

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

February 2, 2021
St. Johns, Arizona

Present were: Chairman Joe Shirley Jr., Vice Chairman Alton Joe Shepherd and Supervisor Nelson Davis. Also present was 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 8:31 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona, and welcomed all in attendance.

Jack Ingram led the Pledge of Allegiance.

Jason Moore gave the invocation.

Chairman Shirley called for the Health District items.

Preston Raban, Health Director, requested approval of Intergovernmental Agreement Amendment #1 to the Healthy People Healthy Communities grant that amends the scope of work to include public health emergencies, price sheet and addition of Exhibit C which details supporting documentation requirements. This amendment does not affect the FY21 budget. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Preston Raban, Health Director, requested approval of an Intergovernmental Agreement for Immunization Services #ADHS-18-177674, Amendment #6. Mr. Raban stated this amendment will enhance COVID-19 vaccination capability, in the amount of \$25,000. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Preston Raban, Health Director, requested approval of IGA2021-058 COVID-19 Testing, Contact Tracing and Communication, effective 8/1/2020 – 2/28/2022 in the amount of \$448,008. Mr. Raban stated this grant will assist in slowing the spread of the COVID-19 virus in Apache County through increase testing and communication with citizens of the county. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Mr. Shepherd asked why the delay in bringing this before the board since it was effective August 1, 2020. Mr. Raban explained that it is due to the redirection of funding that allowed the county to use the funds to cover nurses and testing. Mr. Shepherd stated the contact tracing and vaccinating is critical right now. Vote was unanimous.

Preston Raban, Health Director, requested approval to create a full-time Public Health Nurse (RN) position (Range 56). **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Mr. Shepherd moved to adjourn the Public Health Services District meeting, seconded by Mr. Davis. Vote was unanimous.

Chairman Shirley called for the Jail District item.

Commander Cirivello requested approval to award Bid #202103 (the lowest & best bid) to KUBL Group for removal and replacement of the CCTV system in the jail. Commander Cirivello stated this will be paid utilizing State Jail Enhancement Funds and will not affect the jail budget or the general fund.

KUBL Group	\$234,500
Logicalis	\$377,497
Goserco	\$151,352
CML Security	\$194,075
APIC	\$353,324
Premise One	\$299,799

Mr. Davis moved approval to award the bid to KUBL Group, seconded by Mr. Shepherd. Vote was unanimous.

Mr. Davis made the motion to adjourn the Jail District meeting, seconded by Mr. Shepherd. Vote was unanimous.

Chairman Shirley called for the regular agenda items.

Luis Cardenas Camacho, U.S. Census Bureau, provided an overview of the 2020 Census, 2021 expectations and recognize Apache County's participation as a supporter of Census. No action was needed or taken.

County Attorney Michael Whiting presented notification of the retirement of Ellen Bast and recognition of her almost 10 years of service. No action was needed or taken.

Ferrin Crosby, County Engineer, presented notification of the retirement of Delos Bond and recognition of his 30 plus years of service. No action was needed or taken.

A presentation by Mark Reader was held, regarding the issuance of pension bonds to refinance Public Safety Personnel Retirement System (PSPRS) and Corrections Officers Retirement System (CORP) unfunded pension liabilities. Mr. Reader provided the options that are available to refinance the county's obligations to obtain a lower interest rate. Chairman Shirley stated a public hearing needed to be held. **Mr. Davis made the motion to open the public hearing, seconded y Mr. Shepherd.** Vote was unanimous. A discussion was held regarding the options available to refinance the pension liabilities. Mr. Patterson clarified that by refinancing, the county will have about a 7.7 million-dollar savings. Mr. Patterson stated this obligation has nothing to do with the sheriff or any of his staff; this is a debt incurred back from the 1980's and is a debt we owe. Sheriff Dedman thanked the Board for addressing this issue and requested this initiative be passed. There was no member of the public wanting to address the Board during the public hearing. Mr. Shepherd outlined his concerns and funding possibilities with the repayment options, especially with the power plants closing in the next few years. Mr. Patterson stated there is not a definite time frame for this, he just wants to utilize the low interest rates right now if the Board chooses to move forward. **Mr. Shepherd moved to close the public hearing, seconded**

by Mr. Davis. Vote was unanimous No action was taken on this item.

