

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

April 7, 2020
St. Johns, Arizona

Due to the COVID-19 Health crisis, the Board of Supervisor's meeting was held telephonically with availability for members of the public to email their comments and listen to the meeting via the telephone. Participating by telephone was: Chairman Alton Joe Shepherd, Vice Chairman Joe Shirley, Jr, Supervisor Travis Simshauser and County Attorney Michael Whiting. Present at the meeting was County Manager/Clerk of the Board Ryan Patterson, Chief Deputy Treasurer David Romero, Chief Deputy Brannan Eagar, Mike Cirivello, Jail Commander, IT Director Ben Dugdale, Communications Manager Jack Ingram and Beth Bond, Assistant Clerk of the Board.

Chairman Shepherd called to order the Board of Supervisors meeting at 8:30 a.m. MST in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona.

Ben Dugdale led the Pledge of Allegiance.
Brannon Eagar gave the invocation.

Mr. Patterson presented the Consent agenda items A-J and recommended approval. **Mr. Simshauser moved approval of Consent items A-J, seconded by Mr. Shirley.** County Manager: County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between March 10, 2020 and April 7, 2020. Payee Amount APACHE COUNTY HSA 4,197.63 APACHE COUNTY MEDICAL 171,179.77 APACHE COUNTY TAX WITHHOLDING 141,545.30 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 108,908.80 COLONIAL LIFE AND ACCIDENT INS1,766.82 CORRECTIONS OFFICER RET PLAN 9,994.68 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,857.93 EORP LEGACY 2,720.34 NATIONWIDE 2,205.76 NATIONWIDE TRUST FSB 3,283.83 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 46,075.43 SUPPORT PAYMENT CLEARINGHOUSE 1,600.37 ALLEGRA 2,230.38 ALLEN INSTRUMENTS AND SUPPLIES 2,138.44 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,789.93 AUTOMATED ELECTION SERVICES 19,648.35 AZLGEBT 348,098.41 JUDITH A BENDER 9,855.00 BOB BARKER COMPANY INC 1,553.84 CATERPILLAR FINANCIAL SERVICES CORPORATION 34,717.46 CNS BUSINESS FORMS INC 3,220.61 CS&S COMPUTER SYSTEMS 3,687.78 DESERT SNOW 1,800.00 EMPIRE MACHINERY 9,334.61 JOHN ROBERT ENGLER 1,014.15 ERNIE'S SUPPLY LLC 5,720.00 EVERBRIDGE INC 23,648.28 FRONTIER 4,515.00 FX TACTICAL LLC 2,079.16 GALLUP BLUEPRINT 1,025.59 HIGH COUNTRY PROPANE 1,407.68 HILLYARD/FLAGSTAFF 2,705.03 INGRAM LIBRARY SERVICES 1,890.21 RONALD D MCDANIEL 5,010.97 ONEIL PRINTING INC 6,246.82 OVERDRIVE INC 1,836.86 PACIFIC PONDEROSA CO INC 19,877.08 POWER EQUIPMENT DIRECT INC 3,218.44 QUALITY READY MIX INC 1,505.58 QUILL CORP 3,107.25 TORRISON CONSULTING LLC 4,859.00 TRACTOR SUPPLY CO 1,233.54 TRINITY SERVICES GROUP INC 17,458.89 VERITAS RESEARCH CONSULTING 2,100.00 VERIZON WIRELESS 1,738.25 WESTERN EXPLOSIVES SYSTEMS CO (WESCO) 43,199.82

