

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
December 15, 2015
St. Johns, Arizona**

Present were: Chairman Joe Shirley, Jr., Vice Chairman Tom M. White, Jr. and Supervisor Barry Weller. Also present, County Manager/Clerk of the Board Delwin Wengert, County Attorney Michael Whiting and Chief Deputy County Attorney Joseph Young.

Chairman Shirley called to order the Board of Supervisors meeting at 8:32 a.m. of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Ben Dugdale led the Pledge of Allegiance.

Kay Hauser gave the invocation.

Chairman Shirley called for the Library District item.

Judith Pepple, Library Director, provided notification of the retirement of Tresa Cox, Library Manager, Sanders Public Library, effective January 1, 2016 and request approval to payout her accumulated sick leave balance per Apache County Human Resources Policy 3.25. Ms. Cox was unable to attend the meeting due to the storm. Mr. Pepple and the Board of Supervisors expressed their appreciation for the years of service Ms. Cox provided to the County and public. Mr. White moved approval of the sick leave payout, seconded by Mr. Weller. Vote was unanimous.

Mr. White moved to adjourn the Library District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman Shirley called for the regular agenda items.

Mike Hauser and Joyce Alves, with the Apache County 4-H and the University of Arizona Apache County Cooperative Extension presented the 2015 Contributor Awards to Megan Bryan for her dedication, support and service to the Apache County 4-H Youth Development Program and Tim Udall for his enthusiasm, contribution and passion to home horticulture activities in Apache County and Northern Arizona. The Board thanked the recipients for their service. No action was needed or taken.

Milton Ollerton, Community Development Director, requested approval to allow Doug Sandahl to amend the Final Plat for Four Seasons Condominium, adjusting lot lines to incorporate more land area, to 1.69 acres, increasing the units to 10 pre-existing units. Mr. Ollerton stated the property is located in Greer, AZ, an parcel 102-14-006. Mr. Ollerton stated the Planning and Zoning Commission's recommendation was 3 approved, 2 against, and 1 abstention due to a conflict of interest. Mr. Ollerton provided an overview of the requirements of the proposed project and stated staff received this project and found all requirements have been met and recommended approval. Mr. Weller stated he has concerns and questions regarding this issue. Chairman Shirley stated he would like a motion before discussion. Mr. Weller expressed his displeasure at not being able to continue with his comments and questions. Mr. White stated for the sake of discussion, he moved to approve, seconded by Mr. Shirley. Mr. Weller stated he was concerned that this may have

