

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

January 5, 2021
St. Johns, Arizona

Present were: Chairman Alton Joe Shepherd, Vice Chairman Joe Shirley, Jr., and Supervisor Nelson Davis. Also present was County Manager/Clerk of the Board Ryan Patterson, County Attorney Michael Whiting and Chief Deputy Attorney Joe Young.

Chairman Shepherd called to order the Board of Supervisors 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.

Ben Dugdale led the Pledge of Allegiance.

Timothy Hinton gave the invocation.

Chairman Shepherd called for the Health District items.

Preston Raban, Health Director, requested approval of the contract with HS Cloud Suite Application effective December 8, 2020. Mr. Raban stated this contract will provide the Apache County Environmental Department with a web-based customizable software application for permitting, inspections, complaints and reporting and the initial configuration cost is \$4,800 with an annual cost of \$2,400. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Preston Raban, Health Director, requested approval of a Memorandum of Understanding for the sharing of public health data between the Arizona Department of Health Services and the Apache County Public Health Services District. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

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

Chairman Shepherd called for the Library District items.

SueAn Stradling-Collins, Library Director, requested approval to accept State Grant-In-Aid in the amount of \$25,000, an ongoing grant from the Arizona State Library and the matching funds are met through regular expenditures. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vote was unanimous.

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

Chairman Shepherd called for the regular agenda items.

Mr. Patterson presented the item for the possible selection of the Board of Supervisors' Chairman and Vice Chairman for 2021. Mr. Davis nominated Mr. Shirley to serve as Chairman and Mr. Shepherd to serve as Vice Chairman for 2021. Mr. Shirley, Mr. Shepherd and Mr. Davis unanimously approved the nominations.

Mr. Shirley assumed the role as chairman and stated he looks forward to working together during the coming year. Mr. Shirley thanked Mr. Shepherd and Mr. Davis for the trust they put in him as chairman for the next 12 months.

Mr. Patterson presented the item for the possible appointment of a member of the Board of Supervisors to serve on the County Supervisors Association Legislative Policy Committee (LPC) for 2021. **Mr. Davis made the motion for Mr. Shepherd to continue serving on the LPC for 2021, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Patterson presented the Consent Agenda items A-F and recommended approval. **Mr. Shepherd moved approval, seconded by Mr. Davis.** County Manager/Clerk of the Board:

A. Request approval of demands as distributed to the Apache County Board of Supervisors between December 1, 2020 and January 5, 2021. Payee AMAZON CAPITAL SERVICES INC (IT DEPT)2,090.74 AMIGO CHEVROLET 1,009.67 ARIZONA POLICE PSYCHOLOGY PLLC 1,200.00 AZ DEPT OF ECONOMIC SECURITY16,932.15 BIG STATE INDUSTRIAL SUPPLY INC 1,081.60 BOOT BARN 1,800.00 SHONDE LANE BURGESS1,245.00 CATERPILLAR FINANCIAL SERVICES CORPORATION84,502.10 DELL COMPUTER CORPORATION 2,120.14 EMPIRE MACHINERY1,370.41 FUTURE TIRE 1,804.53 GMCO CORPORATION8,280.40 KLINT HEAP 1,321.59 LIGHT HOUSE OF ARIZONA1,684.79 NAVAJO TRIBAL UTILITY AUTHORITY 1,001.77 NAVOPACHE ELECTRIC COOPERATIVE2,526.29 PERSONNEL SAFETY ENTERPRISES 1,008.00 RANDOLPH PLATT DDS 1,055.00 PRO PETROLEUM 26,476.12 QUALITY 1ST ROOFING INC 52,598.70 QUALITY 1ST ROOFING INC32,191.50 QUILL CORP 3,121.17 RHINEHART OIL CO17,975.21 SAFELITE AUTO GLASS1,069.79 SOUTHERN TIRE MART LLC 6,157.81 SUNRISE AMULATORY SURGICAL CENTER LLC 2,516.79 VEHICLE LIGHTING SOLUTIONS INC 1,040.00 VERIZON WIRELESS1,823.67 EATON SALES & SERVICE4,000.00 TNT Exteriors, LLC22,250.00 BASHAS' CORPORATE OFFICE 24,997.23 ABS OILFIELD SUPPLY INC16,012.50 AMAZON CAPITAL SERVICES INC (IT DEPT) 2,457.62 AZ CONSTABLES ASSN2,472.00 AZ COUNTIES INSURANCE POOL1,638.00 AZ SUPREME COURT3,120.00 BLUE KNIGHT SECURITY LLC3,225.00 C&H PLUMBING2,090.00 CHANGEPOINT INTEGRATED HEALTH3,300.00 CONTINUANT INC1,178.20 CONTRACT PHARMACY SERVICES INC2,179.01 DELL COMPUTER CORPORATION1,717.72 FRONTIER1,858.66 FRONTIER4,581.99 FUTURE TIRE5,654.25 GENES FRAME & ALIGNMENT INC2,045.99 GMCO CORPORATION 1,105.76 HIGH COUNTRY SIGNS LLC 2,925.00 HILLYARD/FLAGSTAFF 1,277.42 HOME DEPOT1,072.81 LEGATE, PENROD & ASSOCIATES1,444.00 LIVCO WATER & SEWER COMPANY 1,157.96 RONALD D MCDANIEL 1,671.63 MOUNTAIN COMFORT HEATING AND COOLING 1,095.62 NATIONAL BANK 14,701.41 NEWMAN SIGNS INC2,024.58 NORTHEAST ARIZONA TRAINING CENTER INC1,250.00 PFIZER INC3,959.56 PREMIUM PROPANE LLC1,242.63 PROFORCE LAW ENFORCEMENT 2,313.36 QUILL CORP 3,945.83 SEQIRUS USA INC 2,342.94 THE AARONS COMPANY LLC 3,000.00

