

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
February 21, 2017
St. Johns, Arizona**

Present were: Vice Chairman Doyel Shamley, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting. Participating via the telephone was Chairman Joe Shirley, Jr. and Supervisor Alton Joe Shepherd.

Chairman Shirley called to order the Board of Supervisors meeting at 8:32 a.m. in the Board 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.

Devon Brown gave the invocation.

Mr. Wengert presented the **Consent agenda items, A & B**: Mr. Shepherd moved approval, seconded by Mr. Shamley. County **Manager/Clerk of the Board: A**. Request approval of demands as distributed to the Apache County Board of Supervisors between February 7, 2017 to February 21, 2017. Payee Amount ALLEGRA 2,776.82 AMIGO CHEVROLET 1,588.36 AZ DEPT OF RISK MANAGEMENT 1,189.90 BENDER, JUDITH A 6,350.00 BILLS DISCOUNT AUTO PARTS (NAPA) 4,636.17 BRADCO 21,329.67 BUTLER'S OFFICE EQUIPMENT & SUPPLY INC 2,120.30 COPPERSTATE DRILLING & SUPPLY INC 17,133.43 EMPIRE MACHINERY 2,655.33 FRONTIER 1,559.77 FRONTIER 1,755.40 GALLUP INDEPENDENT 1,302.01 HILLYARD INC 1,690.66 KIMBALL EQUIPMENT COMPANY 3,914.57 MOUNTAIN COMFORT HEATING AND COOLING 1,987.00 NATIONAL BANK OF ARIZONA 0085 2,050.95 NATIONAL BUSINESS FURNITURE 18,736.13 NAVOPACHE ELECTRIC COOPERATIVE 6,688.21 OVERDRIVE INC 1,672.23 PERFECT PRINTZ LLC 10,155.12 QUILL CORP 2,628.59 RDO EQUIPMENT CO 2,519.65 RIGG LAW FIRM PLLC 1,292.50 SECURUS TECHNOLOGIES INC 1,417.21 SIERRA PROPANE 1,464.51 SPECIAL OPERATIONS GROUP 1,571.98 SWEETLANDS COMPLETE AUTO 1,415.91 THE AARONS COMPANY LLC 3,000.00 THE LAW OFFICE OF ELIZABETH M HALE 1,712.15 TRINITY SERVICES GROUP INC 18,220.28 TYCO INTEGRATED SECURITY LLC 4,104.75 Jones, Dennise 1,343.76 Shirley, Joe Junior 2,087.11 Rogers, Kent 1,134.05 Stradling, Reed 1,437.76 King, Walter Scott 1,188.66 Burbank, Lorenzo 1,971.97 Lee, Orren 1,233.70 Tsosie, Nicholas N 1,294.82 Bia, Johnnie Senior 1,738.32 Bia, Randy 1,171.54 APACHE COUNTY HSA 2,279.58 APACHE COUNTY MEDICAL 153,694.20 APACHE COUNTY TAX WITHHOLDING 144,461.26 ASRS LEGACY EORP 1,089.96 AZ STATE RETIREMENT SYSTEM 95,753.32 COLONIAL LIFE AND ACCIDENT INS 1,302.33 CORRECTIONS OFFICER RET PLAN 6,580.17 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,766.84 EORP LEGACY 1,288.26 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 8,801.84 PUBLIC SAFETY SHERIFF RET 42,714.03 SUPPORT PAYMENT CLEARINGHOUSE 2,187.13 ASHTONS REPAIR INC 1,208.22 AZ DEPT OF HEALTH SERVICES 1,330.00 AZ STATE LAND DEPARTMENT 13,800.00 AZLGEBT 291,239.87 BAUMAN HOME AND AUTO INC 3,014.53 BRADCO 32,062.85 BREWER LAW OFFICE PLLC 8,500.00 BUTLER'S OFFICE EQUIPMENT & SUPPLY INC 1,127.10 CDW GOVERNMENT LLC 1,084.96 CNA SURETY 2,550.00 CORRECTIONS OFFICER RET PLAN 6,420.55 DAVID J MARTIN PLLC 11,621.90 DELL COMPUTER CORPORATION 6,729.58 DIAMOND DRUGS INC 5,766.41 DISH NETWORK 1,705.10 EARTH MOVER TIRE SALES INC 1,633.61 EMPIRE MACHINERY 2,813.06 GRAVES PROPANE CO INC 1,574.99 HAMBLIN LAW OFFICE PLC 8,500.00 HIGH 5 DESIGN 2,935.79 HIGH COUNTRY PROPANE 1,358.59 INGRAM LIBRARY SERVICES 3,642.22 KATHLEEN M MCGUIRE PSY D LLC 2,690.00 LAW OFFICE OF DIRK LEGATE PLLC 8,500.00 MOORE LAW

