

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING

September 4, 2019  
St. Johns, Arizona

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

SueAn Stradling-Collins gave the invocation.

Timothy Hinton led the Pledge of Allegiance.

Chairman Shirley called for the Public Health Services District items.

Preston Raban, Health Director, presented the Clinical Services Quarterly Update for April – June 2019. No action was needed or taken,

Preston Raban, Health Director, requested approval of IGA #ADHS 16-097960 Healthy People Healthy Communities Amendment #5 that revises the Scope of Work, Exhibit C and Price Sheet. These changes will not affect the Health Districts scope of work currently in place or the FY20 budget. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

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

Chairman Shirley called for the Library District item.

SueAn Stradling-Collins requested approval of the completed Strategic Plan for the Vernon Public Library. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

Chairman Shirley called for Jail District items.

Commander Cirivello requested approval to contract with Contract Pharmacy to provide prescription medications to inmates within the jail. Commander Cirivello stated switching from Diamond Pharmacy to Contract Pharmacy would result in a cost savings up to 60%. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Commander Cirivello requested approval to update the Memorandum of Understanding to continue to allow inmates to do data entry for the Family History Center. Commander Cirivello stated this is no cost to the county. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

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

Chairman Shirley called for the regular agenda items.

Bruce Greco, Natural Resources Liaison, presented an update on current priorities and projects within Apache County. No action was needed or taken.

Mr. Shepherd introduced members from the Houck Chapter; Lydia Hill and James Watchman, Jr.

Mr. Patterson presented the Consent Agenda items A-I and recommended approval. **Mr. Simshauser moved approval, 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 August 5, 2019 and September 4, 2019. Payee Amount APACHE COUNTY HSA 4,199.66 APACHE COUNTY MEDICAL 178,648.62 APACHE COUNTY TAX WITHHOLDING 145,467.13 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 116,224.25 COLONIAL LIFE AND ACCIDENT INS 1,364.73 CORRECTIONS OFFICER RET PLAN 9,402.04 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,770.60 EORP LEGACY 2,720.34 NATIONWIDE 2,130.67 NATIONWIDE TRUST FSB 3,250.94 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 44,762.76 SUPPORT PAYMENT CLEARINGHOUSE 1,741.14 BILTMORE PRO PRINT 1,031.70 COURTESY CHEVROLET 32,192.35 RUSH TRUCK CENTER 2,734.51 THE MASTERS TOUCH LLC 29,839.21 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,014.47 APACHE COUNTY FAIR 25,000.00 AXON ENTERPRISE INC/TASER INTERNATIONAL INC 56,337.27 AZ COUNTIES INSURANCE POOL 1,490.00 AZ DEPT OF RISK MANAGEMENT 1,076.52 AZLGEBT 348,380.72 JIMICA LYNN BIGMAN 1,138.29 BLACK MESA FUELS LLC 67,916.32 MARICELA CANO 1,177.99 CDW GOVERNMENT LLC 4,580.32 CHANGEPOINT INTEGRATED HEALTH 3,520.00 CNS BUSINESS FORMS INC 4,810.35 CECILIA DIAZ 4,772.82 EMPIRE POWER SYSTEMS 5,045.49 ERNIES FIRE EXTINGUISHER 5,405.00 PAUL HANCOCK 2,810.18 HILLYARD/FLAGSTAFF 2,161.40 HOME DEPOT 1,634.77 JILL L HOOVER 1,950.33 INGRAM LIBRARY SERVICES 5,662.42 LEADSONLINE LLC 1,188.00 NATIONAL BUSINESS FURNITURE 1,095.80 NAVAJO COUNTY FAMILY ADVOCACY CENTER 1,800.00 PACIFIC PONDEROSA CO INC 1,910.31 QUILL CORP 4,980.90 RUSH TRUCK CENTER 1,820.73 SUN RIDGE SYSTEMS, INC 3,045.00 SW ECOLOGY LLC 1,440.00 THE AARONS COMPANY LLC 3,000.00 TJP COMMUNICATIONS 1,478.63 WRIGHT EXPRESS FSC 3,695.10 NATIONAL BANK 3,247.47 NATIONAL BANK OF ARIZONA 1389 1,581.53 NATIONAL BANK OF ARIZONA 0085 3,034.44 NATIONAL BANK OF ARIZONA 0285 1,470.89 NATIONAL BANK OF ARIZONA 0962 2,325.27

