

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

February 6, 2018
St. Johns, Arizona

Present were: Chairman Alton Joe Shepherd, Vice Chairman Doyel Shamley and Supervisor Joe Shirley, Jr. Also present was Interim Clerk/Manager Ryan Patterson and County Attorney Michael Whiting.

Chairman Shepherd 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.

Paul Hancock led the Pledge of Allegiance.

Ferrin Crosby gave the invocation.

Chairman Shepherd called for the Public Health Services District items.

Chris Sexton, Health Director, presented the item, following a public hearing, discussion and possible approval of a twenty-five-dollar (\$25.00) processing fee for collecting lab specimens for shipment to CDD laboratory in San Antonio, Texas. **Mr. Shamley moved to open the public hearing, seconded by Mr. Shirley.** Vote was unanimous. There was no one wanting to address the Board during the public hearing. **Mr. Shamley moved to close the public hearing, seconded by Mr. Shirley.** Vote was unanimous. **Mr. Shamley moved to approve, seconded by Mr. Shirley.** Mr. Shamley thanked Mr. Sexton for providing all the answers and data and information that showed this was a good program for the public. Vote was unanimous.

Mr. Shepherd stated there was a request to remove the item for possible approval of a second Medico-Legal Death Investigator position (range 44) and fill the position. Mr. Shamley stated he would like to table the item since some new data was provided to him over the weekend and needed some time for Mr. Sexton and Mr. Patterson to meet with him to make sure this is best for everyone. **Mr. Shamley moved to table the item, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Shamley moved to adjourn the Public Health Services District, seconded by Mr. Shirley. Vote was unanimous.

Chairman Shepherd called for the Library District items.

SueAn Stradling- Collins Library Director, requested approval of the completed Strategic Plan for the Greer Memorial Library. **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote was unanimous.

SueAn Stradling- Collins Library Director approval of community representatives, proposed budget, and Strategic Planning Process for the Concho Public Library. **Mr. Shamley moved**

approval, seconded by Mr. Shirley. Mr. Shamley asked if all of the committee slots have been filled. Ms. Stradling-Collins stated the positions have not been filled yet. Vote was unanimous.

Mr. Shamley moved to adjourn the Library District meeting, seconded by Mr. Shirley.
Vote was unanimous.

Chairman Shepherd called for the regular agenda items.

Graham County Sheriff Preston Allred addressed the Board of Supervisors to thank Sheriff Dedman and the Apache County Sheriff's Office for their assistance in moving inmates to Graham County's new jail facility. Sheriff Allred stated the move was done very professionally and safely with the assistance of the Sheriff and his staff. Sheriff Allred presented Sheriff Dedman with a plaque to recognize the assistance. Sheriff Dedman thanked Commander Cirivello and his officers for the good work they did in assisting Graham County. Chairman Shepherd thanked Sheriff Allred for the recognition of Sheriff Dedman and his staff. No action was needed or taken.

Superior Court Judge Michal Latham addressed the Board and stated Troy Czarnyszka was hired as Court Administrator to replace Sueanne Czarnyszka who was transferred to the Probation Department. Judge Latham stated one of state funded grants has diminished and has caused the restructure of positions and responsibilities. Judge Latham requested approval of the salary for Mr. Czarnyszka of sixty-one thousand, one hundred seventy-five dollars and .20 cents (\$61,175.20). Judge Latham stated the Court Administrator duties will be added to his current duties as Chief of Security and will result in a cost savings of thirty-nine thousand, eight hundred eighty-six dollars (\$39,886). **Mr. Shirley moved approval, seconded by Mr. Shamley.** Vote was unanimous.