been done in the past, but there is not any documented process to amend a plat and that is concerning to him. A discussion was held regarding the process that is used and Mr. Ollerton provided an overview of the process. Mr. Weller asked the County Attorney if it was a legal process. Deputy County Attorney Joe Young responded the process was appropriate and legal. Mr. Weller stated he does not believe the County is following the ordinance and outlined his reasons. County Attorney Whiting stated the process is legal. Mr. Weller asked County Engineer, Ferrin Crosby if he had reviewed the final plat. Mr. Crosby responded yes. A discussion was held between Mr. Weller, Mr. Ollerton and Mr. Crosby regarding a portion of a road that was not shown on the parcel map but shown on the plat map and how to adopt that change. Mr. Crosby stated it is not uncommon for property to extend out to the center of a road but that does not mean the owners of the property control the road; the easement prohibits them from putting any permanent structure in the easement. Mr. Weller asked if the Community Development Department had a copy of the deed that indicates that part of the road is the property owners. Mr. Crosby stated a professional surveyor has confirmed it; that he did that research and relies on that surveyor to provide that verification. Mr. Weller stated the statutes requires we take on that responsibility; we are making a legal decision and are required to have the deed searched and not rely on outside resources. Mr. Weller referenced a previous plat that was approved which he felt was misrepresented. Mr. Crosby responded the previous plat that was brought into question was corrected. Mr. Weller stated the previous plat was misrepresented to the Board so this time he is going to be a little more clear about what is being done. Mr. Young stated this plat is in the proper form and the surveyor that was used is certified and that is what we rely on, and if the survey was improper, the certification would be pulled from the surveyor so at this point, the plat is ready for approval. Mr. Weller stated he noted the county attorney has stated it is legal but he has seen three separate case laws where the encumbrance of the property is inappropriate and not legal and asked for case law or statutes that support the attorney's opinion that it is alright to encumber another person's property. Mr. Young and Mr. Weller held a discussion on the issue. Mr. Weller stated he received a letter from a part owner of the property who has concerns regarding the impact to them and the other 400 citizens that may incur possible significant risk so he is wanting the Board to have a written legal opinion from the County Attorney's Office on these issues before action is taken because there is no protection with only a verbal legal opinion. Mr. Whiting stated in regard to Mr. Weller's statement that there is no legal protection; Mr. Weller is mixing water law, property law, contract law and County ordinances and as Mr. Weller jumps around and makes statements about criminal action, it is a civil matter between property owners, not something appropriate for a criminal matter. Mr. Whiting stated this issue has been vetted extensively and he did not want the Board members and the public to think the Board has no legal protection because that is incorrect; meetings are recorded, minutes are taken and there is legal protection for the Board. Mr. Weller stated for the public's benefit, this is an elected legal office; an elected Board and this is an official legal action that is being considered and these legal actions can be challenged by the citizens and what we create impacts those citizens and could be financial. Mr. Weller stated the letter he had received listed up to twenty million dollars in possible damages related to this decision and that concerns him. Mr. Weller stated the statute states the Board is protected by written legal opinion, not by verbal opinion. Mr. Weller stated the action for this particular plat that is being considered today is unclear and legally undefined, and moved to amend the motion to send this issue back to the Planning and Zoning Commission and County Attorneys until the legal issues are documented for the Board's approval.

David Brown, representing the applicant, stated in regard to the road issue, it is exactly like Cattle Kates and the Board approved both those subdivisions previously and that road also went to the center of the main road in Greer and that is how all of the properties in Greer are deeded, so there is no ownership of the road by the County, State or any other entity. Mr. Brown stated the application before the Board has been worked extensively and if anyone else in the County would have to develop their property with this same kind of scrutiny, there would never be any development or economic prosperity and might as put up a sign coming in from Show Low that we are a no growth zone because that is the scrutiny that the Supervisor from District III would give to all these types of

applications. Mr. Brown stated the application before the Board meets all the state codes, it has staff approval at all levels, has open space of only 75% when only 30% is required and meets all septic, sewer, road, access, power and water requirements as well as any other ordinance in statute that he has reviewed. Mr. Brown stated this takes care of the purported well/lot problem which is not illegal or inappropriate.

Mr. Weller stated he appreciates the political statement made by Mr. Brown on his scrutiny of this particular item, and stated he would scrutinize and look just as deeply into anything that has this many issues associated with it because the citizens of this county do deserve some protection under the laws that we have. Mr. Weller stated as the County Attorney said, it does get into water law and any every other law there is and that is why we need to look at this closely because it impacts those issues. Mr. Weller stated he didn't even bring up the flood plain issue; we have a county official that said we should have waited for a flood plain study before moving forward. Mr. Weller stated there are lots of grey areas that cause his scrutiny. Mr. Weller stated Mr. Brown presented previous applications to the Board as no problem and the Board moved forward but we are including other people's property in the process so in his opinion that is a misrepresentation and misleading to the Board. Mr. Brown responded that Mr. Weller's comments are totally inaccurate and he is proud of the law degree he has and practices in all the areas described and he will put his law degree up against any ones. Mr. Weller stated they are not competing on education here, he would like to know specifically where he was inaccurate. Chairman Shirley stated Mr. Weller's concerns have been addressed and Mr. Weller has put forward a motion to amend the current motion to defer it back to Planning and Zoning and the County Attorney's Office. Mr. Shirley called for a second. Hearing none, motion died. Mr. White stated in listening to the discussions, he appreciated Mr. Weller's concerns but he also listens to their legal counsel and they have said there is no problem so they need to move forward. Chairman Shirley called for the vote. Motion passed 2-1 with Mr. Weller voting nay.

