

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
January 3, 2012
St. Johns, Arizona**

Present were: Chairman R. John Lee, Vice Chairman Jim Claw and Supervisor Tom M. White, Jr. Also present was Clerk/Manager Delwin Wengert and County Attorney Michael Whiting. Chairman Lee called to order the Apache County Board of Supervisors meeting, the Public Health Services District meeting and the Jail District 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. Chairman Lee asked Milton Ollerton to lead the Pledge of Allegiance. Chairman Lee called for the Jail District items. Mat Avila, Jail Commander, requested authorization to upgrade the security system software in the jail at a cost of \$24,598 to be paid from the Jail Enhancement funds. Mr. White moved approval, seconded by Mr. Claw. Vote was unanimous. Mat Avila, Jail Commander, requested authorization to remove Detention Officer Tammy Smith from probationary status with the 2.5% end of probation increase, effective December 21, 2011 and remove Dispatcher Eric Baloo from probationary status, with the 2.5% end of probation increase, effective January 3, 2012. Mr. Claw moved approval, seconded by Mr. White. Vote was unanimous.

Mr. Claw moved to adjourn the Jail District meetings, seconded by Mr. White. Vote was unanimous. Chairman Lee called for the Public Health Services District items. Chris Sexton, Health Director, requested approval of Bureau of Nutrition and Physical Activity "Arizona Network Intergovernmental Agreement Amendment #1 ADHS12-014988, changing contract number, title of grant, and extending the contract through September 30, 2012. Mr. Sexton stated that this is a \$112,000 reduction in the grant. Mr. White moved approval, seconded by Mr. Claw. Vote was unanimous. Mr. Claw moved to adjourn the Public Health Services District meeting, seconded by Mr. White. Vote was unanimous. Chairman Lee called for the regular agenda items and stated that there was a member of the public that wanted to address the Board during the call to the public.

Doug Sandahl, a resident of Greer stated that he was opposed to the extension of Article 24 that is on the agenda for consideration today. There were no other members of the public wanting to address the Board during the call to the public. Chairman Lee opened the floor for nominations for Chairman and Vice Chairman for 2012. Mr. White nominated Mr. Claw as Chairman for 2012, seconded by Mr. Lee who nominated Mr. White as Vice Chairman for 2012. Vote was unanimous. Mr. Lee thanked the Board for their hard work over the past year as he served as chairman. Mr. Claw assumed the duties as chairman and thanked Mr. White, Mr. Lee and the administration for their service over the past year. Milton Ollerton, Community Development Director, presented the public hearing for consideration and possible approval of amending Article 24 "Single Family Nightly Rentals. Amend Section 2403 C to extend the process by 6 months. C. Permit Limits. In the Greer area as defined by the Zoning Ordinance, the number of permits issued shall be limited to a number fifteen percent (15%) greater than the actual number of permits issues with the first 18 months of the adoption of the article. Mr. Ollerton stated that there are two reasons for this change; the Assessor is now assessing the properties differently than in the past and that has influenced the decision of property owners in whether or not they want to continue with rentals and other change was the Wallow fire that severely damaged the summer traffic when most property owners use their cabins. Mr. Ollerton stated that the Planning and Zoning commission considered this and recommended to give owners an additional six months to consider if they want to continue with rental permits. A discussion was held regarding the actual deadline. Mr. Ollerton stated that the Planning and Zoning Commission unanimously recommend approval of the extension. Mr. Doug Sandahl, a resident of Greer addressed the Board and expressed opposition regarding the extension. Mr. Lee moved to not extend the deadline and have it remain as it is, seconded by Mr. White. Vote was unanimous. Mr. Wengert presented the Consent Items **A-H: County**

Manager/Clerk of the Board: **A.** Request approval of minutes dated December 20, 2011. **B.** Request approval of the demands. ADMINISTRATIVE ENTERPRISES INC \$1,383.70 APACHE COUNTY \$151,366.00 APACHE COUNTY TAX WITHHOLDING \$125,749.11 APACHE COUNTY TREASURER \$321,732.55 AZ STATE RETIREMENT SYSTEM \$80,435.27 Corrections Officer Ret.