Mr. Patterson presented the Consent Agenda Items A-D and recommended approval. **Mr. Shamley moved approval, seconded by Mr. Shirley.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between January 3, 2018 and February 6, 2018. Payee Amount AMAZON CAPITAL SERVICES INC (IT DEPT) 1,123.68 AMAZON COM INC 1,322.61 AZ DEPARTMENT OF ENVIRONMENTAL QUALITY 4,520.00 BENALLY, CAROLYN 1,063.50 CDW GOVERNMENT LLC 1,372.60 COVEY, JOSHUA T 2,523.93 CURTIS, ROGER STUART 1,343.17 EMPIRE MACHINERY 1,933.73 GALL'S INC 1,096.97 GMCO CORPORATION 3,914.05 HILLYARD/FLAGSTAFF 1,490.01 INGRAM LIBRARY SERVICES 1,351.98 MOORE , ALANE M 2,100.00 PFIZER INC 2,783.46 QUILL CORP 4,763.40 SECURUS TECHNOLOGIES INC 1,328.27 SHOW LOW FORD INC 2,100.00 SOURCEHOV 3,769.08 STAPLES CREDIT PLAN 1,248.44 SW ECOLOGY LLC 3,368.76 THE AARONS COMPANY LLC 3,000.00 VERIZON WIRELESS 1,367.71 WRIGHT EXPRESS FSC 1,926.09 BERNAL BODY SHOP 5,997.84 NATIONAL BANK OF ARIZONA 0085 2,144.95 NATIONAL BANK OF ARIZONA 0186 2,379.96 NATIONAL BANK OF ARIZONA 0285 1,061.88 PIONEER TITLE AGENCY INC 73,927.51 AMERICAN FAMILY LIFE ASSURANCE 1,000.94 APACHE COUNTY HSA 3,508.74 APACHE COUNTY MEDICAL 160,139.20 APACHE COUNTY TAX WITHHOLDING 143,968.98 ASRS LEGACY EORP 1,089.96 AZ STATE RETIREMENT