Milton Ollerton, Community Development Director, presented the item following a public hearing, Consideration and possible recommendation for approval of a Reversion to Acreage to allow Dan Finestead to amend the plat map for Los Pinos De Paz, Unit 2 to combine Lot 53, Lot 54 and Lot 55 into one 3.1 acre lot. Mr. Ollerton stated the property is located near Nutrioso, AZ 85932, 102-56-0053, 054, 055 and the Planning and Zoning Commission and staff recommended unanimous approval. There was no one wanting to address the board on the issue. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Malena Bazarro, Grants Manager, presented the item for a public hearing regarding the use of approximately \$216,306 in Fiscal Year 2016 Community Development Block Grant (CDBG) funds. Ms. Bazarro provided background on the grant submission process. Ms. Bazarro stated this is the second of two required hearings. Ms. Bazarro stated she met extensively with the groups involved that brought projects before the Board in November and this public hearing is to hear input on those project submissions. Ms. Bazarro stated all proper postings and notices have been met as per HUD guidelines. Ms. Bazarro stated Mr. Weller contacted her regarding an additional project and according to guidelines if the project wasn't brought before the Board at the first public hearing it cannot be discussed and was to use the CDBG money on the Round Valley rodeo grounds. Ms. Bazarro stated an application was submitted on two prior occasions for the rodeo grounds, and had those applications rejected. Ms. Bazarro stated she has a project accounting for 2012 to current and the County has spent \$105,688.22 on renovations, maintenance and improvements to the rodeo grounds in Round Valley and have not received any in-kind labor from the Town of Eagar to help with the facilities. Ms. Bazarro stated to date, a revenue of \$900.00 in rental fees we received, so that is a drop in the bucket to what the County has spent.

Chairman Shirley opened the public hearing.

John Taylor, a resident of Concho expressed his support of the Concho Community Center project.

David Brown, President of the Apache County Fair Association, stated he is in support of the application for the rodeo/fair facility in St. Johns. Mr. Weller asked how much money the County invested in the fairgrounds which is owned by St. Johns. Mr. Brown responded over the past 50 years it is probably a significant amount. Mr. Weller asked if the last CDBG grant was used at those facilities. Mr. Brown stated yes. Mr. Weller asked if funding was used to put up the big ugly building at the facility. Mr. Brown stated Salt River Project provided a large donation with some County support.

Jenny Wicks, representing Concho Wastewater, asked the Board to support the lift expansion project.

Kathy Cross, a resident of Alpine, stated since she last presented their plan a month ago, they have raised an additional \$4,550 in funding for the street lighting project and urged the Board to support their project.

Steven Escobedo, a resident of Concho, requested support of the community center project in Concho.

Frank Wright, a resident of Concho, requested the Board support the Concho Wastewater Improvement project.

Paul Ramsey, City Of St. Johns Interim City Manager, stated the city strongly supports the efforts for the Fairgrounds in St. Johns and will use their future CDBG funds toward the fairgrounds to continue to rebuild the facility.

Linda Jones, a resident of Concho, expressed her support of the community center project in Concho.

There was no others wanting to address the aboard during the public hearing.

Ms. Bazarro stated the ranking for the projects was not done by just by her; she met with the groups who submitted projects and discussed missing elements and gathered maps and outlines of proposed budgets and then took that to NACOG and discussed the proposed ranking. Ms. Bazarro stated the County is allowed to submit three projects so the order of the three ranking is:

1. Alpine Streetlight project
2. Apache County Fairgrounds
3. Concho Wastewater Improvement District

Ms. Bazarro stated there is \$216,000 and 18% of that is for administration and includes a portion to NACOG for their technical assistance. Alpine Street lighting project raised enough in funding for their \$5,000 environmental review as is required by each project. Ms. Bazarro stated after discussions with NACOG, a concern with the Concho community center project is, they are projecting an annual

