

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

October 1, 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 and County Attorney Michael Whiting.

Chairman Shirley called to order the Board of Supervisors meeting at 8:30 a.m. MST Chinle District I Road Yard Administration Building, Chinle, Arizona and welcomed all in attendance.

Preston Raban gave the invocation.

Judge Latham led the Pledge of Allegiance.

Chairman Shirley called for the Health District items.

Preston Raban, Health Director, requested approval of an Intergovernmental Agreement Amendment to the Women, Infants, Children and Breastfeeding Peer Counseling Contract #CTR041404 Amendment #2. Mr. Raban stated this amendment is a contract update for FY20 and has been budgeted for this fiscal year in the amount of \$93,410.00. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Preston Raban, Health Director requested approval of the Memorandum of Understanding (MOU) with Southwest Center for HIV/AIDS, Inc. in support of joint activities related to safer sex products and distribution and there is no cost associated with this MOU. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Preston Raban, Health Director, requested approval of the Memorandum of Understanding (MOU) with Ganado Unified School District #20 to provide physical and administrative support to Health District personnel who are presenting the Teen Pregnancy Prevention Program, Health and Life Skills services, utilizing the Native Stand Curriculum. Mr. Raban stated this MOU is effective August 26, 2019 for a term of 5 years, ending May 31, 2024. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Preston Raban, Health Director, requested approval of Wellness Service Agreement Amendment #2 between the Health District, the Arizona Local Government Employee Benefit Trust (AZLGEBT) and the Rural Arizona Group Health Trust (RAGHT) replacing Section II (1) (A) and Exhibit A. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Preston Raban, Health Director requested approval of the Governor's Office of Highway Safety Contract that will support child safety seats to enhance occupant protection throughout Apache County, in the amount of \$8,000, effective October 1, 2019 through September 30, 2020. **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.

Chairman Shirley called for the Flood Control District item.

Ferrin Crosby, County Engineer, requested approval to allocate funds to the Town of Springerville in the amount of \$22,500 to cover expenses for surveying, engineering and application of a FEMA hazard mitigation assistance grant. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

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

Chairman Shirley called for the regular agenda items.

Ferrin Crosby, County Engineer, presented the item following a public hearing, discussion and possible approval by resolution to adopt roads N3119, N3120, N3131 and N3323 into the Apache County Road Maintenance System. **Mr. Simshauser moved to open the public hearing, seconded by Mr. Shepherd.** Vote was unanimous.

Dan Chance, a county resident addressed the Board and requested N3119 and N3120 be accepted into the county road maintenance system.

Ronald Teuscher, a county resident requested support to add N3323 into the county road maintenance system.

Russell Wilson, a county resident requested support of adding N3323 into the road maintenance system.

Thomas Graves, a county resident requested N3323 be accepted into the road maintenance system.

Lynda Tanner, a county resident, requested the county add the requested roads into the county maintenance system.

Robert Wilkerson, a county resident, requested the county accept N3323 into the maintenance system.

Steve Sweet, a county resident, requested N3323 be accepted into the road maintenance system.

Lyn McMahill, a county resident, requested the county accept N3131 into the road maintenance system.

Robert Mudge, a county resident, requested N3323 be accepted into the road maintenance

system.

There was no one else wanting to address the board during the public hearing. **Mr. Simshauser moved to close the public hearing, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Crosby stated the possible adoption of the four roads has been a difficult process and outlined the process that was used to assist the board with the information related to budgetary impact and average daily traffic count. Mr. Crosby stated in the future he would like to have a criteria for procedures to use so that the process is beneficial with no favoritism to one group or individual. Mr. Crosby stated all four roads are within the jurisdiction of the Round Valley Road Yard and provided an overview of what would be required in accepting the roads into the maintenance system. Mr. Crosby stated N3119, N3120 and N3323 have been petitioned multiple times to be added into the Apache County Road Maintenance System. Supervisor Simshauser asked Mr. Crosby as county engineer, what his recommendation was. Mr. Crosby stated 3119 and 3120 would be the easiest to bring to county standards with a cost estimate of \$368.00 per average daily trip and 3323 would cost \$800 per average daily trip and 3131 would cost about \$1,213 per average daily trip. Mr. Crosby stated he would recommend 3119, 3120 and 3323 be adopted into the maintenance system but is capable of doing all of the roads if the Board so chooses. Supervisor Shepherd and Mr. Crosby held a discussion on costs and the funding source for the roads and a criteria to establish a process to adopt roads in the future. Mr. Simshauser stated District III has a criteria for road adoption but nothing county wide and he would like to see the board approve a criteria to follow moving forward. Mr. Shepherd asked if there were any negative responses submitted regarding the roads. Mr. Crosby stated there were a couple emails that questioned the process and that indicated the landowners knew the roads were not maintained when they bought their property and felt it was unfair the county would consider adopting only certain roads and not adopt all non-maintained roads. Mr. Crosby stated he received an email that indicated the person believed that accepting only certain roads was favoritism. **Mr. Simshauser moved to accept resolutions for N3119, N3120 and N3323.** Mr. Shepherd stated there needs to be a criteria established before the roads are adopted. Mr. Simshauser stated for these specific roads they used the same criteria that will be used once a process is adopted. Mr. Simshauser stated N3131 does not meet the criteria established in District III. Mr. Crosby stated he will work on establishing a criteria and bring it back before the board as soon as possible for consideration. **Mr. Shepherd seconded the motion.** Vote was unanimous to accept N3119, N3120 and N3323 by resolution into the maintenance system.