SYSTEM 97,988.91 COLONIAL LIFE AND ACCIDENT INS 1,230.51
CORRECTIONS OFFICER RET PLAN 7,935.53 CORRECTIONS OFFICER RETIREMENT
PLAN 520 5,734.17 EORP LEGACY 1,288.26 NATIONWIDE RETIREMENT SOL EODCRS
1,030.62 PUBLIC SAFETY PERSONNEL 401 7,699.10 PUBLIC SAFETY SHERIFF RET
44,190.23 SECURITY BENEFIT GROUP 1,480.00 SUPPORT PAYMENT
CLEARINGHOUSE 1,533.39 APEX SOFTWARE 1,295.00 ASHTONS REPAIR INC
1,197.90 AZ STATE GOVERNMENT 19,786.03 AZLGEBT 307,853.73 BACK TO LIFE INC
5,400.00 BRADCO 25,093.41 CDW GOVERNMENT LLC 1,317.63 CEL LEBRITE USA INC
2,350.00 FEDERAL FLAGS LLC 1,048.65 FRONTIER 1,779.97 GRAVES PROPANE CO
INC 5,410.18 HILLYARD/FLAGSTAFF 2,448.70 HUGHES SUPPLY INC (LAKESIDE)
1,353.55 KATHLEEN M MCGUIRE PSY D LLC 2,385.00 MOORE MEDICAL LLC
1,215.68 NAVAJO TRIBAL UTILITY AUTHORITY 3,439.52 OCLC INC 1,249.59
PTS OF AMERICA LLC 1,817.50 QUILL CORP 1,924.18 S URAM CONSULTING PLLC
6,618.75 SAUL'S CREEK ENGINEERING INC 6,880.00 SIMPLEXGRINNELL LP 5,923.16
ST JOHNS CITY 1,706.53 SUN RIDGE SYSTEMS, INC 5,500.00 THE UNIVERSITY OF
ARIZONA 6,250.00 TRINITY SERVICES GROUP INC 15,013.71 UNIFIRST
CORPORATION 1,397.02 VERIZON WIRELESS 2,538.61 WAL-MART COMMUNITY
1,069.19 WALLACE, KATHLEEN ANNE 4,121.55 WOODLAND BUILDING CENTER
2,383.56 ALSCO INC 1,025.67 AZ COUNTIES WORKERS COMPENSATION PLAN
75,874.82 AZ DEPT OF REVENUE 1,339.87 AZ STATE UNIVERSITY 3,250.00
BAUMAN HOME AND AUTO INC 1,194.97 BLUE HILLS ENVIRONMENTAL 30,782.73
BRADCO 44,335.84 BREWER LAW OFFICE PLLC 8,500.00 BUTLER'S OFFICE
EQUIPMENT & SUPPLY INC 1,185.81 CDW GOVERNMENT LLC 1,110.53
CELLULAR ONE NE AZ 1,221.17 COURTESY CHEVROLET 34,154.92 CRESCENT
ELECTRIC SUPPLY CO 1,346.16 DESERT MOUNTAIN CORPORATION 44,222.01
DIAMOND DRUGS INC 3,362.13 ERNIES FIRE EXTINGUISHER 4,880.00 GMCO
CORPORATION 3,914.05 GOLIGHTLY TIRE 3,101.99 GRAVES PROPANE CO INC
1,220.90 HAMBLIN LAW OFFICE PLC 8,500.00 HIGH COUNTRY PROPANE
1,666.22 IKARD & NEWSOM 1,860.44 INGRAM LIBRARY SERVICES 3,290.71
INLAND KENWORTH INC (FARMINGTON) 6,620.73 LAW OFFICE OF DIRK LEGATE
PLL 8,665.00 NAVAJO TRIBAL UTILITY AUTHORITY 5,805.48 NAVAJO TRIBAL
UTILITY AUTHORITY 3,771.22 NAVOPACHE ELECTRIC COOPERATIVE 20,388.92
PATTERSON, DANA BRYCE 8,500.00 PIMA COUNTY MEDICAL 2,300.00
PTS OF AMERICA LLC 4,969.50 PUERCO VALLEY AMBULANCE SERVICE
5,458.88 QUILL CORP 3,309.29 REALAUCTION.COM LLC 4,500.00
REDW LLC 2,748.00 REIDHEAD SAND AND ROCK 2,610.63 SALAM INTERNATIONAL
INC 1,419.66 SCHIFF, LAURENCE 1,400.00 SECURUS TECHNOLOGIES INC 1,859.60
SIERRA PROPANE 1,739.37 SONORA QUEST LABORATORIES 1,664.86 ST JOHNS CITY
5,242.26 ST JOHNS EMERGENCY SERVICES 1,457.66 THOMSON REUTERS WEST
1,257.15 VALLEY AUTO PARTS 3,742.31 VERIZON WIRELESS 1,663.14 WHITE
MOUNTAIN PUBLISHING CO 5,304.42 YELLOWHORSE, JAY 1,036.62 AMERICAN
FAMILY LIFE ASSURANCE 1,000.94 APACHE COUNTY HSA 3,308.74 APACHE
COUNTY MEDICAL 161,025.20 APACHE COUNTY TAX WITHHOLDING 136,960.34
ASRS LEGACY EORP 1,101.84 AZ STATE RETIREMENT SYSTEM 100,013.00
COLONIAL LIFE AND ACCIDENT INS 1,230.51 CORRECTIONS OFFICER RET PLAN
7,817.31 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,424.31 EORP LEGACY