income of \$14,000 and a portion would be property rental which is half of their income and she is aware they previously operated for five years on grant funding and some of the services went away when the grant ended and to give CDBG money to a nonprofit, they have to show five years sustainability and she hasn't seen that sustainability. Ms. Bazaruto stated she has a letter from the Apache County Building Inspector that shows the grandstands and concession building at the fairgrounds have been condemned, so that makes those structures unusable. Mr. Weller asked if Ms. Bazaruto obtained bids for the elimination of the condemned grandstands. Ms. Bazaruto stated they are looking at a salvage/sale demolition of the grandstands and the purchase of a prefabricated grandstands using County labor as well as a sidewalk for ADA accessibility from the grandstands to the restrooms and improvements to the restrooms to accommodate ADA. Mr. Weller asked if there were bids obtained on the grandstand demolition, Ms. Bazaruto stated she did not obtain bids yet because they need to be limited on the amount of money spent procuring estimates and bids because they don't have funds yet, so the figures the Board has on all of the projects are semi-rough. Ms. Weller stated the grant is targeted at low income and blighted areas and out of all the projects Concho fits that and needs assistance and asked who makes the determination of the five year sustainability component. Ms. Bazaruto stated the application is sent for review to the Department of Housing and HUD and if they feel there is a weakness in the sustainability plan, they kick out the application so that would be funding that would have to be given back to the State. Ms. Bazaruto stated the Concho group has some cohesiveness but would like to see them start doing some planned services with the facilities currently available and show that and in three years when the CDBG is back to the County and if they had some good records and data, their project would be more toward the top of the list. Ms. Bazaruto stated the Concho CAN is a non-profit in good standing so that is good, they are just missing the sustainability piece.

MaryAnn Escobedo, a resident of Concho and expressed her support of the Concho community center project.

Mr. Weller stated he has concerns with the fairgrounds because this is the first he is hearing about the condemnation of the grandstands which is concerning and costly. Mr. Weller stated he would like to combine the two Concho projects together and merge the wastewater and community center project into one project and utilize the funding available and put the grandstand project third. Ms. Bazaruto stated the nature of the projects would not let them be combined; it is a wastewater project and a community improvement project so they have to stay separate. Ms. Bazaruto stated once the three projects are approved she can start on cost estimates and see if there is any way to save money and maybe partially fund the wastewater project.

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

Malena Bazaruto, Grants Manager, presented the item for possible approval of the Resolution of Authorization to Submit Application and Implement CDBG Projects. Ms. Bazaruto asked for approval of the ranking as submitted. Mr. Weller asked any of the Concho projects be swapped with St. Johns due to high needs in that area. Mr. Weller moved to approve the resolution with the following ranking #1. Alpine Street lighting Project, #2. Concho Wastewater Project, #3 Concho Community Center, #4. St. Johns County fairgrounds and Southfork #5. Motion died for lack of a second. Ms. Bazaruto stated at the time of the ranking and the public hearing was published, they thought Southfork Cabins would qualify but HUD is getting more stringent on slum and blight so at this point the cabins do not qualify and only three projects can be selected by the County. Mr. White made a motion to approve the ranking #1. Apache County Fairgrounds, #2 Concho Wastewater project #3 Alpine Streetlight project, #4. Concho Community Center and #5 Southfork Cabins. Mr. Shirley asked Ms. Bazaruto if she supported that ranking. Ms. Bazaruto responded she is particularly opposed to it; the improvement district serves 30 residents but this project would allow for increased capacity but she