FIRM PLLC 1,743.50 NATIONAL BUSINESS FURNITURE 2,678.14 NAVAJO COUNTY 7,500.00
NAVAJO TRIBAL UTILITY AUTHORITY 1,813.81 NAVAJO TRIBAL UTILITY AUTHORITY 3,051.57
NAVOPACHE ELECTRIC COOPERATIVE 3,566.66 PATTERSON, DANA BRYCE 8,500.00
PERSONNEL SAFETY ZEE MEDICAL 1,552.82 PIMA COUNTY MEDICAL 9,200.00 PITNEY
BOWES RESERVE ACCOUNT 5,000.00 QUILL CORP 4,779.71 REAL TIME SOLUTIONS
3,750.00 REDW LLC 4,375.00 REED'S CARPENTRY & CONSTRUCTION 2,350.00 RUSH TRUCK
CENTER 1,200.96 SCHIFF, LAURENCE 1,600.00 SECURUS TECHNOLOGIES INC 1,923.45
STIRLING FENCE INC 11,996.00 VERIZON WIRELESS 2,078.99 WHITE MOUNTAIN
PUBLISHING CO 10,445.69 WOODLAND BUILDING CENTER 1,846.78 WRIGHT EXPRESS FSC
1,297.23 YOUNGS FUTURE TIRE 1,671.98 CORRECTIONS OFFICER RET PLAN 6,013.84

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 30, 2017 and February 7, 2017. Vote was unanimous.

Mr. Wengert presented the request to appoint Dr. Joe Shirley, Jr., to serve as the Apache County representative on the Northern Arizona Council of Governments (NACOG) Board. Mr. Shamley moved approval, seconded by Mr. Shepherd. Vote was unanimous.

Mr. Wengert presented the request for approval of an Intergovernmental Agreement between Apache County, the Town of Eagar, the Town of Springerville and the City of St. Johns for the construction of the Crooked Nail Public Trail. Mr. Wengert stated this is a project that has been worked on for the past 6-8 months and is a grant that was obtained for a study to possibly build a trail from the Round Valley area to St. Johns. Mr. Wengert stated the location of the trail is still being finalized and a committee meets on a regular basis and once the trail is finalized, a map will be brought to the Board to see the location. Mr. Shepherd moved approval, seconded by Mr. Shamley. Mr. Shamley asked if the County was tracking the work hours for the in-kind match that is part of the grant. Mr. Wengert stated yes, the hours the two county representatives spend is tracked and will go toward the match. Mr. Shamley asked the next time this item comes before the Board, he would like to see a map of the proposed location. Chairman Shirley commented there was a need for trails up north as well. Vote was unanimous.

Steve Jenson, Chief Deputy Assessor presented notification to the Board of Supervisors and the public, the annual Notice of Value for tax year 2018 will be mailed on February 28, 2017 to approximately 250 Native American and Non-Native American property owners who own fee simple land and improvements within the confines of the Navajo Indian Reservation. Mr. Shamley and Mr. Jenson held a discussion on the process used to generate the notices of value. No action was needed or taken.

Michael Whiting County Attorney, requested the item to create the position of Diversion Manager (range 38), 100% non-general funded, be tabled. Chairman Shirley tabled the item. Mr. Shamley moved to table the item, seconded by Mr. Shepherd. Vote was unanimous.

Michael Whiting, County Attorney, requested the professional services contracts with the law offices of Bryce Hamblin, Sean Taylor and D. Bryce Patterson for the prosecution of misdemeanor and felony conflict cases be tabled. Mr. Shamley moved to table the item, seconded by Mr. Shepherd. Vote was unanimous.