1,288.26 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 7,651.71 PUBLIC SAFETY SHERIFF RET 40,764.22 SECURITY BENEFIT GROUP 1,480.00 SUPPORT PAYMENT CLARINGHOUSE 1,533.39 ADHS AZ HEALTH CARE COST 22,400.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,988.54 AVAYA COMMUNICATIONS 1,603.62 AZ STATE RETIREMENT SYSTEM 1,991.81 BILTMORE PRO PRINT 1,189.18 BRADCO 18,221.27 CDW GOVERNMENT LLC 1,529.82 CRESTLINE SPECIALTIES INC 1,485.44 DOYLES AUTO BODY INC 2,020.39 FRONTIER 4,518.50 FRONTIER 1,255.20 GALL'S INC 1,264.64 HILLYARD/FLAGSTAFF 1,611.37 HUMAN SERVICES CONSULTANTS 4,010.94 JOHN V SCIALLI MD 3,120.00 JURY SYSTEMS INCORPORATED 1,784.00 NAVAJO TRACTOR SALES INC 1,424.86 NAVAJO TRIBAL UTILITY AUTHORITY 2,074.37 NAVOPACHE ELECTRIC COOPERATIVE 4,168.27 NORCHEM DRUG TESTING LABORATORY 2,001.25 QUILL CORP 6,402.33 RDO EQUIPMENT CO 30,450.00 SIERRA PROPANE 1,841.38 SWEETLANDS COMPLETE AUTO 2,120.87 THOMSON REUTERS WEST 4,137.63 TRAVEL LEADERS 1,519.80 VERIZON WIRELESS 1,965.23 YOUNGS FUTURE TIRE 2,475.23 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,347.42 AZ DEPT OF ECONOMIC SECURITY 3,631.45 AZ SUPREME COURT 2,140.00 BILLS DISCOUNT AUTO PARTS (NAPA) 1,522.08 BRADCO 17,214.80 CREATIVE MULTIMEDIA INC (CMI) 8,301.25 DELL COMPUTER CORPORATION 8,272.21 EMPIRE MACHINERY 1,735.14 ERNIES FIRE EXTINGUISHER 1,184.40 GMCO CORPORATION 7,828.10 GOSERCO, INC 3,052.20 GRAVES PROPANE CO INC 2,345.46 HOME DEPOT 1,130.00 INGRAM LIBRARY SERVICES 1,790.10 MCCOOK BOILER AND PUMP COMPANY 12,914.00 PTS OF AMERICA LLC 2,938.50 QUILL CORP 1,147.27 ROMERO, DAVID JULIAN 1,091.90 SECURUS TECHNOLOGIES INC 2,064.91 STAPLES CREDIT PLAN 2,122.81 SW ECOLOGY LLC 4,249.08 TDCJ - TEXAS CORRECTIONAL INDUSTRIES 1,455.50 VALLEY AUTO PARTS 3,400.79 VERIZON WIRELESS 1,659.30. 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 the minutes dated December 19, 2017 and January 3, 2018. Personnel Items: C. Superior Court: Pursuant to HB2695, Section 143 (Judicial Salary Increase), the Superior Court requests approval for the 1.5% salary increase for Superior Court Judge Pro Tempore C. Allan Perkins. D. Probation Services: Discussion and possible approval to change the current Field Supervisor position (range 45) to a Probation Officer III position (range 45) and will result in no change to the budget. Vote was unanimous.

Angela Romero, Election Department, requested approval of the recommendation of the Republican Party County Chairman, Thomas Samoff, determine vacancies exist in the office of precinct committeemen and appoint the following: for the Concho Precinct: Jim Zawacki, Connie Zawacki and Traci Howard. For the Spingerville Precinct Earl Cochran. **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote as unanimous.

Angela Romero, Election Department, requested approval of a "Call for Election" on November 6, 2018 for Ganado Fire District due to districts inability to operate and take legal action due to not having a functional board and discussion and possible action regarding the appointment of interim Fire District Board members or an administrator pursuant to §A.R.S. 48-803(B). Chairman Shepherd stated Chief Woody was present today. Mr. Shamley stated it seems like

there are two actions to be taken on this item. County Attorney Whiting stated the Board can take action separately or as one item. **Mr. Shamley moved to approve only the call for election for Ganado Fire District, seconded by Mr. Shirley.** Vote was unanimous.