WOODLAND BUILDING CENTER 3,939.30 WORLD OF TRAVEL 3,231.76 WRIGHT EXPRESS FSC 1,085.22 THE AARONS COMPANY LLC 3,000.00 NATIONAL BANK 2,616.18 NATIONAL BANK OF ARIZONA 0127 4,552.58 NATIONAL BANK OF ARIZONA 1389 1,039.59 NATIONAL BANK OF ARIZONA 0085 1,168.84 NATIONAL BANK OF ARIZONA 0186 1,535.52 NATIONAL BANK OF ARIZONA 0285 3,116.51 HAMBLIN LAW OFFICE PLC 17,000.00 ALLEGRA 2,031.25 AMIGO CHEVROLET 1,036.87 AZ DEPT OF RISK MANAGEMENT 1,096.95 AZ SUPREME COURT 3,750.00 AZ SUPREME COURT 2,625.00 AZ SUPREME COURT 1,517.50 AZ SUPREME COURT 20,250.00 AZLGEBT 14,445.00 BECK'S BILLIARDS 1,734.40 MARLEITA BEGAY 1,400.39 BOB BARKER COMPANY INC 1,048.24 BREWER LAW OFFICE PLLC 8,500.00 CDW GOVERNMENT LLC 23,186.50 ERNEST COLLINS JR 2,700.00 CONTINUANT INC 1,178.20 CONTRACT PHARMACY SERVICES INC 2,621.93 COPE MEMORIAL CHAPEL 4,395.00 DOYLES AUTO BODY INC 3,572.89 ELECTION SYSTEMS AND SOFTWARE 35,958.57 EMPIRE MACHINERY 4,050.13 KLINT HEAP 1,320.96 HIGH COUNTRY SIGNS LLC 3,630.50 KATHLEEN M MCGUIRE PSY D LLC 1,796.00 LEGATE, PENROD & ASSOCIATES 1,078.00 LINCOLN STRATEGY GROUP 4,500.00 MOVIE LICENSING USA 2,089.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,521.43 NAVOPACHE ELECTRIC COOPERATIVE 7,197.13 NICOLL CONSTRUCTION LLC 98,498.13 PELOTON INTERACTIVE INC 7,307.67 PERSONNEL SAFETY ENTERPRISES 1,610.40 QUILL CORP 3,347.60 R JOHN R JOHN LEE ATTORNEY AT LAW 8,500.00 RDO EQUIPMENT CO 1,966.35 RDO EQUIPMENT CO 4,509.18 RDO EQUIPMENT CO 29,990.92 RHINEHART OIL CO 44,616.11 DAVID JULIAN ROMERO 1,212.24 RUSH TRUCK CENTER 4,458.62 LAURENCE SCHIFF 1,100.00 SECURUS TECHNOLOGIES INC 3,274.87 SOUTHERN TIRE MART LLC 1,088.90 ST JOHNS EMERGENCY SERVICES 1,547.53 US POSTMASTER 1,120.00 VALLEY AUTO PARTS 1,054.74 VERITAS RESEARCH CONSULTING 1,750.00 VERITAS RESEARCH CONSULTING 3,550.00 WESTERN CONSTRUCTION COMPONENTS INC 19,600.00 DELL COMPUTER CORPORATION 4,267.71 APACHE COUNTY HSA 4,222.63 APACHE COUNTY MEDICAL 172,210.14 APACHE COUNTY TAX WITHHOLDING 139,701.34 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 108,289.46 COLONIAL LIFE AND ACCIDENT INS 1,675.81 CORRECTIONS OFFICER RET PLAN 9,971.48 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,456.91 EORP LEGACY 2,720.34 NATIONWIDE 2,065.30 NATIONWIDE TRUST FSB 3,197.75 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 40,387.02 SUPPORT PAYMENT CLEARINGHOUSE 1,424.64 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,234.07 AMERIGAS – GALLUP 1,665.30 ARIZONA STATE FORESTRY DIVISION 26,373.28 ASHTONS REPAIR INC 2,992.24 CDW GOVERNMENT LLC 130,022.50 DELL COMPUTER CORPORATION 1,352.43 DLT SOLUTIONS LLC 2,124.50 ELECTION SYSTEMS AND SOFTWARE 39,621.88 FERRELLGAS 1,466.59 FRONTIER 1,840.91 INGRAM LIBRARY SERVICES 3,210.03 MICHAEL LATHAM 13,918.09 NAVAJO TRIBAL UTILITY AUTHORITY 5,741.50 NAVOPACHE ELECTRIC COOPERATIVE 13,078.87 NEWMAN SIGNS INC 2,792.52 NORCHEM DRUG TESTING LAB (CORDANT) 1,037.05 DANA BRYCE PATTERSON 8,500.00 PITNEY BOWES 3,762.29 QUILL CORP 1,929.07 REDW LLC 17,250.00 SANDERS UNIFIED SCHOOL DISTRICT 2,925.00 SANOFI PASTEUR INC 1,063.98 SCHINDLER ELEVATOR CORPORATION 1,042.52 SECURUS TECHNOLOGIES INC 1,599.68 SIERRA PROPANE 1,793.78 ST JOHNS

