB 7,175.24 PUBLIC SAFETY PERSONNEL 401 15,987.81 PUBLIC SAFETY SHERIFF RET 41,020.41 ALLEGRA 1,211.37 AMAZON CAPITAL SERVICES INC (IT DEPT)3,660.16 AZLGEBT 328,754.71 BAUMAN HOME AND AUTO INC 2,041.16 SUSAN K BYRUM 5,047.72 CREATIVE MULTIMEDIA INC (CMI) 4,205.00 CREATIVE MULTIMEDIA INC (CMI) 19,828.75 CS&S COMPUTER SYSTEMS 5,134.30 DELL COMPUTER CORPORATION 3,858.03 ELECTION SYSTEMS AND SOFTWARE 121,417.79 EMPIRE MACHINERY 13,872.56 HALL ENVIRONMENTAL ANALYSIS LABORATORY INC 3,700.11 KLINT HEAP1,403.01 HILLYARD/FLAGSTAFF 1,825.98 HOLIDAY INN EXPRESS SHOW LOW 1,982.54 INGRAM LIBRARY SERVICES 3,370.95 INNOVATIVE UAS 3,685.39 KIMBALL EQUIPMENT COMPANY 2,559.22 MICHAEL LATHAM 1,191.50 LAWSON PRODUCTS INC 3,892.04 LIFELOC TECHNOLOGIES INC 1,263.93 OFFICE OF THE AUDITOR GENERAL 9,500.00 PAGE STEEL 1,163.18 PRO PETROLEUM 43,381.91 PROFORCE LAW ENFORCEMENT 1,338.66 PSYCHOLOGICAL AND CONSULTING SERVICES 4,000.00 QUILL CORP 2,642.41 RAVENSWOOD ENTERPRISES LLC 24,218.75 REAL TIME SOLUTIONS 2,500.00 RHINEHART OIL CO 61,322.83 RIGG LAW FIRM PLLC 1,655.50 RUSH TRUCK CENTER 1,734.19 SANDSTONE PUBLIC RELATIONS 3,000.00 JOE SHIRLEY JR 1,842.25 ST JOHNS EMERGENCY SERVICES 1,020.01 STAPLES CREDIT PLAN 1,468.16 THE LIBRARY STORE INC1,269.50 THE UNIVERSITY OF ARIZONA 6,250.00 THOMSON REUTERS WEST 1,359.54 TJP COMMUNICATIONS 2,311.14 US CORRECTIONS LLC 1,870.05 VERIZON WIRELESS 4,187.01 WOODLAND BUILDING CENTER 1,032.65. 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 the minutes dated May 7, 2019 and May 16, 2019. Human Resources: C. Treasurer's Office: Request approval to extend the temporary employment of Kayla Johnson for 180 days. D. Request authorization to create the position of Equipment Operator I (Salary Range 24), Equipment Operator II (Salary Range 30) and Equipment Operator III (Salary Range 36). E. County Attorney: Discussion and possible approval to hire Elizabeth Painter to fill the vacant Legal Assistant position with a starting salary of \$37,563.93; based on her 25 years of experience as a paralegal, for a probationary period of six (6) months, effective July 1, 2019. Community Development: F. Request approval of a Conditional Use Permit allowing applicant to place a 12'x 32' Weather King shed on a 1-acre parcel to be used as a second home. Property is located off Highway 191 & County Road 2172 in Alpine, AZ. A.P.N. 101-13-021D. The P&Z Commission recommended approval on condition that the shed be altered to meet residential safety codes and the septic tank properly sized to accommodate both homes. Finance Department: G. Request approval of the Pension Funding Policy in accordance with A.R.S. §38-863.01. Vote was unanimous.

Angela Romero, Election Director, requested approval, based on recommendation of the Republican Party Chairman Delos Bond, determine vacancies exist in the office of precinct committeeman and appoint Alan Barwick for the Canyon De Chelly Precinct. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Angela Romero, Election Director, requested approval to conduct a "Ballot by Mail" election for White Mountain Communities Special Health Care District on November 5, 2019 to levy a secondary property tax and the item was tabled from a previous meeting. Mr. Shirley opened the

floor for public comment.

Kristen Mackin, legal counsel for the White Mountain Special Health Care District provided an overview of what the district provides the community, stated all statutory requirements to hold the election has been met and requested the board approve the all mail ballot election on November 5, 2019.