Barry Williams, School Superintendent, requested approval to create a new position of Consortium Director (range 70) and promote Alex Madrid to fill the position and this promotion is to fill the vacancy created with the retirement of the previous director and will result in a savings of thirty-two thousand, four hundred fifty-two dollars and 25 cents (\$32,452.25). Mr. Williams stated the funding is from the Consortium and will not negatively impact Apache County. **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Treasurer Marleita Begay requested approval to extend the County's banking services agreement for a period of one year based on mutual consent from both parties pursuant to §ARS 35-325. **Mr. Shirley moved approval, seconded by Mr. Shamley.** Mr. Shamley asked why the extension request is for one year and not two. Treasurer Begay stated she was going to ask for two years but as of today, she has not received a letter from the bank. Mr. Shamley stated he didn't see the mutual agreement letter in the backup material. Treasurer Begay stated she can come back in a year and extend it again for the final year, she just wanted to do a survey to make sure the county's needs are being met throughout north and south Apache County. Mr. Shamley asked Ms. Begay if National Bank has consented to the one-year extension. Ms. Begay stated the bank has not responded yet. Mr. Whiting stated he was not aware there isn't an agreement so that does pose a problem and recommended tabling the item. **Mr. Shamley rescinded his motion. Mr. Shamley moved to table the item, seconded by Mr. Shirley.** Vote was unanimous. .

Paul Hancock, Probation Services Director, requested approval to change the current Detention Sergeant position (range 43) to a Legacy Teen Center Manager (range 43, not a 44). Mr. Hancock stated 56 % of this position is funded by the Administrative Office of the Courts (AOC) and the additional funding will be handled within the current budget. Mr. Hancock stated with the Legacy Teen Centers, we have made a name for Apache County across the state and the juvenile justice system and the state is excited and have had other counties come tour the center and trying to mimic us. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed 2-1 with Mr. Shamley abstaining.

Paul Hancock, Probation Services Director, requested authorization to pay Sueanne Czarynszka mid-point of salary range 44, forty-six thousand, nine hundred eighty-seven dollars (\$46,987.00) due to her experience and qualifications for this position and will be applying for multiple grants to assist with the Legacy Centers. **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Gabriel Freeland, District II Manager, on behalf of District II, requested approval of a resolution and approval of a lease to Apache County District II for 4.36 acres and right of reasonable ingress and egress, subject to any prior valid, existing right-of-way to construct, operate and maintain Apache County operations including administrative office and maintenance buildings in the Ganado Chapter vicinity, Navajo Nation (Apache County) Arizona. **Mr. Shirley moved approval, seconded by Mr. Shamley.** Vote was unanimous.

Gabriel Freeland, District II Manager, presented as part of the District II reorganization, approval to re-classify Lester Yazzie from an Equipment Mechanic III (range 38) to a Shop Foreman (range 38) at forty-two thousand, six hundred eighty-eight dollars and 80 cents (\$42,688.80) and combine two (2) part time Custodian/Groundkeeper positions to one full-time Custodian/Groundkeeper position (range 24). **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Ryan Patterson, Interim County Manager, on behalf of District III presented the item for discussion regarding the request for a Call of Election for the White Mountain Communities Special Health Care District on May 15, 2018. Chairman Shepherd stated Sondra Crabtree requested to speak on the item. Mrs. Crabtree, a resident of St. Johns, requested the Board consider a call for the special election for the hospital district. Mrs. Crabtree stated the election is critical to the area and without the election, there will be a gap in funding for the ambulance service and the emergency room in Springerville. Mrs. Crabtree stated she resented some of the responses she received via email from Mr. Shamley. Mr. Shamley stated he will be providing the emails so that they can be added to the file. Mr. Shamley stated the initial ballot for the health care district was in 2008 and was for 5 years. Mr. Shamley stated the email exchange turned into accusations that Mr. Whiting and Mr. Hamblin were trying to shut down the hospital and the ambulance service. Mr. Shamley stated throughout the process, it has been difficult to get any information and the Election Department was engaged working with the hospital district's attorney and there are questions as to the thoroughness of the paperwork was in question, so he contacted Chief Deputy County Attorney Joe Young and he did a legal memo to clarify the issue regarding the dates and times of their election process. Mr. Shamley stated based on the information he received, he did not see that an election can be called; it should have been done last November. County Attorney Whiting stated the legislature, prior to 2014 passed ARS 16-204. F (which he read aloud). Mr. Whiting stated as he reads the statute, the county cannot hold an election other than in November for this type of election and he isn't sure if the health care district was aware of the change in the law; the Board would love to help out, but unfortunately, Arizona law does not allow it. No action was taken.