PATRICK J SANDOVAL 2,162.49 ALICE JO WEBB 1,138.29 YELTON AND ASSOCIATES 4,916.67 RUSH TRUCK CENTER 148,381.17 ASRS LEGACY EORP 5,889.13 FRONTIER 1,188.15 ADHS AZ HEALTH CARE COST 22,400.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,419.99 ASHTONS REPAIR INC 2,425.07 AUTO SAFETY HOUSE LLC 2,937.17 AZ DEPT OF HEALTH SERVICES 1,850.00 BLUE HILLS ENVIRONMENTAL 1,890.13 BURNHAM MORTUARY 1,000.00 CATERPILLAR FINANCIAL SERVICES CORPORATION 59,749.86 CREATIVE MULTIMEDIA INC (CMI) 10,621.25 CREATIVE MULTIMEDIA INC (CMI) 3,335.00 DIAMOND DRUGS INC 3,022.45 DISCOUNT TIRE 1,238.20 EM HALE LAW 1,215.50 EMPIRE MACHINERY 78,486.47 FLEET PRIDE 4,832.23 FRONTIER 1,258.21 GALL'S INC 2,289.62 PAUL S GALLEGOS 2,048.63 GILA COUNTY 11,564.81 GMCO CORPORATION 12,045.90 DARYL GREER 3,222.90 HAMBLIN LAW OFFICE PLC 8,500.00 HAWKER AND EVANS ASPHALT CO 10,982.00 KLINT HEAP 1,359.40 HISTORICSTREETSCAPES PLLC 44,651.96 INGRAM LIBRARY SERVICES 2,970.33 KATHLEEN M MCGUIRE PSY D LLC 2,064.00 L R INVESTIGATIONS LLC 1,001.25 LEGATE, PENROD & ASSOCIATES 8,500.00 LINCOLN STRATEGY GROUP 13,500.00 MARCEL & LORNA MORTENSEN RVOC LIV TRUST 3,594.38 MOUNTAIN LEGAL PLLC 1,760.00 NAVAJO NATION WATER CODE ADMIN 20,512.35 NAVOPACHE ELECTRIC COOPERATIVE 7,153.01 DANA BRYCE PATTERSON 8,500.00 PERFECT PRINTZ LLC 4,969.04 PRO PETROLEUM 37,509.69 QUILL CORP 2,344.52 RHINEHART OIL CO 16,688.76 ROAD MACHINERY LLC 7,576.79 RUSH TRUCK CENTER 148,381.17 LAURENCE SCHIFF 1,500.00 ST JOHNS CITY 2,412.68 SW ECOLOGY LLC 1,380.00 TJP COMMUNICATIONS 1,275.40 TORRISON CONSULTING LLC 4,859.00 TOWN OF EAGAR 1,340.25 TRINITY SERVICES GROUP INC 19,874.41 US CORRECTIONS LLC 5,053.00 VALLEY AUTO PARTS 2,856.70 VERITAS RESEARCH CONSULTING 3,000.00 VERIZON WIRELESS 2,445.04 WATERWAYS IRRIGATION ENGINEERS INC 3,257.56 CHANGEPOINT INTEGRATED HEALTH 10,220.00 PRO PETROLEUM 18,691.27 ROAD MACHINERY LLC 2,241.04 HIGH COUNTRY SIGNS LLC 12,886.00 AZ DEPT OF REVENUE 1,579.09 PITNEY BOWES RESERVE ACCOUNT 5,000.00 JIMICA LYNN BIGMAN 1,138.29 APACHE COUNTY HAS 4,052.99 APACHE COUNTY MEDICAL 181,198.30 APACHE COUNTY TAX WITHHOLDING 139,122.15 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 111,166.97 COLONIAL LIFE AND ACCIDENT INS1,339.80 CORRECTIONS OFFICER RET PLAN 9,949.83 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,771.93 EORP LEGACY 2,720.34 NATIONWIDE 2,133.05 NATIONWIDE TRUST FSB 3,145.17 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 45,315.28 SUPPORT PAYMENT CLEARINGHOUSE 1,741.14 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,449.62 ARIZONA STATE FORESTRY DIVISION 7,579.56 ELLEN RAE BAST 1,325.16 JUDITH A BENDER 1,395.00 DELOS BOND 2,003.57 BREWER LAW OFFICE PLLC 8,500.00 BRUCKNER TRUCK SALES INC 34,056.00 DRONEFLY 3,486.00 FIREFIGHTERS AND POLICE OFFICERS CANCER INSURANCE 1,350.00 GLAXO SMITHKLINE PHARMACY 1,916.00 GOLIGHTLY TIRE 4,933.54 HATCH CONSTRUCTION 2,397.03 HIGH COUNTRY SIGNS LLC 1,655.00 HOME DEPOT 1,833.62 MICHAEL LATHAM 4,039.14 MOORE LAW FIRM PLLC 1,544.00 NAVAJO TRIBAL UTILITY AUTHORITY 3,026.11 NAVOPACHE ELECTRIC COOPERATIVE 14,025.95 NICK D PATTON ATTORNEY AT LAW PLLC 1,028.50 NOEL'S INC 1,105.44 NORCHEM DRUG TESTING LABORATORY 1,710.95 PINAL COUNTY ARIZONA