Kay Dyson, a resident of Springerville, requested the board approve the all mail ballot election on November 5, 2019.

Mr. Shepherd moved approval to conduct a ballot by mail election on November 5, 2019, seconded by Mr. Simshauser. Mr. Shepherd stated he appreciated that the timeline was worked out moving the election to November 5, 2019. Mr. Shepherd asked if the question on the ballot was clarified so not to confuse the voters like it did last election. Ms. Mackin stated yes. Mr. Shepherd stated he will always side with the will of the people, but the previous request wasn't within the statutory timeline and thanked the district for changing the date of the election. Mr. Simshauser asked Mr. Whiting if the district answered the questions the county attorney's office Requested. Mr. Whiting stated yes and appreciated Ms. Mackin and her work to assist the district with the issues. Mr. Simshauser stated he didn't want anyone to think the board of supervisors were trying to block the right of the people to vote; the people heard this question seven months ago and all the board was trying to do was make sure this was legal to move forward. Mr. Simshauser stated like Mr. Shepherd has asked, what happens to the district if his question fails again with the voters. Ms. Mackin stated if the question fails again, she cannot speak for the district's governing board, that would be up to them to consider and could call for another election in the future if they chose. A discussion was held between Mr. Shepherd and Ms. Mackin on the confusing wording on the last ballot. Ms. Mackin stated they are working to clarify any confusion on the ballot question and for the upcoming election, the ballot wording will be re-worded and the district will do a public education campaign as well to ensure the voters understand what is being asked on the ballot. Vote was unanimous.

Dale Hauser, on behalf of the Engineering Department, requested approval to award Bid #2019101 for excess limestone aggregate base sales to Salt River Project, the sole bidder at \$10.00 per ton. Mr. Hauser stated the previous bid has expired and legal counsel guided the engineering office through this process. George Walsh, a resident of Vernon, stated he has concerns with the bid and in the past, it was called surplus limestone and is now being referred to as excess limestone, and if the county has excess limestone, how much, and why isn't it being placed on roads in the county. Mr. Walsh stated the limestone pit was purchased using HURF and uses HURF purchased equipment and HURF employees and what part of HURF applies to the sale of limestone to Salt River Project. Mr. Whiting stated what Mr. Walsh is asking is not on the agenda so we won't be able to discuss it. **Mr. Simshauser moved to award the bid, seconded by Mr. Shepherd.** Vote was unanimous.

Jason Moore, Chief Deputy Assessor requested approval to renew the Independent Contractor Agreement with Judy Bender for consulting services from July 1, 2019 through April 1, 2020. Mr. Moore stated the contract will not exceed \$20,000 and the consultant will provide

training/coaching to the new Chief Deputy Assessor for quality control purposes during the upcoming assessment and tax cycles and has been budgeted for in FY2020. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Malena Bazarro, District III Manager, requested approval of an amendment to Grant Contract WFHF 14-211 to reflect increased acreage for fuels treatment and a project extension of 30 days from June 30, 2019 to July 31, 2019 and the amendment leaves the financial obligations unchanged. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Mr. Whiting, on behalf of the County Attorney's Office, requested approval to use RICO Funds to contract with Lincoln Strategy Group, LLC., to assist in developing, implementing, and promoting education programs such as: drug prevention, anti-bullying, victim compensation, and other public programs and related services. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** David Peelman, from Vernon, Arizona and Mr. Whiting held a discussion on where the publishing of the drug prevention calendars was done last year. Mr. Whiting stated the publishing company used is in New Mexico and cost less than in Arizona. Mr. Peelman stated county money should be spent in Arizona and we should buy American. Mr. Peelman stated he would like to see the documentation. Vote was unanimous.

Mr. Whiting on behalf of the County Attorney's Office, requested approval of an Independent Contractor Agreement with Veritas Research Consulting LTD to provide litigation support in ongoing opioid litigation, to be effective as of April 1, 2019. Mr. Whiting stated the contractor t will gather data to assist with this lawsuit. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Whiting, on behalf of the County Attorney's Office, following a possible executive session to consult with legal counsel regarding settlement discussions relating to pending litigation pursuant to A.R.S. §13-431.03(A)(4), discussion and possible approval of a Settlement Agreement with Brannon Eagar. Mr. Whiting stated he has spoken with Mr. Eagar's attorney and believe an agreement was reached. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

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

Approved this 2nd day of July 2019.

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

/s/ Ryan N. Patterson
Clerk of the Board