

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
December 20, 2016  
St. Johns, Arizona**

Present were: Chairman Joe Shirley Jr., Supervisor Barry Weller, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting. Vice Chairman Tom M. White, Jr. was excused from the meeting.

Chairman Shirley called to order the Board of Supervisors meeting at 8:33 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona, and welcomed all in attendance.

Brannan Eagar gave the invocation.

Steve Jensen led the Pledge of Allegiance.

Chris Sexton, Health Director, requested approval to convert the position of Health Educator I, full-time with benefits from forty hours per week to thirty-two hours per week in the Health Start Program and the conversion will save four thousand fifty one dollars and 84 cents (\$4,051.84). Mr. Weller moved approval, seconded by Mr. Shirley. Motion passed.

Mr. Weller moved to adjourn the Public Health Services District meeting, seconded by Mr. Shirley. Motion passed.

Chairman Shirley called for the regular agenda items.

Mike Hauser, Apache County 4-H and on behalf of the University of Arizona, Apache County Cooperative Extension Office, presented the 2016 Contributor Awards to Michael Whiting and Stephanie McCarthy, with the Apache County Attorney's Office, for their support of the Teen Camp. Youth member Katie Montierth and Conner Bryan provided an overview of the programs and learning opportunities and curriculum offered at camp. Mr. Hauser also recognized Josh and Annie Anderson for their work with the Apache County Fair and the events they organized throughout the year at the fair ground facility. Mr. Anderson thanked Apache County for their continued support with the fair each year.

Mr. Wengert presented **County Manager/Clerk of the Board**: Mr. Weller moved approval, Seconded by Mr. Shirley. **A.** Request approval of demands as distributed to the Apache County Board of Supervisors between November 15, 2016 and December 20, 2016. Payee Amount AELE INC 1,290.00 AMERICAN FENCE CO OF AZ 4,469.72 BENDER, JUDITH A 6,425.00 BRADCO 4,335.65 CURLEY, RITA L 3,500.00 DRAKE EQUIPMENT OF ARIZONA INC 1,971.73 FERRELLGAS 2,735.07 FRONTIER 1,759.13 JURY SYSTEMS INCORPORATED 1,034.00 LOWES #24 1,549.95 NATIONAL BANK OF ARIZONA 0160 1,943.45 NATIONAL BANK OF ARIZONA 0085 1,840.95 NEWMAN SIGNS INC 1,622.49 NORTHLAND PIONEER COLLEGE 335,974.00 PACIFIC PONDEROSA CO INC 2,936.92 QUILL CORP 1,772.90 SANDSTONE PUBLIC RELATIONS 2,625.00 SHI INTERNATIONAL CORP 1,992.57 TEN COW COMPANY INC 3,190.27 THE AARONS COMPANY LLC 3,000.00 THE LAW OFFICE OF ELIZABETH M HALE 2,448.60 TOP NOTCH TRANSCRIBERS 1,120.00 TRINITY SERVICES GROUP INC 13,979.68 VERITAS RESEARCH CONSULTING 2,080.00 A TO Z TIRE & BATTERY INC 1,122.96 AIKEN SCHENK HAWKINS & RICCIARDI PC 1,837.50 AMIGO CHEVROLET 3,429.48 AZ BRAKE &