TRINITY SERVICES GROUP INC15,811.59 VERITAS RESEARCH CONSULTING3,900.00
WESTERN EXPLOSIVES SYSTEMS CO (WESCO) 86,623.65 WRIGHT EXPRESS
FSC1,190.94 YAZZIE'S AUTO PARTS INC1,707.00 APACHE COUNTY HSA4,377.74
APACHE COUNTY MEDICAL 165,118.89 APACHE COUNTY TAX WITHHOLDING
130,325.90 ASRS LEGACY EORP 5,877.24 AZ STATE RETIREMENT SYSTEM107,516.39
COLONIAL LIFE AND ACCIDENT INS1,509.76 CORRECTIONS OFFICER RET
PLAN10,858.00 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,769.96 EORP
LEGACY2,720.34 NATIONWIDE 3,406.31 NATIONWIDE TRUST FSB3,400.39 PUBLIC
SAFETY PERSONNEL 40115,224.20 PUBLIC SAFETY SHERIFF RET 34,953.46 SUPPORT
PAYMENT CLEARINGHOUSE 1,559.39 AZ DEPT OF RISK MANAGEMENT 1,138.54 BIG
TEX TRAILER WORLD INC 8,102.50 ADHS AZ HEALTH CARE COST22,400.00
AMAZON CAPITAL SERVICES INC (IT DEPT)6,559.16 ARIZONA MOTORS
SNOWFLAKE1,420.87 AZ DEPARTMENT OF ENVIRONMENTAL QUALITY4,520.00 AZ
DEPT OF REVENUE4,243.10 AZ SECRETARY OF STATE1,287.93 BAUMAN HOME AND
AUTO INC1,680.84 BLACK RIDGE PHYSICAL THERAPY PLC2,250.00 BLUE HILLS
ENVIRONMENTAL1,524.90 BLUE KNIGHT SECURITY LLC3,650.00 BREWER LAW
OFFICE PLLC8,500.00 C&H PLUMBING18,875.00 CDW GOVERNMENT LLC1,072.87
CONCHO SUPPLY LLC 2,700.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS
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(CMI)6,198.75 DELL COMPUTER CORPORATION 7,949.95 EMPIRE MACHINERY
2,526.72 FLEET PRIDE1,171.33 FUTURE TIRE4,834.85 GMCO CORPORATION 9,780.52
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(LAKESIDE) 1,060.27 i3LOGIX INC 1,610.75 KB WELDING INC2,426.71 KIMBALL
EQUIPMENT COMPANY1,512.00 LAROC REFRIGERATION - METAL DIVISION
INC4,345.29 LIVCO WATER & SEWER COMPANY1,364.43 MOHAWK AUTOMOTIVE
LIFTS SOUTHWEST 1,431.00 NAVAJO TRIBAL UTILITY AUTHORITY 3,943.69
NAVOPACHE ELECTRIC COOPERATIVE 16,665.45 NOEL'S INC1,925.08 PACIFIC
PONDEROSA CO INC1,489.00 DANA BRYCE PATTERSON 8,500.00 PIMA COUNTY
MEDICAL2,300.00 PITNEY BOWES3,447.26 POINT EMBLEMS LLC3,290.00 QUILL
CORP5,594.45 R JOHN R JOHN LEE ATTORNEY AT LAW8,500.00 RHINEHART OIL CO
32,986.90 RIGG LAW FIRM PLLC2,152.00 SECURUS TECHNOLOGIES INC1,082.51
SIERRA PROPANE 1,198.42 ST JOHNS CITY 1,912.84 THOMSON REUTERS
WEST1,645.56 TORRISON CONSULTING LLC103,253.87 US GEOLOGICAL SURVEY
3,100.00 VALLEY AUTO PARTS5,688.75 WILLIAMS SCOTSMAN INC (WILLSCOT)
1,360.20 YAZZIE'S AUTO PARTS INC3,282.35 NICOLL CONSTRUCTION LLC103,253.87
AMAZON CAPITAL SERVICES INC (IT DEPT) 7,532.13 AMERIGAS - GALLUP3,935.18
AMIGO CHEVROLET2,846.02 ANDERSON RESOURCE GROUP INC 2,205.75 AZ DEPT
OF ECONOMIC SECURITY17,101.46 AZLGEBT331,247.54 BURNHAM MORTUARY
1,000.00 CDW GOVERNMENT LLC1,079.61 DELL COMPUTER CORPORATION2,238.17
ELEVATION HEALTH SERVICES LLC 1,840.00 HIGH COUNTRY PROPANE 2,205.59
HILLYARD/ FLAGSTAFF 1,190.14 KB WELDING INC8,109.43 KTNN RADIO STATION
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TREE SERVICE 3,200.00 NACO 1,430.00 NAVAJO TRIBAL UTILITY AUTHORITY
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ATTORNEY AT LAW PLLC 1,368.00 PACIFIC PONDEROSA CO INC3,131.91 PERFECT
PRINTZ LLC 1,672.33 PIMA COUNTY MEDICAL9,200.00 PREMIUM PROPANE LLC