isn't sure if that is where the Board wants to spend the money. Mr. White stated he was unaware the Concho Wastewater Improvement District only served 30. Ms. Bazaruto stated that was correct but 90% of those 30 are low to moderate income so that is why the project qualifies but they do have a limited clientele. Mr. Weller asked if Ms. Wicks with the Concho Wastewater District would address the number of properties and people served. Ms. Wicks stated there are 680 properties that are installed with 30 residents and businesses that are active but if anyone else builds, the lift station is at its maximum capacity so if there is any commercial development or any more homes the system cannot hold. Mr. Weller stated it is important to him to help potential growth. Chairman Shirley called for a second to Mr. White's motion. Motion died for lack of a second. Mr. Weller moved to approve the ranking #1. Alpine Streetlight Project #2, Concho Wastewater, #3 Apache County Fairgrounds. Chairman Shirley asked Ms. Bazaruto her thoughts on that ranking. Ms. Bazaruto stated she would like to see the ranking stay as she presented and if funding permits, assist the Concho Wastewater with some funding. Milton Ollerton, Community Development Director stated if the growth that may occur in Concho is a result of commercial business, it would seem appropriate that commercial business pay for their development and they issues they cause as a part of the at growth, so if a motel comes in and impacts the sewer system, that development should pay for the cost of the growth. Chairman White called for a second to Mr. Weller's Motion. Motion died for lack of a second. Mr. White moved to approve the ranking as presented by Ms. Bazaruto #1. Alpine Streetlight Project, #2. Apache County Fairgrounds Grandstands, #3. Concho Wastewater Improvement District, #4. Concho Community Center and Southfork Cabins do not qualify. Mr. Weller asked Ms. Bazaruto is one of the three falls out can one move up. Ms. Bazaruto stated yes if one fell out an amendment could be made as they are approved in the ranking. Mr. Weller seconded the motion. Vote was unanimous.

**AUTHORIZATION TO SUBMIT APPLICATIONS
AND IMPLEMENT CDBG PROJECTS
RESOLUTION NO: 2015-16**

A RESOLUTION OF APACHE COUNTY BOARD OF SUPERVISORS AUTHORIZING THE SUBMISSION OF AN APPLICATION(S) FOR FY 2016 STATE COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS, CERTIFYING THAT SAID APPLICATION(S) MEETS THE COMMUNITY'S PREVIOUSLY IDENTIFIED HOUSING AND COMMUNITY DEVELOPMENT NEEDS AND THE REQUIREMENTS OF THE STATE CDBG PROGRAM, AND AUTHORIZING ALL ACTIONS NECESSARY TO IMPLEMENT AND COMPLETE THE ACTIVITIES OUTLINED IN SAID APPLICATION.

WHEREAS, the Apache County is desirous of undertaking community development activities; and
WHEREAS, the State of Arizona is administering the Community Development Block Grant Program; and

WHEREAS, the State CDBG Program requires that CDBG funds requested address one of the three Congressional mandated National Objectives; and

WHEREAS, the activities within these applications address the community's identified housing and community development needs, including the needs of low and moderate income persons; and

WHEREAS, an Applicant of State CDBG funds is required to comply with the program guidelines and Federal Statutes and regulations:

NOW, THEREFORE, BE IT RESOLVED THAT the Apache County Board of Supervisors authorize application to be made to the State of Arizona, Department of Housing for FY2016 CDBG funds, and authorize the Chairman of the Board to sign application and contract or grant documents for receipt and use of these funds for the attached projects, and authorize the Chairman of the Board to take all actions necessary to implement and complete the activities submitted in said application(s); and
THAT this application for State CDBG funds meets the requirements of low- and moderate-income benefit for activities justified as benefiting low- and moderate-income persons, aids in the prevention or elimination of slum and blight or addresses an urgent need which poses a threat to health; and

THAT, the Apache County will comply with all State CDBG Program guidelines, Federal Statutes and regulations applicable to the State CDBG Program and the certifications contained in the(these) application(s).

Passed and adopted by the Apache County Board of Supervisors this 15th day of December, 2015.
/s/ Joe Shirley, Jr. Chairman of the Board

ATTEST:
/s/ Delwin Wengert, Clerk of the Board

APPROVED AS TO FORM:
/s/ Michael Whiting, Apache County Attorney

Malena Bazarro, Grants Manager: requested adoption of the Relocation Assistance Plan as required by the Arizona Department of Housing for the CDBG applications. Ms. Bazarro stated even though there isn't a housing project, the resolution still needs to be adopted. Mr. White moved approval, seconded by Mr. Weller. Vote was unanimous.

RELOCATION ASSISTANCE PLAN
As required under Section 104(d) of the
Housing and Community Development Act of 1974 as amended
RESOLUTION NO.2015-17

A RESOLUTION OF THE APACHE COUNTY BOARD OF SUPERVISORS ADOPTING A RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN FOR FY2016, AS REQUIRED UNDER SECTION 104(d) OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974 AS AMENDED.