CLUTCH SUPPLY 1,362.87 AZ COUNTIES INSURANCE POOL 5,360.00 AZ DEPT OF HEALTH SERVICES 1,511.00 AZ DEPT OF RISK MANAGEMENT 1,212.45 BAUMAN HOME AND AUTO INC 2,581.16 BILLS DISCOUNT AUTO PARTS (NAPA) 1,721.21 BLUE HILLS ENVIRONMENTAL 1,021.17 BRADCO 22,615.43 BREWER LAW OFFICE PLLC 8,500.00 CDW GOVERNMENT LLC 7,340.43 COURTESY CHEVROLET 44,414.03 CRESCENT ELECTRIC SUPPLY CO 1,289.47 DELL COMPUTER CORPORATION 3,174.93 DESERT MOUNTAIN CORPORATION 17,204.06 DIAMOND DRUGS INC 2,981.32 ELECTIONS SYSTEMS AND SOFTWARE 1,711.26 EMPIRE MACHINERY 1,743.37 ENERSPECT MEDICAL SOLUTIONS LLC 7,300.69 GALL'S INC 4,437.63 GENES FRAME & ALIGNMENT INC 3,508.45 GMCO CORPORATION 6,925.62 HAMBLIN LAW OFFICE PLC 8,500.00 HOME DEPOT 1,001.85 HUMAN SERVICES CONSULTANTS 10,840.92 KATHLEEN M MCGUIRE PSY D LLC 2,587.50 LAW OFFICE OF DIRK LEGATE PLLC 8,582.50 LEXIS-NEXI 1,742.01 MOORE LAW FIRM PLLC 1,771.00 MOUNTAIN COMFORT HEATING AND COOLING 3,492.29 NAVAJO COUNTY 7,500.00 NAVOPACHE ELECTRIC COOPERATIVE 11,784.93 NORTH COUNTRY COMMUNITY HEALTH 1,700.00 OFFICE DEPOT 1,435.66 PITNEY BOWES 3,854.69 QUILL CORP 4,746.50 RDO EQUIPMENT CO 1,213.80 RUSH TRUCK CENTER 1,216.28 SCHIFF, LAURENCE 1,600.00 SCOTT HAMBLIN MD PC 3,050.00 SECURUS TECHNOLOGIES INC 1,358.08 ST JOHNS CITY 7,288.11 THE MASTERS TOUCH LLC 20,672.43 TJP COMMUNICATIONS 1,952.52 U-HAUL INTERNATIONAL 9,922.15 VALLEY AUTO PARTS 1,831.16 VERITAS RESEARCH CONSULTING 1,800.00 VERIZON WIRELESS 1,103.63 WRIGHT EXPRESS FSC 1,580.78 Shirley, Joe Junior 2,086.34 Rogers, Kent 1,133.28 Stradling, Reed 1,436.99 Irigoyen, Joshua 1,093.96 King, Walter Scott 1,187.87 Begay, Timothy 1,024.14 Burbank, Lorenzo 1,077.54 APACHE COUNTY HAS 1,859.58 APACHE COUNTY MEDICAL 151,409.41 APACHE COUNTY TAX WITHHOLDING 133,640.14 ASRS LEGACY EORP 1,010.45 AZ STATE RETIREMENT SYSTEM 89,238.79 COLONIAL LIFE AND ACCIDENT INS 1,365.96 CORRECTIONS OFFICER RET PLAN 6,018.65 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,569.99 PUBLIC SAFETY PERSONNEL 401 11,253.19 PUBLIC SAFETY SHERIFF RET 41,731.32 SUPPORT PAYMENT CLEARINGHOUSE 2,212.13 AZ DEPT OF REVENUE 1,097.46 JENNINGS HAUG & CUNNINGHAM LLP 5,037.00 LEXIS-NEXIS 1,677.20 NIELSEN WELL DRILLING 1,164.65

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 minutes dated December 6, 2016. **C.** Request approval of the Board of Supervisors meeting dates for 2017. **Personnel Items:** **D.** Notification of the retirement of Betty Smith, District III Administrative Coordinator, effective February 3, 2017 and request approval to payout her accumulated sick leave balance per Apache County Human Resources Policy 3.25.3. Mr. Weller recognized Betty Smith for her years of service with the County. Mr. Weller asked Judge Grimsley to take a few moments to speak to the good service Ms. Smith provided her while employed with the Superior Court. Judge Donna Grimsley spoke of the good service Betty provided. Judge Grimsley stated Betty set the bar for service with the court. Judge Grimsley stated Betty's integrity is beyond comparison and was always the first to arrive and the last to leave at night and her retirement is a great loss to the County. Motion passed.

Chairman Shirley, on behalf of the Board of Supervisors recognized Supervisor Tom M. White, Jr., Supervisor Barry Weller and Recorder Lenora Fulton for their years of dedicated service to Apache County. Chairman Shirley acknowledged the three for the difficult job of leading People, and thanked them for their service. Lenora Fulton addressed the Board and thanked them, her staff and those within the County structure that she had the pleasure of working with over the past 14 years. Ms. Fulton gave a turquoise necklace to Judge Donna Grimsley. Ms. Fulton stated when she was elected to office in November of 2004 Judge brought her a vase of flowers and welcomed her and she will never forget that act of kindness. Ms. Fulton also gifted Delwin Wengert with a turquoise necklace for his good work with the county. Mr. Weller stated he was privileged to serve the citizens of District III the past four years.

Steve Jensen, Chief Deputy Assessor, presented the item to certify 2017 tax roll and delivery to the Board of Supervisors. No action was needed or taken.

Angela Romeo, Election Director, requested the recommendation of the Republican Party County Chairman, Thomas Samoff, determined a vacancy exists in the office of precinct committeeman and to appoint Barry Weller for the Concho Precinct, be tabled again since Mr. White was not available for the meeting. Chairman Shirley tabled the item.