Mr. Patterson, on behalf of District III, requested approval of the Nutrioso Community Center Use Agreement. **Mr. Shamley moved approval, seconded by Mr. Shirley.** Mr. Shamley thanked the community Board for Nutrioso Community Center for all of their volunteer time and Mr. Young for this efforts in working out the agreement. Vote was unanimous.

Mr. Patterson, on behalf of District III, requested approval to hire a Hazardous Fuels Mitigation Manager (range 40). **Mr. Shamley moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Patterson requested the item for discussion and possible approval of a resolution delegating the Clerk of the Board, the approval to sign Special Event Liquor Licenses and Temporary Premises Extension/Patio Permit applications be tabled. No action was needed or taken.

Mr. Patterson requested approval of a resolution appointing trustees to serve on the Arizona Local Government Employee Benefit Trust (AZLGEBT). Mr. Patterson stated the previous resolution had specific names and the new resolution was changed to reflect titles of County

Manager and Human Resources Director. Mr. Shamley moved approval, seconded by Mr. Shirley.

RESOLUTION NO. 2018-02
APPOINTING TRUSTEES TO SERVE ON THE BOARD OF TRUSTEES OF THE
ARIZONA LOCAL GOVERNMENT EMPLOYEE BENEFIT TRUST

WHEREAS, Apache County (“the County”) is currently a Participating Entity in the Arizona Local Government Employee Benefit Trust (“the Trust”); and

WHEREAS, the County’s Manager was the County’s Trustee, but he has resigned as Manager, so a new Trustee must be appointed;

WHEREAS, the County’s Board of Supervisors (“the Board of Supervisors”) must appoint a Trustee and Alternate Trustee to serve as the County’s representatives on the Trust Board; and

WHEREAS, the County Manager replacement has not yet been retained so the appointment is best made by position held, not by name, until the permanent replacement Manager has been hired.

NOW, THEREFORE, IT IS RESOLVED AS FOLLOWS:

1. The Board of Supervisors hereby appoints the following Trustees to serve on the Board of Directors of the Arizona Local Government Employee Benefit Trust from July 01, 2017 until the appointment of a duly-qualified successor has been made:

Trustee: County Manager
Alternate Trustee: Human Resources Director

APPROVED AND ADOPTED this 6th day of February 2018

/s/ Alton Joe Shepherd
Chairman, Board of Supervisors

ATTEST:

Approved as to form:

/s/ Ryan Patterson,
Interim Clerk of the Board

/s/ Michael Whiting
County Attorney

Mr. Patterson presented the item for discussion and possible action regarding a schedule for the Apache County 2018-2019 budget. Mr. Patterson stated the Board was provided a calendar and schedule as well as several options for the Board to meet with departments. Mr. Shirley moved approval, seconded by Mr. Shamley. Mr. Shamley stated the calendar moved up the timeline for the budget and asked if the departments have enough data to work with. Mr. Patterson stated it

will be tight, but it is doable. Mr. Shamley stated he would like to approve the calendar today and work out later what departments the Board would like to meet with as it gets closer to the budget cycle. Marleita Begay, County Treasurer, stated she appreciates the budget process being addressed and she appreciates Mr. Patterson giving the elected officials the opportunity to present their budget to the Board because in the past, the has not happened. Mr. Shepherd stated the calendar will be approved today and each individual supervisor will decide who they want to meet with. Vote was unanimous.

Stephanie McCarthy, Human Resources Manager presented the item for possible action regarding the progress of County Manager application screening process, interview scheduling, making offers based on interview results, possible contract negotiation parameters, and any other matters necessary to complete the hiring process for the County Manager position.