Mr. Patterson presented the item for the possible selection of two (2) members of the Board of Supervisors to serve on the Northern Arizona Council of Governments (NACOG) Regional Council. Chairman Shepherd requested Mr. Davis and Mr. Shepherd serve on the NACOG Board. **Mr. Davis made the motion to nominate Mr. Shepherd and himself per Chairman Shirley's request, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson presented the item for the possible selection of a member of the Board of Supervisors to serve on the Eastern Arizona Counties Organization (ECO) Committee. **Mr. Shepherd made the motion to appoint Mr. Davis to serve on the committee, seconded by Mr. Shirley.** Mr. Shepherd requested in the future, add another voting member from the Board of Supervisors to serve on the committee. Vote was unanimous.

Mr. Patterson presented the item for possible selection of a member of the Board of Supervisors to serve on the AZ/NM Counties Coalition Committee. **Mr. Shepherd made the motion to appoint Mr. Davis to serve on the committee. Mr. Davis accepted the recommendation and seconded the motion.** Vote was unanimous.

Mr. Patterson presented the Consent Agenda items A-C and recommended approval. **Mr. Shepherd moved approval, seconded by Mr. Davis.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between January 5, 2021 to February 2, 2021. Payee Amount APACHE COUNTY HSA 4,377.74 APACHE COUNTY MEDICAL 168,604.23 APACHE COUNTY TAX WITHHOLDING 133,688.04 ASRS LEGACY EORP 8,301.16 AZ STATE RETIREMENT SYSTEM 109,812.85 COLONIAL LIFE AND ACCIDENT INS 1,490.20 CORRECTIONS OFFICER RET PLAN 11,110.30 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,320.27 EORP LEGACY 1,360.17 NATIONWIDE 3,655.60 NATIONWIDE TRUST FSB 3,388.02 PUBLIC SAFETY PERSONNEL 401\13,397.80 PUBLIC SAFETY SHERIFF RET 38,473.66 SUPPORT PAYMENT CLEARINGHOUSE 1,665.89 AMAZON CAPITAL SERVICES INC (IT DEPT) 4,397.02 BAUMAN HOME AND AUTO INC 1,110.68 BIG O TIRES OF SHOW LOW 1,070.11 BOB BARKER COMPANY INC 1,345.08 CELLULAR ONE NE AZ 1,045.03 CHANGEPOINT INTEGRATED HEALTH 15,400.00 CONTRACT PHARMACY SERVICES INC 9,352.38 CORNERSTONE DETENTION PRODUCTS 64,650.00 CRAFTCO INC 22,423.89 DELL COMPUTER CORPORATION 5,217.70 EMPIRE MACHINERY 9,981.74 FRONTIER 1,221.16 GALL'S INC 1,054.04 HAMBLIN & ASSOCIATES LLC 7,550.00 HOME DEPOT 1,194.66 MICHAEL LATHAM 3,120.08 NATIONAL BUSINESS FURNITURE 3,481.05 PEPPERBALL 1,214.00 QUILL CORP 2,458.17 RHINEHART OIL CO 6,820.89 RUSH TRUCK CENTER 148,381.17 SECURUS TECHNOLOGIES INC 2,702.02 ST JOHNS EMERGENCY SERVICES 1,063.26 THE AARONS COMPANY LLC 3,000.00 THOMSON REUTERS WEST 4,160.00 ULINE INC 5,137.41 VALLEY AUTO PARTS 1,517.41 VERIZON WIRELESS 1,551.04 WILLIAMS SCOTSMAN INC (WILLSCOT) 1,398.36 WRIGHT EXPRESS FSC 1,549.30 HISTORIC STREETS CAPES PLLC 10,327.50 NATIONAL BANK 7,670.32 NATIONAL BANK OF ARIZONA 1389 1,322.12 TOWN OF SPRINGVILLE 6,400.00 APACHE COUNTY TAX WITHHOLDING 4,578.61 AMERIGAS - GALLUP