Mr. Simshauser moved to sit as the Board of Equalization, seconded by Mr. Shepherd. Vote was unanimous. Mr. Patterson presented item for the Board of Equalization to accept the following Petitions for Review of Real Property determinations heard by Hearing Officer Charles Johnson on September 18, 2019. Mr. Patterson recommended approval to accept the determinations. **Mr. Simshauser moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Acceptance of hearing determination of Petition for Review of Real Property valuation for George Richardson, parcel 106-27-068. Acceptance of hearing determination of Petition for Review of Real Property valuation for Ross & Dana Overson, parcel 203-36-148D. Acceptance of hearing determination of Petition for Review of Real Property valuation for Richard Crosby, parcel 104-29-001E.

Acceptance of hearing determination of Petition for Review of Real Property valuation for Steve Erhart, parcels, 104-03-005, 104-22-017A, 105-22-017E, 104-60-037, 104-60-038, 104-60-039, 104-60-040, and 104-62-003.

Mr. Shepherd moved to resume the meeting sitting as the Board of Supervisors, seconded by Mr. Simshauser. Vote was unanimous.

Mr. Patterson presented the Consent Agenda items A-D 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 September 4, 2019 and October 1, 2019. Payee Amount APACHE COUNTY HSA 4,052.99 APACHE COUNTY MEDICAL 178,225.48 APACHE COUNTY TAX WITHHOLDING 153,136.64 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 111,110.07 COLONIAL LIFE AND ACCIDENT INS 1,339.80 CORRECTIONS OFFICER RET PLAN 9,949.84 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,861.00 EORP LEGACY 2,720.34 NATIONWIDE 2,299.22 NATIONWIDE TRUST FSB 3,144.00 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 46,292.53 SUPPORT PAYMENT CLEARINGHOUSE 1,741.14 AZ SUPREME COURT 20,250.00 AZLGEPT 354,343.90 BAUMAN HOME AND AUTO INC 1,300.89 COCONINO COUNTY 1,500.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS 3,609.25 DELL COMPUTER CORPORATION 1,155.61 EMPIRE MACHINERY 6,989.15 FLEET PRIDE 2,833.60 FRONTIER 4,567.97 ADA C GUINN 1,917.40 KLINT HEAP 1,533.50 HILLYARD/FLAGSTAFF 1,249.36 INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS 1,727.00 LUPTON CHAPTER 3,127.00 MASS TRANSCRIPTIONS 1,946.70 MERCK SHARP & DOHME CORP 2,043.04 PFIZER INC 3,704.95 PRO PETROLEUM 17,576.06 PSYCHOLOGICAL AND CONSULTING SERVICES 7,500.00 QUILL CORP 7,824.98 RHINEHART OIL CO 19,050.97 HOLLY E RICHTER 3,594.37 RIGG LAW FIRM PLLC 1,669.50 SANOFI PASTEUR INC 8,248.42 SECURUS TECHNOLOGIES INC 2,099.84 SEQIRUS USA INC 6,457.75 SW ECOLOGY LLC 1,311.30 THE AARONS COMPANY LLC 3,000.00 TRINITY SERVICES GROUP INC 15,562.18 TRUCK PRO DBA AZ BRAKE & CLUTCH SUPPLY 1,541.32 UNITED RENTALS 6,823.53 US CORRECTIONS LLC 2,437.50 USA FORENSIC LLC 2,500.00 WORLD OF TRAVEL 1,314.44 WRIGHT EXPRESS FSC 3,520.87 YAVAPAI COUNTY GOVERNMENT 16,100.00 YELTON AND ASSOCIATES 4,916.67 BLACK CREEK 4-H CLUB 1,000.00 ADOBE INC 3,141.69 ALL AROUND CLEAN UP 2,000.00 AMAZON CAPITAL SERVICES INC (IT DEPT)3,336.23 APACHE COUNTY BOS - SPIN # 14-3016753 13,425.00 ASHTONS REPAIR INC 1,431.95 AXON ENTERPRISE INC/TASER INTERNATIONAL INC 7,402.88 AZ DEPT OF RISK MANAGEMENT 1,070.46 AZ SUPREME COURT 2,550.00 BLUE HILLS ENVIRONMENTAL 1,522.89 SUSAN K BYRUM 2,738.40 CONTINUANT INC 1,015.20 MICHAEL F DORFFI 1,198.13 EMPIRE MACHINERY 1,459.64 GOLIGHTLY TIRE 1,590.23 HILLYARD/FLAGSTAFF 1,219.44 HOME DEPOT 1,072.24 INGRAM LIBRARY SERVICES 6,944.27 KATHLEEN M MCGUIRE PSY D LLC 1,890.00 KTNN RADIO STATION 1,219.00 LAWSON PRODUCTS INC 1,935.76 NAVAJO TRIBAL UTILITY AUTHORITY 1,998.50 NAVOPACHE ELECTRIC COOPERATIVE 7,283.28 PERMA CARD 1,908.43 PITNEY BOWES 3,677.45 QUILL CORP 2,486.11 RHINEHART OIL CO 1,092.63 RUSH TRUCK CENTER 1,407.60 RWC GROUP 4,488.92 PATRICK J SANDOVAL 2,000.00

