

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
February 4, 2014  
St. Johns, Arizona**

Present were, Vice Chairman Barry Weller, County Manager/Clerk of the Board, Delwin Wengert and County Attorney Michael Whiting. Participating via the telephone were Chairman Tom M. White, Jr. and Supervisor Joe Shirley, Jr.

Chairman White called to order the Board of Supervisors meeting and the Public Health Services District at 8:35 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Barry Williams gave the invocation.

Judith Pepple led the Pledge of Allegiance.

Chairman White called for the Health District items.

Chris Sexton, Health Director, requested approval to remove Jacquetta Hough from probationary status with the 2.5% end of probation increase effective January 26, 2014. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Mr. Shirley moved to adjourn the Health District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman White called for the regular agenda items.

Recorder Lenora Fulton, introduced Secretary of State Ken Bennett who presented the Election Certificates to Apache County staff who have completed the Election Certification Training. Secretary Bennett presented certificated of Election Certification to Lenora Fulton, Angela Romero, Olivia Aranda, Ollie Arviso, Julia Benally, David Giddings, Geneva Honea, Krystl Jones, Nancy Quinn and Cecilia Wauneka. Mr. Weller and Mr. White thanked Secretary Bennett for coming to Apache County and expressed appreciation to the election staff for their good work.

Mr. Wengert presented **Consent Items A-G**. Mr. Weller requested that items **A, C and G** be removed for discussion. Mr. Wengert stated American Tower has requested item G be removed from the agenda. Mr. Weller stated that he has a correction to the minutes, Item A and wanted to discuss item C. Mr. White stated that he as well as Mr. Shirley run their districts and doesn't like interference from another supervisor but will allow discussion this time.

Chairman White called for a motion to approve items **B, D, E & F** of the Consent Agenda. Mr. Shirley moved approval. George Walsh, a resident of Vernon, Arizona requested that **Item B also be removed** from the Consent Agenda for discussion. Chairman White stated that he would not allow it. Mr. Weller stated that he believed that under our current policies, when an agenda item is requested to be pulled from the consent agenda, it is appropriate and would like a ruling since it was denied by the Chairman. County Attorney Whiting stated that as the policy sits right now it does allow a member of the public to object to a consent agenda item and the Board can change that in the future but it is the current rule. Mr. White called for a motion to approve item D, E and F. Mr. Shirley moved approval seconded by Mr. Weller. **D. Clerk of the Court:** Request authorization to extend the temporary employment of Jennea McQuay for an additional 120 days. **E. Puerco Justice Court:** Request authorization to remove Chyrelle Lee from probationary status with the 2.5% end of

probation increase effective November 28, 2013. **F. District II:** Request authorization to hire a temporary Facilities and Construction Worker II for a period not to exceed 60 days, at \$11.87 per hour. Vote was unanimous.

Mr. Weller presented item A from the Consent agenda and outlined the error in the minutes of January 21, 2014. Mr. Weller moved approval of minutes of the January 21, 2014 minutes as corrected, and the January 28, 2014 minutes, seconded by Mr. Shirley. Vote was unanimous.

