

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
January 17, 2012
St. Johns, Arizona**

Present were: Chairman Jim Claw and Supervisor R. John Lee, Clerk/Manager Delwin Wengert and County Attorney Michael Whiting. Vice Chairman Tom M. White, Jr. participated via the telephone.

Chairman Claw called to order the Apache County Board of Supervisors meeting and the Public Health Services District 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.

Chairman Claw asked Michael Whiting to lead the Pledge of Allegiance.

Chairman Claw called for the Public Health Services District items.

Chris Sexton, Health Director, requested approval of Lease Agreement continuation with Townsquare Plaza, effective January 1, 2012 through December 31, 2012. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous.

Chris Sexton, Health Director, requested approval of Community Health Grant Amendment #1 to Contract HG161080 to be changed to ADHS12-010918 and add Terms and Conditions regarding immigration laws. Mr. White moved approval, seconded by Mr. Lee. Vote was unanimous.

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

There was no member of the public wanting the address the Board in the call to the public.

Mr. Wengert presented the Consent items. A-F: County Manager/Clerk of the Board: A. Request approval of minutes dated January 3, 2012. B. Request approval of the demands. C. District II: Request authorization to purchase three (3) vans for the senior citizen centers within District II, utilizing State Purchasing and paid with transit (LTAF) funds, not to exceed \$84,500. D. District III: Request authorization to purchase a vehicle for the St. Johns Senior Citizen Center, utilizing State Purchasing and paid for with transit (LTAF) funds, not to exceed \$25,000. Human Resources: E. District II: Request authorization to extend the temporary employment for Terry Kelewood for an additional 60 days. F. Attorney's Office: Request authorization to remove Joshua Osborn, effective November 22, 2012 and Allen Perkins, effective January 24, 2012 both with the 2.5% end of probation increase. Mr. White moved approval, seconded by Mr. Lee. Vote was unanimous.

Kristl Jones, Chief Deputy Recorder, requested authorization to extend the temporary employment of Sierra Booth as a temporary Clerk, not to exceed June 30, 2012, utilizing General Fund money. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous. Kristl Jones, Chief Deputy Recorder presented the public hearing for consideration and possible approval of the revised Recorder's Fee Schedule to be retroactive to January 1, 2012. Ms. Jones stated that the change s reducing the recording fee from \$14.00 to \$10.00 due to the State Recorder's Surcharge being removed and a fax fee of \$2.00. Mr. White moved approval, seconded by Mr. Lee. Mr. Claw opened the floor for public comments. Hearing none, vote was unanimous.

Ryan Patterson, Finance Director, requested approval of the Apache County Purchasing Policy. Mr. Patterson stated that there really is no change just combined all of the policies and put them in one document. Mr. Lee moved approval, seconded by Mr. White. Mr. Lee asked if the policy will be posted on the website. Mr. Patterson stated yes. Barry Weller, a resident of Apache County asked for the definition of professional services. Mr. Patterson stated that professional services are provided by someone who is qualified with a license, certification or a special qualification that distinguishes them. Vote was unanimous.

Ryan Patterson, Finance Director, requested approval to enter into an agreement and financing in order to purchase New World Systems software under the Navajo County Request for Proposal and current contract. Mr. Patterson stated that the County is piggybacking off of the contract that Navajo County has and has been reviewed by our County Attorney's Office. Mr. Patterson stated that the cost of the software is \$309,400 and to implement the services is another \$184,400 and through the negotiations, the county has secured discounts of no service fee for the first year, saving over \$50,000, as well as a discount of \$54,000 given for not doing site visits. Mr. Patterson stated the majority of the other small counties are using this software and have for several years and provided an overview of the length and location where the software is being used in the State. Mr. Patterson stated that the software will be used by Finance, Human Resources and Community Development right now and can be used by the Treasurer's office in the future. Barry Weller, a resident of Apache County, stated that this a great amount of money and asked if the bid process and why this specific software, since a bid process wasn't used by Apache County, how do you know if this is the best product for the best price. Mr. Patterson stated that the bidding process was done utilizing Navajo County's purchasing policy and they went out to bid and looked at several products and secured the software that best fit their needs and since this software best fits the needs of most of the other small counties and is considered the best of the market for the price. Mr. Patterson stated that there are better software out there but they are extremely expensive and this software best fits our needs for the cost. Mr. Lee asked Mr. Whiting if this process was legal and in line with county policy. Mr. Whiting stated yes. Mr. Wengert stated that this is proven software and our current system is ancient and in desperate need of an upgrade. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous.

Jim Thornhill, Engineering Department, requested approval of the transfer agreement for the shooting range, between Apache County and the State of Arizona Game and Fish for Section 10, Township 13 N., Range 28 E, Gila and Salt River Meridian, Apache County. Mr. Thornhill provided an overview of the history of the shooting range and stated that the County Attorney's office has reviewed and approved the agreement and he recommended approval. Mr. Lee asked if the Northern Arizona Shooting Association (NASA) was on board with this transfer. Mr. Thornhill responded that this transfer of property has been in negotiations for the past eight years and NASA has been included in those discussions. Mr. Lee moved approval, seconded by Mr. White. Barry Weller, a resident of Apache County stated that he does not understand the benefit to the county in transferring the property. Mr. Lee responded that shooting is an ultra-hazardous activity and the release of that liability to Apache County makes this transfer worthwhile and another plus is the environmental issues that the State will absorb. Mr. Whiting stated that the Game and Fish will work with the lead deposits and they have a machine to extract the lead from the soil and have agreed to do that per the agreement. Mr. Weller stated that he did not see anything in the contract about cleaning up the lead and if it will even continue to be a shooting range and everything like that should be in the contract before it is signed off on. Mr. Whiting stated it is in the agreement that the State will remediate the property to normal standards of a shooting range. Vote was unanimous.

Lyle Lefevre, Information Technology Director, requested authorization to accept Sub-grantee Agreement Amendment #1 Contract 10-AZDOHS-HSGP-777103-01 between the Arizona

Department of Homeland Security and Apache County to extend the grant termination date to September 30, 2012. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous.

Brannan Eagar, Chief Deputy Sheriff requested authorization to sell for \$1.00 each, five (5) vehicles to the St. Johns Police Department; 2004 Chevy Tahoe, 1999 Chevy Tahoe, 1999 Ford Expedition, 1996 Crown Vic and a 1993 Chevy pickup. Chief Eagar stated that there is no other County department that is interested in these old vehicles and the City of St. Johns is in dire need of vehicles. Mr. Lee stated that he was going to abstain from voting since he is the Attorney for the City of St. Johns. Mr. White moved approval, seconded by Mr. Claw. Vote passed 2-0 with Mr. Lee abstaining.

Mr. White was excused from the remainder meeting to attend another meeting.

Pat Avery with Prospect Global Resources provided an overview and presentation regarding the Holbrook Area Potash Project that will be developed in Apache County. No action was needed or taken.

Chairman Claw removed the item regarding Clerk of the Court, Sue Hall's presentation on the history of the Apache County Clerk of the Court's Office.

Chairman Claw provided notification of the County Supervisor's Legislative Reception on January 25, 2012 at the CSA Building, 1905 West Washington Street in Phoenix at 5:00 p.m. No action was needed or taken.

Mr. Lee moved to adjourn, seconded by Mr. Claw. Motion passed.

Approved this 7th day of February, 2012.

/s/ Jim Claw
Chairman of the Board

/s/ Delwin Wengert
Clerk of the Board