Plan \$7,743.88 Mutual of Omaha \$1,165.90 NATIONWIDE \$1,885.97 PUBLIC SAFETY CORR. RETIREMENT \$3,644.39 PUBLIC SAFETY PERSONNEL \$11,249.42 PUBLIC SAFETY SHERIFF RET. \$22,393.73 Security Benefit Group \$1,971.00 SUPPORT PAYMENT CLEARINGHOUSE \$2,624.34 4IMPRINT \$1,387.96 Bauman Home & Auto, Inc. \$1,440.43 BRADCO \$32,153.09 COUNTRY MOUNTAIN AIRWAVES, LLC \$10,361.43 CS&S COMPUTER SYSTEMS \$3,164.45 Eagar Police Dept. 1,565.92 EAGAR, TOWN OF \$30,189.72 FRONTIER \$10,606.63 GEXPRO \$3,184.90 HATCH CONSTRUCTION \$5,735.83 INGRAM LIBRARY SERVICES \$5,045.78 Land America Transnation \$461,649.28 Law Offices of Matthew L. Rigg \$15,151.00 MOUNTAIN COMFORT HEATING AND \$9,462.38 NAVAJO TRIBAL UTILITY \$1,533.26 NAVOPACHE ELECTRIC COOP \$1,807.62 PATTERSON, DANA BRYCE \$7,130.00 Patton & Green P.C. \$1,716.00 Pitney Bowes \$3,910.61 QUILL CORP. \$3,105.30 Reserve Account \$7,500.00 Schiff, Laurence \$1,200.00 SIERRA PROPANE \$3,109.22 Sourcecorp Inc \$13,101.56 SUPERVISORS REVOLVING FUND \$2,096.24 Veritas Research Consulting \$1,631.36 WEST PAYMENT CTR. \$4,258.49 WOODLAND BUILDING CENTER \$1,885.51 AVAYA COMMUNICATIONS \$1,345.51 AZ COUNTIES INSURANCE POOL \$1,242.15 Baca, Michele \$1,020.09 BRADCO \$39,894.27 CDW GOVERNMENT INC. \$1,055.49 FRONTIER \$3,175.31 IDENTICARD \$2,053.45 K-LOG \$1,501.20 Kiehne, Gary \$7,869.87 NATIONAL BUSINESS FURNITURE \$3,322.88 NAVOPACHE ELECTRIC COOP \$4,122.19 RDO EQUIPMENT CO. \$1,029.23 REAL TIME SITES \$1,000.00 SIERRA PROPANE \$1,593.76 Springerville, Town of \$5,851.73 Summit Equipment Repair \$2,251.00 Topete/Stonefield, Inc \$2,535.37 VERIZON WIRELESS, BELLEVUE \$1,909.62 WESTERN DETENTION PRODUCTS, INC \$1,331.34 WORLD OF TRAVEL \$1,459.52 NIELSEN, VANDEN \$4,232.95

C. Request authorization to donate two (2) used and retired computers to the Apache County Fair. **Human Resources: D. Clerk of the Court:** Request authorization to extend the temporary employment of Ruth Nielsen and Jewely Hughes for an additional 90 days. They will continue to be funded out of the Clerk's non- general fund accounts as budgeted in the 2011 budget. **E. District II:** Request authorization to extend the temporary employment of David Kinlichee and Anthony Wilson for an additional 120 days, paid with HURF monies. **F. District II:** Request authorization to remove Brian Owens from probationary status with the 2.5% end of probation increase, effective December 8, 2011, paid with HURF monies. **G. District II:** Request authorization to ratify the purchase of food items for the Wheatfields Senior Citizen Center in the amount of \$750.00. **H. Probation Services:** Request authorization to remove Probation Specialist Mitch Adair from probationary status with the 2.5% end of probation increase, effective January 3, 2012, paid with State grant funds. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous. Mr. Wengert, on behalf of Engineering Department, requested approval of the transfer agreement 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. White moved approval, seconded by Mr. Lee. Mr. Lee asked for additional information regarding the location. Mr. Wengert stated that this may need to be tabled until Mr. Crosby returned. Mr. White withdrew his motion and no vote was taken, Chairman Claw tabled the item. Ada Guinn, Probation Services, requested authorization to continue the Intergovernmental Agreement between the Arizona Supreme Court, Apache County School Superintendent's Office and the Apache County Superior Court for detention education funding in the amount of \$44,180.00 and is an ongoing grant. Mr. White moved approval, seconded by Mr. Lee. Vote was unanimous. Richard Guinn, Sheriff's Office, requested approval of Agreement 888100-01, between the Arizona Department of Homeland Security and the Apache County Sheriff's Office for the Community Awareness & Preparedness Grant in the amount of \$4,569.00 and is an ongoing grant. Mr. Lee moved approval, seconded by Mr. White. Vote was unanimous. Mr. Wengert presented the item for review, discussion and possible action regarding the order given to the Board of Supervisors by Superior Court Judge Donna Grimsley regarding judicial branch employee salary increases, as outlined in Administrative Order No. 2011-005. Mr. Lee moved to direct the county attorney to proceed to seek special action relief in respect to the order. Mr. Whiting stated that the special action would require showing that the raises were in fact arbitrary, capricious, and unreasonable. Mr. White seconded the motion. Vote was unanimous. Mr. Lee moved to adjourn the meeting, seconded by Mr. White. Vote was

unanimous. Approved this 17th day of January, 2012.
/s/ Jim Claw /s/ Delwin Wengert
Chairman of the Board Clerk of the Board