1,374.88 QUALITY 1ST ROOFING INC33,167.00 QUALITY 1ST ROOFING INC54,192.60
QUILL CORP 3,327.80 RELIABLE BACKGROUND SCREENING1,620.03 RHINEHART
OIL CO 3,753.86 LAURENCE SCHIFF1,800.00 SECURUS TECHNOLOGIES INC1,501.62
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COUNTY MEDICAL 169,274.36 APACHE COUNTY TAX WITHHOLDING 129,975.56
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LIFE AND ACCIDENT INS 1,509.76 CORRECTIONS OFFICER RET PLAN10,793.42
CORRECTIONS OFFICER RETIREMENT PLAN 520 4,640.42 EORP LEGACY2,720.34
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PAYMENT CLEARINGHOUSE1,665.89 AMAZON CAPITAL SERVICES INC (IT DEPT)
2,083.89 AZ SUPREME COURT 7,500.00 BILTMORE PRO PRINT 1,276.06 FLAGHOUSE
INC2,490.97 INGRAM LIBRARY SERVICES 4,566.50 NAVAJO TRIBAL UTILITY
AUTHORITY2,609.88 DENNIELLE PATTERSON 1,461.10 QUILL CORP2,250.15 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 December 1, 2020 and December 15, 2020. C. Request approval of the tax exemption for
Summit Training Post Inc., parcel 209-23-010N, pursuant to ARS 42-11153. The exemption was
filed late due to an administrative change within the organization. Community Development: D.
Request approval of a Conditional Use Permit allowing Adam Marsh and Karissa Burgess to
build two (2) homes on their 1.36-acre parcel. Property is located within Luna Lake Village, Lot
#30 in Alpine, AZ. A.P.N. 101-28-041. The Planning & Zoning Commission unanimously
recommended approval on December 3, 2020 with conditions. E. Notification of the meeting
schedule for the 2021 Planning & Zoning Commission and the elected Chairman John Freeman
and Vice-Chairman Dan Muth. F. Notification of the meeting schedule for the 2021 Board of
Adjustment & Appeals and the elected Chairman Dan Muth and Vice-Chairman Michael
Bragiel. Vote was unanimous.

Mr. Patterson presented the item for approval of a Liquor License Application recommendation
for Joel Price, Lazy Trout Market, located at 38940 Highway 373, Greer, Arizona. **Mr. Davis
moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Brian Hounshell, Emergency Management Director, thanked the Board and Mr. Patterson for
their support during the pandemic and the appreciation he has for the county employees who
have been and are the front-line workers. Mr. Hounshell approval of the Emergency
Management reorganization to eliminate the positions of Division Manager of Special Projects
(Range 58), Division Manager of Technical Services (Range 55), and EM Specialist (range 40),
and create two (2) EM Project Coordinator positions (Range 46), and an EM Project Manager
position (Range 55). The requested changes will result in a cost savings of approximately
\$8,370. Mr. Hounshell thanked Stephanie McCarthy for her assistance with the job descriptions
and helping to save money. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was
unanimous.