CITY 1,050.03 SUNSTATE TECHNOLOGY GROUP 1,490.64 THE UNIVERSITY OF ARIZONA 7,500.00 THOMSON REUTERS WEST 1,894.08 VERITAS RESEARCH CONSULTING 1,800.00 WILLIAMS SCOTSMAN INC (WILLSCOT) 1,233.97 YELTON AND ASSOCIATES 4,916.67 SANDSTONE PUBLIC RELATIONS 2,268.00 APACHE COUNTY TAX WITHHOLDING 1,096.66 4IMPRINT 1,870.87 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,645.77 AUTOMATED ELECTION SERVICES 15,493.15 AZ DEPT OF HEALTH SERVICES 1,485.00 BEARTOOTH MAPPING INC 1,440.00 CDW GOVERNMENT LLC 1,428.17 EMPIRE MACHINERY 18,121.36 FLEET PRIDE 3,121.30 FRONTIER 1,294.23 GENES FRAME & ALIGNMENT INC 1,058.99 GOLIGHTLY TIRE 2,890.17 HAMBLIN & ASSOCIATES LLC 5,000.00 HILLYARD/FLAGSTAFF 2,374.96 INGRAM LIBRARY SERVICES 1,026.30 NAVAJO TRIBAL UTILITY AUTHORITY 5,515.93 NAVOPACHE ELECTRIC COOPERATIVE 1,153.80 PIMA COUNTY MEDICAL 2,300.00 PUERCO VALLEY AMBULANCE SERVICE 1,318.39 QUILL CORP 2,288.14 RHINEHART OIL CO 7,516.22 SALAM INTERNATIONAL INC 2,483.53 SECURUS TECHNOLOGIES INC 2,338.03 SIERRA PROPANE 2,064.81 SOUTHERN TIRE MART LLC 1,397.52 SPRINGERVILLE AUTO WRECKERS 1,825.00 THOMSON REUTERS WEST 1,444.99 TYLER TECHNOLOGIES INC 83,312.22 VALLEY AUTO PARTS 1,901.70 VERITAS RESEARCH CONSULTING 2,000.00 VERIZON WIRELESS 3,926.57 WESTERN EXPLOSIVES SYSTEMS CO (WESCO) 49,301.57 YAZZIE'S AUTO PARTS INC 4,374.18 AZ DEPT OF REVENUE 1,153.37 EKOS 2,800.00 MIGALI SCIENTIFIC 7,343.95 APACHE COUNTY HSA 4,349.30 APACHE COUNTY MEDICAL 172,087.68 APACHE COUNTY TAX WITHHOLDING 141,997.93 ASRS LEGACY EORP 5,889.13 AZ STATE RETIREMENT SYSTEM 110,049.68 COLONIAL LIFE AND ACCIDENT INS 1,675.81 CORRECTIONS OFFICER RET PLAN 10,218.15 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,428.84 EORP LEGACY 2,720.34 NATIONWIDE 2,023.37 NATIONWIDE TRUST FSB 3,237.88 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF RET 41,946.24 SUPPORT PAYMENT CLEARINGHOUSE 1,424.64 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 March 10, 2020, March 20, 2020 and March 26, 2020. C. Request approval of the tax exemption for Sunshine Acres Children's Home for parcel 106-41-025A, pursuant to ARS 42-11153. The exemption was filed late due to an administrative change within the organization. D. Request approval of the adoption of a proclamation and resolution declaring April as Fair Housing Month in Apache County.