LAURENCE SCHIFF 1,400.00 SMITHS DETECTION INC 8,346.00 SW ECOLOGY
LLC 1,020.00 TORRISON CONSULTING LLC 4,859.00 US CORRECTIONS LLC 7,023.75
VERITAS RESEARCH CONSULTING 1,600.00 VERITAS RESEARCH CONSULTING
1,750.00 VERITAS RESEARCH CONSULTING 3,000.00 WAL-MART COMMUNITY
1,578.61 WOODLAND BUILDING CENTER 1,083.86 WW WILLIAMS COMPANY LLC
2,709.75 YAZZIE'S AUTO PARTS INC 6,922.11 NATIONAL BANK 3,839.04 NATIONAL
BANK OF ARIZONA 0085 3,149.29 NATIONAL BANK OF ARIZONA 0186 1,500.62
NATIONAL BANK OF ARIZONA 0822 1,607.40 NATIONAL BANK OF ARIZONA 0962
1,254.64 NATIONAL BANK OF ARIZONA 0285 1,157.45 RDO EQUIPMENT CO 5,379.22
RDO EQUIPMENT CO 1,617.00 BRUCKNER TRUCK SALES INC 34,056.00 FLEET PRIDE
2,572.25 TRACTOR SUPPLY CO 2,431.85 APACHE COUNTY HSA 3,972.99 APACHE
COUNTY MEDICAL 173,441.77 APACHE COUNTY TAX WITHHOLDING 145,390.08
ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 112,147.19
COLONIAL LIFE AND ACCIDENT INS 1,258.09 CORRECTIONS OFFICER RET PLAN
10,067.30 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,288.89 EORP LEGACY
2,720.34 NATIONWIDE 2,380.36 NATIONWIDE TRUST FSB 3,145.64 PUBLIC SAFETY
PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 47,673.88 SUPPORT
PAYMENT CLEARINGHOUSE 1,588.64 ADHS AZ HEALTH CARE COST 22,400.00
ARBO SCIENTIFIC 19,830.00 ARIZONA CDJR SHOW LOW 1,483.89 ARIZONA MOTORS
SNOWFLAKE 3,249.36 AZ COUNTIES INSURANCE POOL 10,140.00 AZ DEPT OF
HEALTH SERVICES 1,865.00 AZ SUPREME COURT 1,517.50 AZLGEBT357,677.41
BARCO PRODUCTS CO 1,300.69 BREWER LAW OFFICE PLLC 8,500.00 CREATIVE
MULTIMEDIA INC (CMI) 11,672.50 CREATIVE MULTIMEDIA INC (CMI) 2,356.25
DELL COMPUTER CORPORATION 2,095.34 DESERT MOUNTAIN CORPORATION
41,323.23 DIAMOND DRUGS INC 4,940.60 EATON SALES & SERVICE 70,674.72
ELECTION SYSTEMS AND SOFTWARE 2,859.68 ELECTRONIC CENTER INC
1,053.14 EMPIRE MACHINERY 1,197.78 ERNIES FIRE EXTINGUISHER 2,200.00
FRONTIER 1,843.41 FRONTIER 1,290.52 GOLIGHTLY TIRE 3,862.32 HAMBLIN LAW
OFFICE PLC 8,500.00 HATCH CONSTRUCTION 6,920.56 HINTON BURDICK PLLC
4,250.00 HOLLAND SALINE & LEWIS 19,978.54 HOME DEPOT 1,857.80 KTNM RADIO
STATION 2,544.00 LAWSON PRODUCTS INC 1,918.43 LEGATE, PENROD &
ASSOCIATES 4,250.00 LEXIPOL LLC 9,605.00 LIFELOC TECHNOLOGIES INC 1,320.00
MINKUS 11,625.00 NATIONAL BUSINESS FURNITURE 2,841.85 NAVAJO TRIBAL
UTILITY AUTHORITY 4,787.00 NAVOPACHE ELECTRIC COOPERATIVE 2,271.13
NEWMAN SIGNS INC 3,569.65 NICK D PATTON ATTORNEY AT LAW PLLC 1,325.50
TOBIE KLIessen OVERSON 1,638.97 DANA BRYCE PATTERSON 8,500.00 PHIL
STRATTON ELECTRIC IN 3,300.00 QUILL CORP 1,145.32 RDO EQUIPMENT CO 1,248.90
SECURUS TECHNOLOGIES INC 1,296.55 SOUTHWEST ROCK PRODUCTS LLC
23,849.42 SPRINGHILL SUITES GALLUP 1,171.61 ST JOHNS CITY 2,709.98 SW
ECOLOGY LLC 1,060.00 JEREL THOMAS 1,047.77 THOMSON REUTERS WEST 2,675.98
US GEOLOGICAL SURVEY 3,100.00 VALLEY AUTO PARTS 1,408.20 VERIZON
WIRELESS 1,451.27 WRIGHT EXPRESS FSC 1,406.04 YAVAPAI REGIONAL MEDICAL
CENTER 5,722.00 YOUNGS FUTURE TIRE 5,840.96 AZ DEPT OF REVENUE 4,042.33
JEREL THOMAS 1,043.78 HALEY RHAe NICOLL 1,336.47 ADVERTISING IDEAS
7,140.00 ALLEGRA 2,244.14 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,636.97
ASHTONS REPAIR INC 1,049.06 AZ SUPREME COURT 3,750.00 AZ SUPREME COURT