3,500.00 QUILL CORP 3,252.49 SAFELITE AUTO GLASS 1,065.12 SW ECOLOGY LLC  
1,510.00 THOMSON REUTERS WEST 1,349.14 UNITED RENTALS 4,547.87 VALLEY  
AUTO PARTS 1,298.23 VERITAS RESEARCH CONSULTING 3,650.00 VERITAS  
RESEARCH CONSULTING 2,350.00 VERIZON WIRELESS 2,966.38  
HILLYARD/FLAGSTAFF 1,751.89 RHINEHART OIL CO 2,145.98 SECURUS  
TECHNOLOGIES INC 1,068.02 MICHAEL G SMITH 1,875.00 MIGALI SCIENTIFIC  
7,343.95 PUERCO VALLEY AMBULANCE SERVICE 1,318.39 AMAZON CAPITAL  
SERVICES INC (IT DEPT) 3,257.99 AMAZON COM INC 1,019.29 AMIGO CHEVROLET  
2,833.85 AZ BOILER COMPANY INC 9,879.99 CAROLYN BENALLY 1,026.92 JUDITH A  
BENDER 1,470.00 BURNHAM MORTUARY 1,000.00 CDW GOVERNMENT LLC 1,859.49  
CONCHO SUPPLY LLC 3,150.00 CONDITIONED RESPONSE TRAINING 1,125.00  
DELL COMPUTER CORPORATION 1,662.86 EMPIRE MACHINERY 3,946.73 ERNIES  
FIRE EXTINGUISHER 1,427.00 FRONTIER 1,858.97 GALL'S INC 1,508.42 GMCO  
CORPORATION 4,015.30 DARYL GREER 1,197.20 HERB'S TREE SERVICE  
5,500.00 MICHAEL LATHAM 3,250.62 MERCK SHARP & DOHME CORP 4,259.24  
MOUNTAIN COMFORT HEATING AND COOLING 1,309.74 NAVAJO TRIBAL UTILITY  
AUTHORITY 2,157.63 PROPAC INC 1,338.78 QUILL CORP 7,316.50 R AND B TREE  
REMOVAL 10,000.00 RDO EQUIPMENT CO 3,811.76 RHINEHART OIL CO 18,287.39  
RL'S A-1 AUTO BODY SHOP 3,829.01 ST JOHNS UNITED DRUG 3,718.49 SW  
ECOLOGY LLC 1,270.00 THOMSON REUTERS WEST 1,391.29 VALLEY AUTO PARTS  
1,917.94 VERITAS RESEARCH CONSULTING 1,500.00 VERIZON WIRELESS 2,181.35  
WRIGHT EXPRESS FSC 1,866.93 YAVAPAI COUNTY GOVERNMENT 20,000.00 JAY  
YELLOWHORSE 1,270.32 VERITAS RESEARCH CONSULTING 1,500.00 NORTHLAND  
PIONEER COLLEGE 41,171.00 SAUL'S CREEK ENGINEERING INC 7,920.00 WHITE  
MOUNTAIN PUBLISHING CO 2,599.19

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 August 5, 2019. C. Request approval of a resolution allowing Apache County to act as the fiscal agent for Concho Fire Department upon award of a grant through Gila River Indian Community. D. Request approval of a resolution recognizing fallen firefighters and emergency services personnel. Superior Court: E. Request approval of the FY20 Fill the Gap Grant Application in the amount of \$148,259.11. These funds are generated from court fines and fees and set aside for necessary court operations within Apache County. The State requires the application submission each fiscal year. F. Request approval of a Letter of Understanding between the Superior Court, Apache County and the law firm of Holland, Saline and Lewis regarding indigent defense contract legal services. Committee members consisting of Judge Perkins, Judge Gunnels, Attorney Bryce Hamblin, Attorney Mike Penrod and Chief Deputy County Attorney Joe Young recommend this law firm. Human Resources: G. St. Johns, Road Yard: Request approval to eliminate a Road Maintenance Worker II Position (Range 37) and create two Road Maintenance Worker I positions (Range 34). H. Clerk of the Court: Request approval to convert a Courtroom Clerk III position (Range 35) to a Courtroom Clerk II position (Range 31). I. Emergency Management: Discussion and possible approval to update the job descriptions for the Emergency Management Department. Vote was unanimous.