FAIR HOUSING PROCLAMATION

WHEREAS, The National Fair Housing Law of 1986, as amended by the Fair Housing Amendments Act of 1988 prohibits discrimination in housing and declares it a national policy to provide within constitutional limits, for fair housing in the United States; and

WHEREAS, the principle of Fair Housing is not only national law and national policy but a fundamental human concept and entitlement for all Americans; and

WHEREAS, April has traditionally been designated as Fair Housing Month in the United States;

NOW, THEREFORE, I Alton Joe Shepherd, Chairman of the Board of Apache County, do proclaim April as Fair Housing Month in Apache County and do hereby urge all citizens of this community to comply with the letter and spirit of the Fair Housing Law.

/s/ Alton Joe Shepherd., Chairman

Signed this 7th day of April, 2020.

FAIR HOUSING RESOLUTION

A RESOLUTION OF THE BOARD OF SUPERVISORS OF APACHE COUNTY ADOPTING A FAIR HOUSING POLICY, MAKING KNOWN ITS COMMITMENT TO THE PRINCIPLE OF FAIR HOUSING, AND DESCRIBING ACTIONS IT SHALL UNDERTAKE TO AFFIRMATIVELY FURTHER FAIR HOUSING.

WHEREAS, the Housing and Community Development Act of 1974 as amended requires that all applicants for Community Development Block Grant funds certify that they shall affirmatively further fair housing; and

WHEREAS, the Civil Rights Act of 1968 (commonly known as the Federal Fair Housing Act) and the Fair Housing Amendments Act of 1988 declare a national policy to prohibit discrimination in the sale, rental, leasing and financing of housing or land to be used for the construction of housing or in the provision of brokerage services, on the basis of race, color, religion, sex, disability, familial status or national origin; and

WHEREAS, fairness is the foundation of the American system and reflects traditional American values; and

WHEREAS, discriminatory housing practices undermine the strength and vitality of America and its people;

NOW, THEREFORE, BE IT RESOLVED THAT the Apache County Board of Supervisors hereby wish all persons living, working, doing business in or traveling through this County to know that:

discrimination in the sale, rental, leasing and financing of housing or land to be used for construction of housing, or in the provision of brokerage services on the basis of race, color, religion, sex, handicap, familial status or national origin is prohibited by Title VIII of the Fair Housing Act Amendments of 1988; and that it is the policy of Apache County to implement programs, within the constraints of its resources, to ensure equal opportunity in housing for all persons regardless of race, color, religion, sex, handicap, familial status or national origin;

and within available resources Apache County will assist all persons who feel they have been discriminated against in housing issues on the basis of race, color, religion, sex, handicap familial status or national origin to seek equity under existing federal and state laws to file a complaint with the Arizona Attorney General's Office or the U.S. Department of Housing and Urban Development; and

that Apache County shall publicize this Resolution and thereby encourage owners of rental properties, developers, builders and others involved with housing to become aware of their respective responsibilities and rights under the Fair Housing Amendments Act of 1988 and any applicable state or local laws or ordinances; and that Apache County shall undertake the following actions to additionally "affirmatively further fair housing:"

1. Post this Resolution in Apache County Community Buildings.
2. Make fair housing and housing discrimination information available to the citizens of Apache County.

PASSED AND ADOPTED BY THE APACHE COUNTY BOARD OF SUPERVISORS ON THIS 7th DAY OF APRIL 2020.