2,625.00 BATTLE ARMOR DESIGNS LLC 3,729.00 JUDITH A BENDER 1,455.00
CATERPILLAR FINANCIAL SERVICES CORPORATION 89,250.11 MELISSA ANNE
CHICAS 2,875.50 CRAFTCO INC 22,498.89 ELECTION SYSTEMS AND SOFTWARE
1,462.24 EMPIRE MACHINERY 4,971.06 GLAXO SMITHKLINE PHARMACY 4,327.08
GOVERLAN INC 1,320.00 HAMBLIN & ASSOCIATES LLC 5,650.00 HIGH COUNTRY
SIGNS LLC 5,108.00 HINTON BURDICK PLLC 7,000.00 HOME DEPOT 4,356.04 INGRAM
LIBRARY SERVICES 4,586.39 IT CREATIONS INC 5,795.00 KIMBALL EQUIPMENT
COMPANY 1,237.49 LAWSON PRODUCTS INC 1,437.32 LINCOLN STRATEGY GROUP
4,500.00 LOGICALIS INC 7,138.26 MAXIAN ENTERPRISES 1,435.89 NAVAJO TRIBAL
UTILITY AUTHORITY 1,486.15 NAVOPACHE ELECTRIC COOPERATIVE 13,428.12
NORCHEM DRUG TESTING LABORATORY 1,360.70 PACIFIC PONDEROSA CO INC
1,832.40 PIMA COUNTY MEDICAL 4,600.00 QUILL CORP 2,557.31 RHINEHART OIL CO
18,889.40 RIGG LAW FIRM PLLC 2,073.00 SAFELITE AUTO GLASS 1,141.96 ST JOHNS
EMERGENCY SERVICES 1,240.54 SUPERSTITION HARLEY DAVIDSON 1,716.17 SW
ECOLOGY LLC 1,070.00 TRACTOR SUPPLY CO 2,431.85 TRUCK PRO DBA AZ BRAKE
& CLUTCH SUPPLY 1,080.54 US CORRECTIONS LLC 1,167.50 VALLEY AUTO PARTS
1,289.76 VERITAS RESEARCH CONSULTING 2,300.00 VERITAS RESEARCH
CONSULTING 1,000.00 VERITAS RESEARCH CONSULTING 2,000.00 WHITE
MOUNTAIN REGIONAL MEDICAL CENTER 175,888.90 JOSEPH YOUNG 1,800.00
CATERPILLAR FINANCIAL SERVICES CORPORATION 36,811.58 JAY YELLOWHORSE
1,180.80 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 September 4, 2019. C. Request approval of the tax exemption for the
Apache County Museum for parcel 203-36-234 pursuant to ARS 42-11153. The exemption was
filed late due to an administrative change within the organization. Human Resources: D.
Sheriff's Office: Request approval to convert two (2) Administrative Assistant II positions
(Range 30) to two (2) Administrative Assistant III positions (Range 34). This change will result
in a cost of approximately \$3,830. 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 Dorothy M. Keedah for the Ft. Defiance Precinct;
Susie M. Wilson and Clara Lincoln for the St. Michaels Precinct; Lydia Whiterock for the
Wide Ruins Precinct; Carl Slater, Dorothy L. Ashley and Donna Whitehair for the Window
Rock Precinct. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Vote was
unanimous.