WHEREAS, Section 104(d) of the Housing and Community Development Act of 1974, as amended, and implementing regulations require that each applicant for Community Development Block Grant funds must adopt, make public and certify that it is following a residential anti-displacement and relocation assistance plan; and

WHEREAS, the Apache County is submitting an application to the Arizona Department of Housing for Community Development Block Grant funds.

NOW, THEREFORE, BE IT RESOLVED, that the Apache County Board of Supervisors do hereby adopt the residential anti-displacement and relocation assistance plan as described below.

RESIDENTIAL ANTIDISPLACEMENT AND RELOCATION ASSISTANCE PLAN

Apache County will replace all occupied and vacant occupiable low/moderate income dwelling units demolished or converted to a use other than as low/moderate income housing as a direct result of activities assisted with funds provided under the Housing and Community Development Act of 1974 as amended.

All replacement housing will be provided within three years of the commencement of the demolition or rehabilitation relating to conversion.

Before obligating or expending funds that will directly result in such demolition or conversion, the Apache county will make public and submit to the ADOH CDBG Program the following information in writing:

1. A description of the proposed activity;

2. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be demolished or converted to a use other than as LM dwelling units as a direct result of the assisted activity;
3. A time schedule for the commencement and completion of the demolition or conversion;
4. The general location on a map and approximate number of dwelling units by size (number of bedrooms) that will be provided as replacement dwelling units;
5. The source of funding and a time schedule for the provision of replacement dwelling units; and
6. The basis for concluding that each replacement dwelling unit will remain a LM dwelling unit for at least 10 years from the date of initial occupancy.
7. Information demonstrating that any proposed replacement of housing units with smaller dwelling units (e.g., a 2-bedroom unit with two 1-bedroom units), or any proposed replacement of efficiency or single-room occupancy (SRO) units with units of a different size, is appropriate and consistent with the housing needs and priorities identified in the State of Arizona's approved Consolidated Plan (CP).

Apache County will provide relocation assistance, as described in the ACT and implementing regulations, to each LM household displaced by demolition of housing or by the conversion of a LM dwelling unit to another use as a direct result of assisted activities.

Consistent with the goals and objectives of activities assisted under the ACT, Apache County will take the following steps to minimize displacement of persons from their homes:

1. Coordinate code enforcement with rehabilitation and housing assistance programs.
2. Evaluate housing codes and rehabilitation standards in reinvestment areas to prevent undue financial burden on established owners and tenants.
3. Stage rehabilitation of apartment units to allow tenants to remain in the building/complex during and after the rehabilitation, working with empty units first.
4. Arrange for facilities to house persons who must be relocated temporarily during rehabilitation.
5. Adopt policies to identify and mitigate displacement resulting from intensive public investment neighborhoods.
6. Adopt policies which provide reasonable protections for tenants faced with conversion to a condominium or cooperative.
7. Adopt tax assessment policies, such as deferred tax payment plans, to reduce impact of increasing property tax assessments on lower income owner-occupants or tenants in revitalizing areas.

8. Establish counseling centers to provide homeowners and tenants with information on assistance available to help them remain in their neighborhood in the face of revitalization pressures.

Passed and adopted by the Apache County Board of Supervisors this 15th day of December, 2015.

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

ATTEST:
/s/ Delwin Wengert, Clerk of the Board
Attorney

APPROVED AS TO FORM:
/s/ Michael Whiting, Apache County

NOTE: This resolution is only required to be adopted by an applicant once every five years. However, if the applicant is aware that some component of the resolution adopted in a prior year is no longer accurate or applicable, then the applicant must adopt a revised resolution reflecting accurate information.

The application for funds must contain a copy of the Resolution adopted not more than 5 years from the submittal date to the Department of Housing CDBG Program.