1,171.20 APEX SOFTWARE 1,480.00 AZ COUNTIES WORKERS COMPENSATION
PLAN 58,766.22 AZ DEPT OF PUBLIC SAFETY 13,878.27 AZ DEPT OF RISK
MANAGEMENT 1,087.79 BREWER LAW OFFICE PLLC 1,000.00 CDW
GOVERNMENT LLC 3,384.59 CIVIC WEBMASTERS 3,074.00 CONTINUANT INC
1,178.20 CONTINUOUS RAINGUTTER SYSTEMS 24,929.78 CHERESA CURLEY
1,175.00 EMPIRE MACHINERY 4,313.24 EMPIRE POWER SYSTEMS 1,288.00
FERRELLGAS 1,708.17 FRONTIER 1,859.58 FRONTIER 4,551.41 HAMBLIN LAW
OFFICE PLC 8,500.00 KLINT HEAP 1,300.02 HIGH COUNTRY PROPANE 1,336.27
HILLYARD/FLAGSTAFF 1,115.10 LAWSON PRODUCTS INC 1,353.69
MARSHALL AND SWIFT BOECKH LLC 1,028.15 STEPHANIE MCCARTHY
6,551.52 NAVOPACHE ELECTRIC COOPERATIVE 7,844.10 KORYNN ADELL ORSA
1,005.00 DANA BRYCE PATTERSON 8,500.00 PITNEY BOWES RESERVE ACCOUNT
5,000.00 PREMIUM PROPANE LLC 5,430.41 QUILL CORP 1,338.58 R JOHN R JOHN LEE
ATTORNEY AT LAW 8,500.00 CELESTE ROBERTSON 1,100.00 LAURENCE SCHIFF
1,800.00 SIERRA PROPANE 2,213.52 THOMSON REUTERS WEST 1,083.91
TORRISON CONSULTING LLC 19,328.00 TRINITY SERVICES GROUP INC 19,938.22
MICHAEL B WHITING 1,017.00 YELTON AND ASSOCIATES 15,000.00
JOSEPH YOUNG 2,100.00 APACHE COUNTY HSA 4,377.74 APACHE COUNTY
MEDICAL 164,424.43 APACHE COUNTY TAX WITHHOLDING 156,433.33
ASRS LEGACY EORP 8,301.16 AZ STATE RETIREMENT SYSTEM 111,657.63
COLONIAL LIFE AND ACCIDENT INS 1,490.20 CORRECTIONS OFFICER RET PLAN
10,869.94 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,856.12 EORP LEGACY
1,360.17 NATIONWIDE 3,455.44 NATIONWIDE TRUST FSB 3,610.62
PUBLIC SAFETY PERSONNEL 401 13,397.80 PUBLIC SAFETY SHERIFF RET
38,230.92 SUPPORT PAYMENT CLEARINGHOUSE 1,665.89 ADHS AZ HEALTH CARE
COST 22,400.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,678.70
AMERIGAS – GALLUP 3,224.39 ARIZONA ELEVATOR SOLUTIONS INC 2,963.00
ASHTONS REPAIR INC 1,642.04 AZ DEPT OF HEALTH SERVICES 1,305.00
AZLGEBT 331,349.93 B & H PHOTO VIDEO PRO AUDIO 3,272.97 CHANGEPOINT
INTEGRATED HEALTH 23,640.00 DELL COMPUTER CORPORATION 1,086.96
EMPIRE MACHINERY 1,165.96 EVERBRIDGE INC 23,648.28 FLEET PRIDE 2,583.30
FRONTIER 1,232.49 FUTURE TIRE 1,956.12 FX TACTICAL LLC 1,143.83
GALLUP INDEPENDENT 3,049.68 HIGH COUNTRY PROPANE 1,704.31
HILLYARD/FLAGSTAFF 1,572.25 INGRAM LIBRARY SERVICES 4,949.06
KTNN RADIO STATION 1,669.50 MALIAZTEC LLC 7,000.00 ALANE M MOORE
1,800.00 NAVAJO COUNTY FAMILY ADVOCACY CENTER 2,250.00 NAVAJO TRIBAL
UTILITY AUTHORITY 6,072.30 NAVOPACHE ELECTRIC COOPERATIVE 9,944.25
NOEL'S INC 3,611.13 PREMIUM PROPANE LLC 2,058.49 QUILL CORP 2,151.52
REDW LLC 4,125.00 RHINEHART OIL CO 54,073.50 RIGG LAW FIRM PLLC
2,188.00 SIERRA PROPANE 1,380.29 SPEEDY SALES AND SERVICE 37,640.60
SUMMIT HEALTHCARE ASSOCIATION INC 2,000.00 THE UNIVERSITY OF ARIZONA
7,500.00 THOMSON REUTERS WEST 3,833.92 TYLER TECHNOLOGIES INC
97,695.04 VALLEY AUTO PARTS 2,040.24 VERIZON WIRELESS 6,296.99
WHITE MOUNTAIN PUBLISHING CO 1,440.74 YAZZIE'S AUTO PARTS INC
1,077.21 AMAZON CAPITAL SERVICES INC (IT DEPT) 10,606.28 AMERIGAS –
GALLUP 1,962.77 BLUE HILLS ENVIRONMENTAL 38,244.79 DELL COMPUTER