Lance Pearce, on behalf of the Apache County Constables, requested approval to accept a grant
from Arizona Constable Ethics Standard and Training Board in the amount of \$1,585.44 to
purchase and install mobile radios in constables' personal vehicles, for all three precincts, and
utilizing the Apache County Sheriff's Office radio frequencies. **Mr. Shepherd moved approval,
seconded by Mr. Simshauser.** Mr. Simshauser asked if the use of the frequencies was approved
by the sheriff. Sheriff Dedman stated yes. Vote was unanimous.

Mr. Patterson presented the item for possible appointment of a member of the Board of Supervisors to serve on the Blue Hills Environmental Executive Committee. **Mr. Shepherd moved to appoint Supervisor Simshauser to serve on the committee, seconded by Mr. Simshauser.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award the CMAR Construction Service Contract to Nicoll Construction for a guaranteed maximum price of \$1,370,177.00 for the construction of The Lodge Teen Legacy Center in Eagar. Mr. Crosby stated this is a project implemented by Judge Latham and is similar to the Loft in St. Johns. **Mr. Shepherd moved approval, seconded by Mr. Simshauser.** Mr. Shepherd asked if a Request for Proposal (RFQ) was required. Mr. Crosby stated the construction services contract was brought before the board in June and five contractors throughout the state presented their proposals to a panel (as outlined by statute) and ultimately Nicoll Construction was selected for the pre-construction contract which allowed the construction company to work with the architect to fine tune the price for the construction of the project and all requirements regarding the RFQ process was followed. Mr. Simshauser asked about the funding for the project. Judge Latham thanked Mr. Crosby for the work done on the project and stated the Loft in St. Johns exceeded his expectations and he is wanting to bring the programs and benefits of this type of facility to the Round Valley area and hopes to expand into other locations within the county. Judge Latham stated this project will span over three budget cycles. Vote was unanimous.

Mr. Patterson provided 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 Field Trip October 2-4, 2019 beginning at 8:00 a.m. The field trip sites are various locations throughout Cochise County. An itinerary of events and specific locations are available in the backup material posted on the County website or in the in the County Manager's Office.
- 4th Annual Fallen Firefighter Memorial & Appreciation Ceremony, October 5, 2019 at 11:00 a.m. at the Alpine Community Center, #17, County Road 2061 Alpine, Arizona.
- The County Supervisors Association Legislative Summit October 28-30, 2019 at the Ak-Chin Resort, 15406 N. Maricopa Road, Maricopa, Arizona.

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

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

Approved this 5th day of November 2019.

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

/s/ Ryan N. Patterson
Clerk of the Board