Stephanie McCarthy, Human Resources Manager, requested authorization to update the salary range for the position of Commander in the Sheriff's Office to Range 66 (\$64,713 - \$97,069) and stated it will not affect the overall budget or increases in the current salaries of the commanders. **Mr. Shepherd moved approval, seconded by Mr., Davis.** Vote was unanimous.

Joy Whiting, introduced herself to the Board of Supervisors as the newly elected School Superintendent. Mrs. Whiting, on behalf of the School Consortium requested approval to create the position of Administrative Coordinator (Range 42) and stated it will not affect the overall budget. Mrs. Whiting stated the Schools Office, and the Consortium are separate entities but the Superintendent is the administrator and fiscal agent for both. Mrs. Whiting explained she discovered that employees have been using general fund money for consortium duties and as the fiscal agent she is responsible for the oversight and that is why she is wanting to create this position, so that separate funding is used strictly for consortium needs and will not affect the general fund and is within the Consortium's budget. Mr. Shepherd asked Mr. Young if this should be combined with item 9 as part of the reorganization. Mr. Young stated no, they should remain as separate items. **Mr. Shepherd moved approval seconded by Mr. Davis.** Billie Bell, Business Manager for the Concho Elementary School District, addressed the Board and stated she disagreed with Superintendent Whiting's comment of misuse of funds and requested the Board of Supervisors table this item until Superintendent Whiting can explain to the Consortium the need for this change and why it is illegal to continue to operate as it has. Ms. Bell stated all the school districts have the right to be notified of any change prior to it coming before the Board and have the right to be heard. Vote was unanimous.

Joy Whiting, School Superintendent, requested approval to hire an Independent Contractor to provide "Tyler" technology consultation to implement various software programs, and assist in the digital coordination of school financial services and will not affect the overall budget. Superintendent Whiting provided an overview of the contractor's credentials and responsibilities of which going digital with paychecks for the teachers. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Billie Bell, Business Manager for the Concho Elementary School District, addressed the Board and stated this could be a good idea but Superintendent Whiting did not contract the School Districts to see if they want digital checks and that some teachers will want a paper check. Ms. Bell stated since being elected in November, Mrs. Whiting has not contacted any of the school districts to introduce herself and asked that Mrs. Whiting talk to the schools to find out what they want. Vote was unanimous.

Joy Whiting, School Superintendent, requested approval to reorganize the Apache County School Superintendent's Office pursuant to Arizona law and Apache County Policy, as follows: Eliminate five (5) positions (effective February 2, 2021; Office Manager (Range 36), Accounting Specialist III (Range 30), Administrative Assistant I (Range 26), Accounting Specialist I (Range 24), Clerk (Range 24); and create one (1) position (effective January 5, 2021) Projects Director (Range 48). Superintendent Whiting stated this will result in an annual savings of \$56,620.67, and a minimum of \$28,310.33 during the remainder of FY21. Superintendent Whiting stated over the past several years the school's office has gone over budget her goal is to stay under budget and this reorganization will allow her office to stay under budget. Superintendent Whiting stated the positions she is eliminating are administrative, not educational and the creation of the new position will allow for the continuation of services and outlined the responsibilities of the

Project Coordinator. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Billie Bell, Business Manager for the Concho Elementary School District disagreed with the reorganization of the School Superintendent's Office and requested the item be tabled and allow time for district superintendents and business managers to be notified if it is to be placed back on the agenda. Mr. Shepherd stated new elected officials bring change and some issues are bigger than others, but the constituents of this county voted affirmation of Mrs. Whiting and he supports how they voted. Mr. Shepherd stated it appears Superintendent Whiting is looking to be more efficient and be fiscally responsible and he for one does not like when budgets are overspent, and we need to work together to make this a successful, efficient county. Vote was unanimous for the reorganization of the School Superintendent's Office. Superintendent Whiting thanked Human Resources Manager McCarthy and Finance Director Timothy Hinton for their assistance with her items.