Mr. Wengert presented the Consent items A-E. Mr. Weller moved approval, seconded by Mr. White. **County Manager/Clerk of the Board: A.** Request approval of demands as distributed to the Apache County Board of Supervisors between December 1, to December 15, 2015. Demands are payments made or to be made, by the County. Payee Amount APACHE COUNTY HAS 2,006.67 APACHE COUNTY MEDICAL 137,906.43 APACHE COUNTY TAX WITHHOLDING 126,708.68 AZ STATE RETIREMENT SYSTEM 87,993.12 COLONIAL LIFE AND ACCIDENT INS 1,378.20 CORRECTIONS OFFICER RET PLAN 5,798.00 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,888.96 NATIONWIDE 1,605.00 PUBLIC SAFETY PERSONNEL 401 10,971.63 PUBLIC SAFETY SHERIFF RET 40,230.56 SECURITY BENEFIT GROUP 1,141.00 SUPPORT PAYMENT CLEARINGHOUSE 2,272.27 AMAZON COM INC 4,169.23 AMERICAN FENCE CO OF AZ 2,691.11 AMIGO CHEVROLET 4,073.77 BEGAY, MARLEITA 1,196.98 BOB BARKER COMPANY INC 1,195.26 BRADCO 5,000.73 BRIMHALL SAND & ROCK 3,195.98 BURNHAM MORTUARY 2,337.41 CDW GOVERNMENT LLC 2,000.90 DELL COMPUTER CORPORATION 1,775.29 DEMERS GLASS INC 6,020.25 DURHAM COMMUNICATIONS INC 1,063.45 EMILY L DANIES ATTORNEY AT LAW 1,475.40 FLEET PRIDE 1,614.79 FOX DISTRIBUTING LLC 1,216.63 FRONTIER 1,786.23 GALL'S INC 1,244.82 GALLUP BLUEPRINT 1,580.37 KATHLEEN M MCGUIRE PSY D LLC 2,590.00 LEXIS-NEXIS 1,473.70 LITTLE COLORADO BEHAVIORAL HEALTH CENTERS INC 1,018.75 MAXIAN ENTERPRISES 1,626.73 NAVAJO TRIBAL UTILITY AUTHORITY 1,540.54 NOR-KEM DISTRIBUTORS INC 1,906.53 NORTHERN SAFETY COMPANY INC 1,072.40 PIMA COUNTY MEDICAL 2,300.00 PLATT DDS, RANDOLPH 1,924.00 QUILL CORP 2,441.03 STAPLES CREDIT PLAN 1,021.31 TJP COMMUNICATIONS 1,543.24 TRINITY SERVICES GROUP INC 19,085.79 UNIVERSAL FLEET CARD 2,550.06 VERITAS RESEARCH CONSULTING 1,920.00 VERIZON WIRELESS 1,161.79 WELLS FARGO BANK 1914 1,543.92 YOUNGS FUTURE TIRE 4,846.04 MCM ELEGANTE HOTEL 1,878.67 BASHAS' CORPORATE OFFICE 24,948.63 AZ BRAKE & CLUTCH SUPPLY 1,209.88 AZ DEPT OF HEALTH SERVICES 1,305.00 AZLGEBT 298,187.41 BASIN PUMP AND SUPPLY CO INC 1,764.57 BRADCO 15,124.38 COURTESY CHEVROLET 33,480.36 EMPIRE MACHINERY 4,301.89 HILLYARD INC 2,546.77 LAW OFFICE OF DEVIN BROWN 2,370.50 LEE, TAFT W 3,555.00 OPTICS PLANET INC 2,309.24 PITNEY BOWES RESERVE ACCOUNT 5,000.00 PLATT DDS, RANDOLPH 2,453.00 QUILL CORP 4,096.17 REDW LLC 1,625.00 RICO MOTOR COMPANY INC 34,955.00 ROMERO, DAVID JULIAN 1,360.94 SCHIFF, LAURENCE 1,500.00 SECURUS TECHNOLOGIES INC 3,315.89 SPRINGVILLE AUTOMOTIVE SERVICE 2,344.62 THE AARONS COMPANY LLC 3,000.00 TYCO INTEGRATED SECURITY LLC 1,175.00 VERITAS RESEARCH CONSULTING