/s/ Alton Joe Shepherd, Chair of the Board of Supervisors

ATTEST:

APPROVED AS TO FORM:

/s/ Ryan Patterson, County Clerk

/s/ Michael Whiting, County Attorney

E. District III: Request approval of a resolution to submit a USDA Rural Business Development Grant.

RESOLUTION NO. 2020-10

A RESOLUTION OF THE BOARD OF SUPERVISORS OF APACHE COUNTY, ST. JOHNS, ARIZONA AUTHORIZIN THE SUBMISSION OF AN APPLICATION FOR A USDA RURAL BUSINESS DEVELOPMENT GRANT FOR A FEASIBILITY STUDY FOR A COMPREHENSIVE PLAN FOR ECONOMIC DEVELOPMENT CORPORATION FOR APACHE COUNTY.

WHEREAS, The County supports economic development that benefits local businesses and attracts and encourages new businesses; and

WHEREAS, an Economic Development Planning Feasibility for a Non Profit Corporation is needed to address the County's various needs for future growth; and

WHEREAS, The United States Department of Agriculture's Rural Business Development Grant is accepting applications and Apache County is eligible to participate in this grant program.

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of Apache County, Arizona that the County's Board of Supervisors hereby supports the application for a USDA/Rural

Business Development grant.

PASSED AND ADOPTED by the Board of Supervisors of Apache County on this 7th day of April, 2020.

ATTEST:

/s/ Alton Joe Shepherd, Chairman

/s/ Ryan Patterson, Clerk of the Board

APPROVED AS TO FORM:

/s/ Michael B. Whiting, Apache County Attorney

Sheriff's Office: F. Request approval to change the rehire eligibility status for previous employee Andrew Warner to "eligible for rehire." Community Development: G. Request approval to re-appoint Jim Thornhill from St. Johns and Carey Dobson from Vernon to serve as Planning and Zoning Commissioners. Human Resources: H. Request authorization to update the Roads Manager job description. I. District I: Request approval to create a Community Resource Liaison position and hire at a salary of \$57,673. County Attorney's Office: J. Request approval to retain Snell and Wilmer for the 2020 election. Vote was unanimous for Consent Agenda items A-J.

Chief Deputy Sheriff Brannon Eagar requested approval to renew a lease agreement with the Sanders Unified School District #18 for the lease of the building space utilized as the Apache County Sheriff's Office Sanders Substation in Sanders, Arizona. Chief Eagar stated the lease agreement is retroactive from July 1, 2019 and will end July 30, 2020. **Mr. Shirley moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

David Romero, Chief Deputy Treasurer, requested approval of a "Certificate of Removal and Abatement of Taxes" pursuant to ARS 42-18351(1), with the total to be abated: \$391.40, total interest and fees to be abated: 0.00 and the list of parcels included in the abatement are in the agenda backup material on the County website. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Patterson requested approval to award banking services (Bid #2020-05) to National Bank of Arizona. Mr. Patterson stated the bid was published in the paper and sent to nine individual banks and the only reply was from National Bank who met all the criteria and recommended approval to award the banking bid to National Bank of Arizona. **Mr. Shirley moved approval, seconded by Mr. Simshauser.** Vote was unanimous

Mr. Patterson, on behalf of District III, requested approval of an agreement between Concho Fire Department and Apache County for fuels reduction work under the WFHF 18-202 contract. **Mr. Shirley moved approval, seconded by Mr. Simshauser.** Vote was unanimous.

Michael Whiting, County Attorney, presented the item 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 Elk Ridge Associates regarding Cases TX2018-000706 and TX2019-000702, and possible action to perform obligations under the agreement. Mr. Whiting stated he did not think an executive session was needed unless the board had questions. **Mr. Simshauser moved approval of the settlement, seconded by Mr. Shirley.** Vote was unanimous.

There was no call to the public.

Mr. Patterson stated due to the health crisis, individuals were allowed to make comments on agenda items by emailing Beth Bond by 5:00 p.m. yesterday and no comments or questions were submitted or received.

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

Approved this 5th day of May, 2020.

/s/Alton Joe Shepherd
Chairman of the Board

/s/ Ryan N. Patterson
Clerk of the Board