Malena Bazarro, Grants Manager: requested approval of Agreement 17PA-11030104-006 between Apache County and the Apache Sitgreaves National Forest for the Hall Creek Phase 2 project. Ms. Bazarro stated this project will thin 46 acres on forest land as a Resource Advisory Committee (RAC) project with forty thousand (\$40,000) in federal funds and Apache County is required to match ten thousand dollars (\$10,000) which is paid out of Title 2 funds. Mr. Weller moved approval, seconded by Mr. Shirley. Motion passed.

Glenn Joy, on behalf of Human Resources, provided notification of the passage of Arizona Proposition 206 which mandates a new minimum wage of ten dollars (\$10.00) per hour and sick leave accrual, effective January 1, 2017. Mr. Joy stated with the passage of the proposition, Apache County has approximately 25 employees who will receive a mandated salary increase and an estimated annual cost of the proposition passage will be twenty-eight thousand five hundred dollars (\$28,500) including ERE's. Mr. Weller stated he believes there will be a larger impact than just the initial impact relative to the law that was just passed, and will compress through the salary ranges of the County and asked how this will impact the county over the next three years. Mr. Joy stated a salary study may be needed to alleviate some of the compression issues and is something that will take time to analyze. Mr. Weller stated this may become a significant burden to the taxpayer but a blessing to those who will receive the increase and is ultimately a good thing for the County. Mr. Weller and Mr. Joy held a discussion regarding the timeline for the compression impacts. Mr. Shirley stated this is a people made law and any impacts from it, cannot be avoided. Mr. Wengert stated the County has not had a salary survey since 2002 so the ranges are probably well behind where they should be and he will be working with the Board to bring in a firm to do a salary survey which will relieve the compression that will occur as these changes take place over the next three years. No action was needed or taken.

Supervisor Weller on behalf of District III, requested a discussion and possible action or establishment and/or assignment of custodial responsibilities for oversight and reconciliation of current and future bank accounts opened under the umbrella of the Apache County Tax Identification Number. Mr. Weller stated he has learned over the past several months he has found no policy on how the County deals with bank accounts opened by departments using the County Tax Identification Number. Mr. Weller asked Chief Deputy Treasurer David Romero to speak on the issue. Mr. Romeo provided an overview of the impacts of opening bank accounts under the Tax ID Number and the accountability and responsibility that goes along with the accounts. Mr. Romeo stated the Treasurer's office would like to see establishment of custodial responsibilities on reconciliation of all accounts. Mr. Romeo stated the official County Bank is National Bank of Arizona and under the RFP with them, it designates all monies received by the County are supposed to be on account with the bank and as of now that is not true. Mr. Romero stated there are accounts open with Wells Fargo and Bank of the West and those accounts should be moved over to National Bank of Arizona and be some type of ongoing administration to oversee those accounts so there is proper accountability placed on those bank accounts and fee collections. Mr. Weller asked School Superintendent Barry Williams to comment on the issue. Mr. Williams stated the School Superintendent's office keeps all accounts on deposit with the County Treasurer and there are funds managed by each school with the Visions Program. Mr. Weller stated there are statutes associated with bank accounts within the government structure that he has found have not been followed to the letter of the law and that is what has raised his concerns. Mr. Weller asked Mr. Patterson if he had any concerns with any accounts that do or do not fall under the Finance Department. Mr. Patterson stated no. Mr. Weller stated he does not believe there is accountability for all accounts as complete

as it should be, and he would like to ask Mr. Shirley to pursue this issue to see what accounts are being used with the County Tax Identification Number, and create a responsible party to be accountable for the reconciliation of the accounts. Mr. Weller stated he asked for a list over the past year and a half and is not sure he has been provided all the accounts he has concerns with. Mr. Shirley stated the Board has, and will look into the issues when questions come up. Mr. Weller asked Mr. Shirley if he would be open to creating a policy in the near future with the new Board of Supervisors. Mr. Shirley stated he will take on the issue with the new Board. No action was needed or taken.

Mr. Wengert presented notification of the Inauguration of Alton Shepherd on December 28, 2016 at 10:00 a.m. at the Ganado Field House, 420 County Road & Highway 264, Ganado, Arizona and notification of the Inauguration of County Officials on December 29, 2016 at 10:00 a.m. located in the Board of Supervisors meeting room, 75 W. Cleveland Street, in St. Johns where two or more members of the Apache County Board of Supervisors may be in attendance.

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

Mr. Weller moved to adjourn the meeting, seconded by Mr. Shirley. Motion passed.

Approved this 3rd day of January, 2017.

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

/s/ Delwin Wengert  
Clerk of the Board