Angela Romero, Election Director, requested based on the recommendation of the Republican Party County Chairman, Delos Bond, determine vacancies exist in the office of precinct committeeman and appoint Lynda R. Tanner to the Vernon Precinct. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Angela Romeo, Election Director, requested approval to cancel the special district election for the Concho Wastewater Improvement District. Mrs. Romero stated this action is due to not receiving any candidate filings and recommended approval. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Angela Romero, Election Director, requested approval based on the recommendation of the Democratic Party County Chairman, Steven C. Begay, determine vacancies exist in the office of precinct committeeman and appoint Larry Westbrook for the Ft. Defiance Precinct; Patricia Reed, Joanne Peshlakai and Agnes Reed for the St. Michaels Precinct; Caralee Cabbage for the Springerville Precinct; Virginia Dotson for the Vernon Precinct; Allan S. Begay for the Wheatfields Precinct. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Chief Brannon Eagar, on behalf of the Sheriff's Office, requested approval to accept medical kits donated by Alpine Fire Department for use in Sheriff's Office District I vehicles. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Chief Brannon Eagar, on behalf of the Sheriff's Office, requested approval to accept a grant for the United States Forest Service in the amount of \$11,553.75 with no match required. Chief Eagar stated these funds are used to pay Apache County Sheriff's Deputies overtime to patrol the Apache-Sitgreaves National Forest to provide additional patrol at a minimal cost to the county during weekends and busy holidays. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval of the Contract Addendum and Change Order between Apache County and Creative Multimedia, Inc. doing business as CMI Engineering and the amendment will result in a contract increase of \$81,000. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to enter into a Professional Services Contract with Cannon Consultants, LLC, to design a bridge deck for County Road 1009 in Greer. Mr. Crosby stated the cost of the design is estimated at \$20,400 and will be paid using District III HURF funds. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval of a 7-year lease/purchase for one 950M Wheel Loader for the limestone pit at a cost of \$34,695 from Empire Machinery, using National Intergovernmental Purchasing Agreement (NIPA) – City of Tucson Contract. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Kerry Pena, on behalf of Emergency Management, requested approval of a Memorandum of Agreement (MOA) between Apache County Emergency Management & Preparedness and the Federal Emergency Management Agency for the Integrated Public Alert & Warning System (IPAWS) –Open Platform for Emergency Networks (OPEN) regarding the use of Apache County Emergency Management & Preparedness Interoperable Systems(s) and IPAWS OPEN. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Michael Whiting, County Attorney, requested following a possible executive session for legal advice pursuant to A.R.S. §38-431.03(3), discussion and possible approval of a Settlement Agreement with the Navajo Nation to provide additional voting outreach in Apache County and resulting in dismissal of CV2018-08329. Mr. Whiting stated the Navajo Nation filed a lawsuit against Apache, Navajo and Coconino Counties and the issues have been resolved and did not believe an executive session was needed. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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 or taken,

- Eastern Arizona Counties Organization meeting on September 18, 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 September 18, 2019 at 5:30 p.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The County Supervisors Association meeting on September 19, 2019 at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

Chairman Shirley opened the floor for call to the public.

Billie Bell, a resident of Apache County stated she is running for the office of School Superintendent and introduced herself to the Board.

Lydia Hill, Transportation Supervisor for Sanders School District requested the County grade and maintain the roads, so the school vehicles don't get damaged driving on the roads.

Fred Footracer, a representative from Houck Chapter and requested assistance with putting in a road for a new cemetery in Sanders, Arizona.

James Watchman, Jr., Houck Chapter Vice President, requested assistance with the maintenance of roads within the Sanders School District. Mr. Watchman stated there is confusion as to which district maintains certain bus routes and would like clarification. Mr. Watchman requested the roads near the Houck Chapter be placed under District III instead of District II since the District III Road Yard is closer to the area. Mr. Watchman requested the roads be graded and dust suppressant applied on the roads.

Art Modica stated he would like the county to have a representative on the Lower Colorado Water Shed. Mr. Modica stated there is confusion as to who is representing Apache County in the litigation and he would like to get some answers.

Chairman Shirley referred all concerns brought up in the call to the public to County Manager Patterson.

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

Approved this 1<sup>st</sup> day of October 2019.

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

/s/ Ryan N. Patterson  
Clerk of the Board