Ferrin Crosby County Engineer, requested approval to lease three (3) new motor graders for District II at a yearly cost of twenty eight thousand, three hundred eighteen dollars and 08 cents (\$28,318.08) each, for a total of eighty four thousand, four hundred ninety four dollars and 24 cents (\$84,954.24) per year for seven (7) years. Mr. Crosby stated the agreement is through the National Intergovernmental Purchasing Association (City of Tucson) contract. Mr. Shepherd moved approval,

seconded by Mr. Shamley. Brad Peterson, a resident of St. Johns, stated there was an error in the calculation of the total cost on the agenda item. Mr. Crosby stated the amount was a typo and verbally corrected the total amount of the motor graders. Mr. Shepherd amended his motion to reflect the correct amount, seconded by Mr. Shamley. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to lease three (3) new motor graders for District III at a yearly cost of twenty eight thousand, three hundred eighteen dollars and 08 cents (\$28,318.08) each, for a total of eighty four thousand, four hundred ninety four dollars and 24 cents (\$84,954.24) per year for seven (7) years. Mr. Crosby stated the agreement is through the National Intergovernmental Purchasing Association (City of Tucson) contract. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award bid # 201702 for the blasting contractor to Arizona Drilling and Blasting, at a cost of three dollars and 26 cents (\$3.26) per cubic yard. Mr. Crosby stated the only Bidder was Arizona Drilling & Blasting. Mr. Shepherd moved approval, seconded by Mr. Shamley. Mr. Shamley asked what the purpose of the blasting is. Mr. Crosby stated the material at the Limestone Quarry can only be dug down about ten feet with a dozer and the only way to excavate it is with blasting. Mr. Crosby stated the purpose of this contract is to hire a contractor to drill and blast a section for the pit to break up the rock so it can be run through the crusher. Mr. Crosby stated District III HURF will pay for the cost and based on an upcoming Intergovernmental Agreement with the Navajo Nation, the revenue from that IGA will pay for the blasting services as well as other agencies who purchase the limestone. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to lease one (1) new wheel loader for the Limestone Pit, at a yearly cost of thirty one thousand, nine hundred sixty eight dollars and 19 cents (\$31,968.19). Mr. Crosby stated the agreement is through the National Intergovernmental Purchasing Association (City of Tucson) contract. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Den Dugdale, Director of Information Technology Department, requested approval of an Enterprise Agreement with Microsoft to update the server and desktop software for Apache County, utilizing State Purchasing, at a cost not to exceed one hundred forty nine thousand, five hundred forty four dollars and 05 cents (\$149,544.05) a year, for the next three years. Mr. Shepherd moved approval, seconded by Mr. Shamley. Mr. Shepherd asked in the future, to indicate where the funding sources are coming from for the items on the agenda review forms. Mr. Shepherd and Mr. Dugdale held a discussion regarding the cost savings and the funding will come from his department's budget. Vote was unanimous.

Cindy DeLancey, Executive Director, University of Arizona, Natural Resource Users Law and Policy Center presented a power point presentation on the school programs and the services they offer to natural resource users, local coordinating governments, and other programs of special interest to Apache County. No action was needed.

Chairman Shirley opened the floor for the call to the public.

George Walsh, a resident of Vernon, stated he sent an email to the Clerk of the Board/Manager dated December 28th, asking that the County Manager inform the Board of Supervisors about an open meeting violation complaint filed with the Arizona Attorney General's OMLET. Mr. Walsh stated the OMLET attorney contacted him by a phone call and two letters so he would assume by now the

County has been notified of the complaint. Mr. Walsh stated he believed the issue is being handled behind closed doors with the County Attorney's Office and the County Manager. Mr. Walsh stated there was a recent article in the Navajo Times related to the use of the District I facilities for non-approved dances, banquets and other items. Mr. Walsh stated he wanted to know why any public official who was asked to be interviewed by the reporter, has not responded to the reporter to say it was legal. Mr. Walsh asked to place the open meeting violation and the use of the county resources for personal profit by the District I Supervisor, on the next agenda.

Mr. Shepherd moved to adjourn, seconded by Mr. Shamley. Vote was unanimous.

Approved this 7th day of March, 2017.

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

/s/ Delwin Wengert
Clerk of the Board