CORPORATION 1,695.12 ELECTION SYSTEMS AND SOFTWARE 386,547.40
ELEVATION HEALTH SERVICES LLC 3,960.00 EMPIRE MACHINERY 2,856.31
FRONTIER 4,591.55 FUTURE TIRE 7,718.06 HAMBLIN & ASSOCIATES LLC
4,200.00 HEALTHSPACE USA INC 7,200.00 HILLYARD/FLAGSTAFF 1,182.47
INGRAM LIBRARY SERVICES 1,000.43 MCCOOK BOILER AND PUMP COMPANY
5,879.42 NAVAJO TRIBAL UTILITY AUTHORITY 4,134.63 NAVOPACHE ELECTRIC
COOPERATIVE 3,237.72 NORTHLAND PIONEER COLLEGE 421,549.55
OVERDRIVE INC 1,871.42 PIMA COUNTY MEDICAL 4,600.00 RANDOLPH PLATT
DDS 2,962.00 QUILL CORP 1,651.32 RHINEHART OIL CO 38,110.85 RWC GROUP
5,138.21 SAUL'S CREEK ENGINEERING INC 7,920.00 SECURUS TECHNOLOGIES INC
4,440.52 SHOW LOW FORD INC 2,020.98 ST JOHNS EMERGENCY SERVICES 2,137.21
WOODLAND BUILDING CENTER 1,136.03 YAZZIE'S AUTO PARTS INC 1,698.33

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 January 5, 2021. Election Department: C. Request approval, based on the recommendation of the Democratic Party County Chairman, Priscilla Weaver, determine vacancies exist in the office of precinct committeeman and appoint Joanne Peshlakai for the St. Michaels Precinct. Vote was unanimous.

Judge Michael Latham, on behalf of the Superior Court, requested approval of the appointment of Garrett Whiting as a full-time Judge Pro Tempore for the Arizona Superior Court in Apache County, effective March 1, 2021. Judge Latham stated Mr. Whiting will replace Judge Perkins who resigned on January 22, 2021 and this action will not affect the budget. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Judge Latham stated due to COVID-19, the Arizona Supreme Court granted a waiver to not go through the entire interview and committee process for the selection and noted that Mr. Whiting is not closely related to County Attorney Michael Whiting. Vote was unanimous.

Joy Whiting, School Superintendent, on behalf of the School Business Consortium, requested authorization to eliminate a Network Administrator III position (Range 62) and create a Network Administrator II position (Range 58). Mrs. Whiting stated the requested change will result in a savings of approximately \$5,500. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Stephanie McCarthy, Human Resources Manager, requested approval to update the Apache County Human Resources Policy Manual Section 5.3 - Drug Free Workplace and Substance Abuse Prevention. Ms. McCarthy stated this update is due to the passing of recreational marijuana. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Stephanie McCarthy, Human Resources Manager, requested approval to update the Apache County Human Resources Policy Manual Section 7.6 - Educational Assistance Program. A discussion as held regarding application process to utilize the educational assistance program. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Chairman Shirley opened the floor for call to the public.