Mr. Wengert presented **item B** from the Consent Agenda for approval of demands dated January 21, 2014 to February 4, 2014. Payee Amount ADHS AZ HEALTH CARE COST 22,400.00 AMAZON COM INC 1,386.85 BANK OF THE WEST – 6432 1,001.59 BLUE HILLS ENVIRONMENTAL 1,685.26 BRADCO 23,190.12 CONSOLIDATED INDUSTRIES LLC 7,932.75 CRESCENT ELECTRIC SUPPLY CO 1,120.00 DELL COMPUTER CORPORATION 7,122.39 EMBASSY SUITES 1,424.70 EMPIRE MACHINERY 1,514.09 FERRELLGAS 1,983.76 GOODYEAR AUTO SERVICE 4,643.40 GRAVES PROPANE CO INC 5,521.89 HATCH CONSTRUCTION 1,993.15 HILLYARD INC 1,395.61 HINTON BURDICK PLLC 9,500.00 HUGHES SUPPLY INC (LAKESIDE) 1,005.74 J & B SALES 2,368.61 LOWES HIW INC 2,523.51 MERITAIN HEALTH INC. 5,000.00 MOUNTAIN COMFORT HEATING AND COOLING 15,376.21 NAVAJO TRIBAL UTILITY AUTHORITY 2,509.43 NAVAJO TRIBAL UTILITY AUTHORITY 2,755.21 NAVOPACHE ELECTRIC COOPERATIVE 15,935.81 NEW WORLD SYSTEMS CORPORATION 71,794.08 PIMA COUNTY MEDICAL 2,200.00 PROPACK INC 1,552.24 QUILL CORP 4,832.46 ROUND VALLEY GARAGE 1,298.12 SAN DIEGO POLICE EQUIPMENT 1,473.60 SIERRA PROPANE 1,863.01 ST JOHNS UNIFIED SCHOOL DIST 1,105.22 THE GUIDANCE CENTER 1,750.00 THOMSON REUTERS WEST 2,264.93 TOWN OF EAGAR 6,599.93 TYLER TECHNOLOGIES INC 12,175.89 VALLEY AUTO PARTS 1,817.25 VERIZON WIRELESS 1,129.10 WHOLESALE FLOORS LLC 13,190.24 WOODLAND BUILDING CENTER 1,213.34 APACHE COUNTY TAX WITHHOLDING 1,676.53 APACHE COUNTY TAX WITHHOLDING 136,187.76 AZ STATE RETIREMENT SYSTEM 86,261.37 CORRECTIONS OFFICER RET PLAN 9,052.04 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,440.47 PUBLIC SAFETY PERSONNEL 401 13,825.82 PUBLIC SAFETY SHERIFF RET 32,486.99 AMAZON COM INC 2,957.99 BRADCO 20,200.00 BURNHAM MORTUARY 2,314.57 CHEVRON USA INC 1,004.12 COUNTRY MOUNTAIN AIRWAVES LLC 2,313.36 DELL COMPUTER CORPORATION 4,475.03 DOYLES AUTO BODY INC 1,500.97 FRONTIER 4,538.62 HATCH CONSTRUCTION 2,524.35 HILLYARD INC 1,381.63 HINTON BURDICK PLLC 4,600.00 INGRAM, SCOTT D 1,508.84 INGRAM LIBRARY SERVICES 5,540.90 JCG TECHNOLOGIES INC 1,988.62 KTNM RADIO STATION 3,274.95 LAW OFFICE OF MARSHA GREGORY 8,500.00 MERRILL, KYLER GRANT 1,120.00 MOUNTAIN COMFORT HEATING AND COOLING 3,537.41 NATIONAL BUSINESS FURNITURE 4,991.58 NAVOPACHE ELECTRIC COOPERATIVE 1,491.95 OVERDRIVE INC 1,875.22 PERFECT PRINTZ LLC 2,185.07 QUILL CORP 2,046.21 REED (REED LOGGING), GEORGE E 7,000.00 REICHING, MICHAEL J 1,460.42 SIERRA PROPANE 1,616.68 STATE BAR OF ARIZONA 2,860.00 THE UNIVERSITY OF ARIZONA 6,250.00 TJP COMMUNICATIONS 1,996.69 VALLEY AUTO PARTS 2,275.83 VERITAS RESEARCH CONSULTING 1,530.00 VERIZON WIRELESS 1,070.33 WHITE MOUNTAIN PUBLISHING CO 1,231.07 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,135.36 YAVAPAI COUNTY GOVERNMENT 15,500.00 APACHE COUNTY TAX WITHHOLDING 1,268.99. Mr. Walsh, a resident of Vernon, Arizona addressed the Board and stated that the demands are required by statute to be in the minutes in a certain format that includes account numbers and departments that are funding the payments and it is not being done. Mr. Walsh stated that any payments made to White Mountain Publishing Company in this month's demands is inappropriate and warned the Board that by approving those payments without an approved contract with White Mountain Publishing the Board is once again paying for things that have not been approved and he wants it on the record. Mr. Wengert responded that all the items are reviewed and approved by the County Attorney's Office and we have full confidence that we are acting appropriately and in a legal manner. Mr. Wengert stated that Mr. Walsh is always welcome to come to his office and review any of the material at any

time. Mr. Shirley moved to approve the demands, Mr. White seconded the motion. Item passed 2-0 with Mr. Weller abstaining from the vote.

Mr. Weller stated that he requested **Consent Item C** be pulled off the Consent Agenda to discuss District II's request for approval of funding in the amount of \$1,000 to assist with needed upgrades and repairs to the Ft. Defiance Senior Center restrooms and dining area. Mr. Weller stated that he did not have any concerns or desire to change how Mr. White runs his district but he votes on items and he has a say and concern at times. Mr. Weller stated that he has been advised by the County Attorney's Office that only food related items should be utilized under the senior citizens expenditure and since this is not a county building and not a food related item, he will be voting against it. Mr. Wengert stated that he spoke with Attorney Joe Young who reviewed this item and Mr. Young felt that it was in keeping with what the Board could do for the senior citizens. Mr. White stated that a similar action was taken by the Board back in December and these facilities are old and the sinks and toilets are not working properly and whether these are county buildings or not, they serve the elders and in order to accommodate the seniors, they need to be fixed. Mr. Weller stated that he objected to the similar item back in December as well. Mr. Wengert stated that Attorney Young had told him that since the money was being spent on the dining area and bathrooms associated with the dining area, this is relative to the nutrition of the seniors so it was an allowable expenditure. Mr. Shirley moved approval, seconded by Mr. White. Motion passed 2-0 with Mr. Weller abstaining from the vote.

Mr. Wengert requested removal of **Consent Item G**, for a Conditional Use Permit to allow American Tower Corporation to construct a new 350 foot communications tower. Property is located near Sanders, Arizona and Interstate 40, parcel #210-18-018. Chairman White removed the item. Mr. Wengert stated that items 3 & 4 were no longer needed; 3. Election Department: Discussion and possible approval to publish the Call of Election for the Nutrioso District recall. The special "All Mail" Ballot Election is scheduled for May 20, 2014 and 4. Election Department: Discussion and possible approval and appointment of all tally Board workers, replacement centers and drop boxes for the upcoming May 20, 2014 Special "All Mail" Ballot election. Chairman White removed both Election Department items.

Mr. Shirley moved to adjourn the Board meeting, seconded by Mr. Weller. Vote was unanimous.

Approved this 18th day of February, 2014.

/s/ Tom M. White, Jr.                      /s/ Delwin Wengert  
Chairman of the Board                      Clerk of the Board