Troy Czarnyska, Court Administrator, on behalf of the Superior Court, pursuant to A.R.S. §12-121 & §12-144, requested approval to appoint Judge Robert Higgins as a part-time, as needed, Superior Court Pro Tempore Judge for Apache County. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award the annual Bid #202102 for the purchase of dust suppression products. Mr. Crosby stated only Desert Mountain submitted bids for magnesium chloride and dust suppression products and recommended approval of the bid award. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Shepherd on behalf of District II, requested approval of a resolution authorizing the request of the Arizona Legislature in its 2021 regular session, appropriates the sum of \$990,334.00 for the construction repairs and upgrades of County Road C-420, Ganado School Loop Road previously constructed as RS-656 (1)0656 AP in Apache County District II. Mr. Shepherd stated last year this issue made it way to the house and senate and then the pandemic hit and everything that was being requested was sidelined so he is wanting to bring this back again this year for possible consideration. Mr. Shepherd stated he wanted to have a resolution in hand to put together a packet and resubmit to both the house and senate as well as the governor's office. Mr. Shepherd stated the request this year is a little higher due to inflation and requested support for the item. **Mr. Davis complimented Mr. Shepherd and his staff for their work on this issue and moved to approve, seconded by Mr. Shepherd.** Vote was unanimous.

A RESOLUTION AUTHORIZING THE REQUEST OF THE ARIZONA LEGISLATURE IN ITS 2021 REGULAR SESSION APPROPRIATES THE SUM OF \$990,334.00 FOR THE CONSTRUCTION AND UPGRADES OF COUNTY ROAD C-420 GANADO SCHOOL LOOP ROAD PREVIOUSLY CONSTRUCTED AS RS-656 (1)P 0656 AP IN APACHE COUNTY DISTRICT 2. Resolution # 2021-01

Whereas, the Apache County Board of Supervisors, acting under its authority to purchase real property for the benefit and use of the County; and

Whereas, the Ganado Unified School District manages three state public schools serving 1,388 students and 93 teachers. The District takes pride in the programs and services offered to their students. Ganado USD provides the latest technology, resources and instructional aids to ensure students are ready for post-secondary education and beyond; and

Whereas, Apache County District 2 and Ganado Unified School District are dedicated to the safety and well-being of our school aged children. Striving to provide a safe, reliable and efficient unified system of transportation

services responsive to the needs of school aged children and their families; and

Whereas, the Ganado School Loop (C-420) is utilized by the School District to house its transportation department, bus yard, facility management department and academic classrooms for meeting the educational needs of the District's students;

IT IS THEREFORE RESOLVED that Apache County through its Board of Supervisors, requests the Arizona Legislature in its 2021 Regular Session to appropriate the sum of \$990,334.00 for the construction, repairs and upgrades of County Road C-420 Ganado School Loop Road previously constructed as RS-656 (1)P 0656 AP in Apache County District 2.

IT IS FURTHER RESOLVED that the Clerk of the Board forward this resolution to the President of the Arizona State Senate: Honorable Karen Fann, Speaker of the Arizona House of Representatives: Honorable Rusty Bowers, the Chair of the Senate Appropriations Committee: Honorable David Gowan, the Chair of the House Appropriations Committee: Honorable Regina Cobb, the Chair of the Senate Transportation Committee: Honorable Tyler Pace, the Chair of House Transportation Committee: Honorable Frank Carroll and District 7 members Senator Jamescita Peshlakai, Representative Arlando Teller and Representative Myron Tsosie.

5th day of January, 2021.

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

Attest:

/s/ Ryan Patterson, Clerk of the Board

Malena Hannah, District III Manager, requested approval of Contract #122-21 between Department of Housing and Apache County to accept the Community Development Block Grant (CDBG) award in the \$175,644. Mrs. Hannah stated this is for the community renovation in Concho. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Michael Whiting, County Attorney, welcomed newly elected Supervisor, Nelson Davis and stated he looks forward to working with him, Mr. Shirley, and Mr. Shepherd. Mr. Whiting congratulated Mr. Shirley on serving as chairman for 2021 and thanked him for his many years of public service as an ambassador for Apache County. Mr. Whiting thanked Mr. Simshauser for his service as District III Supervisor. Mr. Whiting requested approval of a Memorandum of Understanding (MOU) with Summit Healthcare Association and the Navajo County Family Advocacy Center, relating to investigations and examinations for victims of physical abuse, sexual abuse, domestic violence, and vulnerable persons (adults and children). **Mr. Shepherd moved approval seconded by Mr. Davis.** Vote was unanimous.

Chairman Shirley opened the floor for Call to the public.

Tobi Hero, a new landowner in the Sander's area addressed the Board regarding his proposal for an entertainment venue in the Sanders area.

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

Mr. Shepherd moved approval to adjourn the meeting, seconded by Mr. Davis. Vote was unanimous.

Meeting adjourned at 9:35 a.m.

Approved this 2nd day of February 2020.

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

/s/ Ryan N. Patterson
Clerk of the Board