Raymond Smith Jr., Navajo Nation Council Delegate and resident of Apache County, addressed the Board and introduced his Legislative District Assistant Arthur Hardy, and Chapter President Fred Footracer. Mr. Smith stated he has a concern with the Puerco Fire Department charging people to respond to fires; even those individuals who just report a fire, are being sent a bill. Mr. Smith stated there is a dormant fire department in Lupton and wants to see it reopened to respond quicker to fires and asked that the Board of Supervisors assist with getting the fire station reopened. Mr. Smith stated the Lupton Fire Department is off Navajo land and resolutions have been approved to support the reopening. Mr. Smith also stated that the Klagetoh Chapter has been designated as a historic landmark and is a tribute to Council Woman Anne Wauneka who advocated for diabetes healthcare and received numerous awards, so the Secretary of Interior on recently designated Klagetoh Chapter as a historic landmark. Mr. Smith stated the community is also wanting to expand the library in Nahata Dzill; the community is growing and needs to expand the services to accommodate the increase in patrons. Chairman Shirley requested County Attorney Whiting and County Manager Patterson, guide Mr. Smith in the right direction to see who can address the concerns and if needed, put the items on the agenda for consideration by the Board. Mr. Whiting stated he, Supervisor Shepherd, Mr. Hounshell and Mr. Simshauser have been working with State representatives regarding the bills that the fire district has sent, one of which was a \$6,000 bill the fire department sent to a collection agency after a lady lost her entire home to a fire. Mr. Whiting stated he agreed, this issue needs to be put on the agenda. Chairman Shirley directed Mr. Patterson to put this issue on the next agenda. Mr. Shepherd stated this body creates fire districts and at the next board meeting he would like to see the fire chief and the president of their board to address this issue. Mr. Shepherd stated he appreciated Mr. Smith bringing this issue to the board and he (Mr. Shepherd) has worked for three years to get this resolved and would like to see a report and answers from the fire district. Mr. Shepherd stated the idea to use the building in Lupton for a fire department is good, but there is more that needs to be evaluated because Representative Tsosie can possibly bring back funding to refurbish the building but there may be an issue with funding the personnel to man the fire department.

Mr. Shepherd moved to adjourn to the work session seconded by Mr. Davis. Vote was unanimous.

A work session for discussion regarding the following issues was held:

Chief Deputy County Attorney, Joe Young provided an overview of growth operations and retail sales for recreational marijuana use dispensary requirements for licensing dispensaries within Apache County due to the passing of Prop 207. Mr. Young stated the county can not implement anything for recreational marijuana use that is more restrictive than medical marijuana, so since the County allows medical marijuana in limited zones, we cannot prohibit recreational use in those areas. A discussion was held regarding what amount is allowed for personal use and the ability to tax sales.

Mr. Patterson stated with the 2020 Census data final numbers being delayed due to COVID-19, the redistricting process is also delayed and provided a brief overview of the process. Mr. Patterson stated that most counties are utilizing mapping software and/or 3rd party agencies to assist with the redistricting so that it is not perceived as being political. Mr. Patterson stated in the past, any adjustments have not been significant because there isn't a lot of shift in population,

and any redistricting must be completed by December 1, 2021.

Timothy Hinton, Finance Director and Mr. Patterson provided an overview of the financial status of the 2021 budget. Mr. Shepherd commented he would like a future discussion on what the footprint is in 5, 10, 15 years because if the power plants go away, how much will the deficit be to the tax base and he would like to see how we need to transition and grow with the changes to the power plants. Mr. Shepherd stated he doesn't want to wait until the power plants close and then figure out how to make up the deficit. A discussion was held regarding county transaction privilege tax and "Wayfair" taxes. Mr. Shepherd requested another work session to discuss options of increasing the economy base within Apache County.

Mr. Davis moved to adjourn the work session and meeting, seconded by Mr. Shepherd.
Vote was unanimous.

Approved this 2nd day of March, 2021.

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

/s/ Ryan N. Patterson
Clerk of the Board