5,539.54 WELLS FARGO BANK 1914 1,301.68 WHITE RAVEN OF ARIZONA LLC 2,627.38 AZ DEPT OF RISK MANAGEMENT 1,300.37 Specific details of the demands may be requested through the County public record request process. **B.** Request approval of minutes dated December 1, 2015. **C.** Request modification to the 2016 Board of Supervisors Meeting Schedule. **D. District II:** Request approval to purchase turkeys and hams for three senior centers; Ganado, Nazlini and Tsaille/Wheatfields Senior Center, at a not to exceed cost of \$2,000 total. The purchase will be utilizing District II general funds. **E. Assessor's Office:** We are asking the Board of Supervisors to extend the temporary employment of Holly Bond from 12/03/2015 to the end of the fiscal year. Vote was unanimous.

Barry Weller, District III Supervisor Recognized Bobby Fite and Kay Hauser for their service to District III, in the Planning & Zoning Commission and provided notification of the appointment of Brad Peterson and Terry Smith to the Planning and Zoning Commission to fill the vacancies created by their term expirations. Mr. Weller stated Peterson's term shall commence on January 1, 2016 and Mr. Smith's on January 9, 2016 and Mr. George Walsh's appointment as an alternate for District III, and other Districts if requested, remain in effect to ensure that quorum requirements are met. No action was taken.

Milton Ollerton, Community Development Director, requested approval to appoint Kay Hauser to represent District II, effective January 01, 2016 and appoint Bobby Fite to represent District I, effective January 09, 2016 on the Planning and Zoning Commission. Mr. White moved approval, seconded by Mr. Weller. Mr. Weller stated one of the reasons he made changes in his district representatives had to do with the Planning and Zoning Commission being made up of mostly incorporated area citizens and not unincorporated area citizens who submitted applications to be on the Planning and Zoning Commission and deserve a change to serve on the Commission. Vote was unanimous.

Mr. Wengert presented the item for selection of the Chairman and Vice Chairman of the Board of Supervisors for 2016. Mr. Weller made the motion to appoint Mr. Shirley as Chairman for 2016 and Mr. White as Vice Chairman, seconded by Mr. White. Chairman Shirley thanked the other Board members for their confidence. Vote was unanimous.

Mr. Wengert presented the item for the appointment of a Board member to serve on the Legislative Policy Committee (LPC) for the County Supervisor's Association. Mr. Weller stated he is available to serve on the Board. Mr. White stated both he and Mr. Weller have served and would like to make a change made the motion to appoint Mr. Chairman Shirley to serve on the LPC Board, seconded by Mr. Weller. Vote was unanimous.

Doyel Shamley, Natural Resources Liaison, requested approval of the Apache-Sitegreaves Forest Plan appeal letter from Apache County. Mr. Shamley provided an overview of the appeal process. Mr. Weller stated this looks out for the rights of the County and does not commit the County to any litigation or funding, it is just a process that allows the County to be at the table on issues and made the motion to approve, seconded by Mr. White. Vote was unanimous.

Ben Dugdale, Information Technologies Director, requested approval to hire Steven Gordon at a salary of \$53,161.95 and reimburse him \$500 for relocation per policy manual section 1.7. Mr. Dugdale stated the position salary range is 50, midpoint range is \$54,491 due to Mr. Gordon having more than ten years' applicable experience. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Ryan Patterson, Finance Director, requested approval of using Financial Advisors, LLC., REDW to write Apache County's Financials at a rate of \$135 per hour for Fiscal Years 2014 and 2015, utilizing professional services at a not to exceed cost of \$26,000. Mr. Weller moved approval, seconded by Mr. White. Mr. Weller asked how the cost compares to previous years. Mr. Patterson stated it may be a slight decrease on cost. Vote was unanimous.

Angela Romero, Elections Director, requested approval to enter into a ballot processing, printing and mailing Services Agreement with Elections Systems & Software, LLC. Mr. White moved approval, seconded by Mr. Weller. Mr. Weller asked how the compared to previous years. Mr. Romero stated she was in line with previous years. Vote was unanimous.

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

Mr. White moved to adjourn, seconded by Mr. Weller. Vote was unanimous.

Approved this 5th day of January, 2016.

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

/s/ Delwin Wengert
Clerk of the Board