Mr. Shamley moved to interview five applicants. Mr. Shirley stated he would support interviewing three candidates. **Mr. Shamley amended his motion to interview three candidates, seconded by Mr. Shirley.** Vote was unanimous.

A discussion was held regarding available dates for the interview. **Mr. Shamley moved to select February 13, 2018 at 10:00 a.m. for the interviews, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Shamley moved to conduct the interviews in executive session, seconded by Mr. Shirley. Vote was unanimous.

A discussion was held regarding the questions that could be asked in the interview. **Mr. Shamley moved to approve the proposed list of questions that was provided to the Board, seconded by Mr. Shirley.** Vote was unanimous.

A discussion was held regarding a potential negotiation and contract for employment for the county manager that will be selected. Mr. Whiting stated a contract can be done for a county manager, but it is not required. Mr. Shepherd stated this is something that can be addressed at a later date once the new manager is selected. Mr. Whiting asked if the board would like his office to draft a contract if it is needed. Mr. Shamley stated he would like to see a draft, even though one may not be utilized. Mr. Shirley agreed he would like a draft contact drawn up for review.

Mr. Whiting, on behalf of the County Attorney's Office, requested approval of Arizona Department of Public Safety (DPS) Victims of Crime Act (VOCA) DPS Grant Agreement No. 2018-224, in the amount of two hundred ninety-nine thousand, four hundred sixty-four dollars (\$299,464.00) with a cash match of seventy-four thousand, eight hundred sixty-six dollars (\$74,866.00). **Mr. Shirley moved approval, seconded by Mr. Shamley.** Vote was unanimous.

Mr. Whiting on behalf of the County Attorney's Office, requested approval of the election for the Arizona Attorney General's Office to represent Apache County in tax litigation versus Transwestern Pipeline, LLC, a centrally assessed property for the 2018 tax year. Mr. Whiting stated the Attorney General's Office already represents Apache County in related ongoing

litigation for tax years 2016 and 2017. **Mr. Shirley moved approval, seconded by Mr. Shamley.** Vote was unanimous.

Mr. Whiting on behalf of the County Attorney's Office, presented the items following a possible executive session for legal advice pursuant to A.R.S. §38-431.03(A)(3) and or consultation with the Board's legal counsel regarding contemplated litigation pursuant to A.R.S. §38-431.03 (A)(4), discussion and possible action relating to the hiring of outside legal counsel and litigation involving the opioid crisis' effect on Apache County. Mr. Shirley stated he did not see a need for executive session. **Mr. Shirley moved to approve the County Attorney to work with outside counsel to address the crisis, seconded by Mr. Shamley.** Mr. Shamley asked what the outside counsel provides. Mr. Whiting stated the firm is established in Phoenix and has taken on this type of litigation before and he has reviewed their work as well as some other legal firms. Mr. Whiting stated the law firm will institute the action on behalf of Apache County and any settlement that comes from that action will be given to the general fund under the direction of the Board on how to spend the money, whether it be for rehabilitation or education. Mr. Whiting stated the litigation will be in the federal district court and will go after the big pharmaceutical companies. Motion passed 2 to 1 with Mr. Shamley abstaining.

Chairman Shepherd presented notification of the following meetings where two or more members of the Apache County Board of Supervisors may be in attendance:

Eastern Arizona Counties Association on February 14, 2018 at 3:00 p.m. at the County Supervisors Association (CSA) building, 1905 W. Washington Street in Phoenix.

Small Counties Forum meeting on February 14, 2018 at 5:30 p.m. at the CSA building, 1905 West Washington Street in Phoenix.

County Supervisors Association meeting on February 15, 2018 at the CSA building, 1905 W. Washington Street, in Phoenix at 10:00 a.m.

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

Mr. Shirley moved to adjourn the meeting at 9:43 a.m., seconded by Mr. Shamley. Vote was unanimous.

Approved this 6th day of March 2018.

/s/ Alton Joe Shepherd
Chairman of the Board

/s/ Ryan Patterson
Clerk of the Board