

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
July 5, 2016  
St. Johns, Arizona**

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

Chairman Shirley called to order the Board of Supervisors 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.

Judith Pepple led the Pledge of Allegiance.

Alan Perkins gave the invocation.

Chairman Shirley called for the Library District items.

Judith Pepple, Library Manager, requested approval of a lease agreement renewal between the Apache County Library District and the Vernon Domestic Water Improvement District from July 1, 2016 through June 30, 2017 at the rate of \$25.00 per month. Mr. White moved approval, seconded by Mr. Weller. Vote was unanimous.

Judith Pepple, Library Manager, requested approval of a lease agreement renewal between Apache County Library District and the Vernon Community Park Committee from July 1, 2016 through June 30, 2017 at the rate of \$25.00 per month. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Mr. White moved to adjourn the Library District, seconded by Mr. Weller. Vote was unanimous.

Chairman Shirley called for the Health District items.

Chris Sexton, Health Director, requested approval to renew the cost reimbursable subcontract with Arizona Board of Regents, University of Arizona, to provide Supplement Nutrition Program-Education (SNAP-ED) responsibilities during the period of October 1, 2015 through September 30, 2018 in the amount of \$70,000 and requires no matching funds. Mr. White moved approval, seconded by Mr. Shirley. Motion passed 2-1 with Mr. Weller voting nay due to reasons stated in previous meetings.

Chris Sexton, Health Director, requested approval of Amendment #4, revising the price sheets for Intergovernmental Agreement #ADHS14-053047, Woman Infants & Children (WIC), Breastfeeding Peer Counseling (BFPC) and Farmers Market Nutrition Program (FMNP). Mr. Sexton stated this grant is budgeted for FY2017 in the amount of \$102,996 and requires no matching funds. Mr. White moved approval, seconded by Mr. Shirley. Motion passed 2-1 with Mr. Weller voting nay due to reasons stated in previous meetings.

Chris Sexton, Health Director, requested approval of the contract with Debra Smalley, RNP, CNM, to provide services of a contract Nurse Practitioner to provide Family Planning Services and Well

Woman Health Check Services effective July 1, 2016 through June 30, 2017. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Chris Sexton, Health Director, requested approval of the ABC Alliance available through Afaxys Group Services (AGS), a group purchasing organization devoted to public health providers. The goal of the program is to expand access and affordability to all public health providers including both 340b and non 340b program participants. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

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

Chairman Shirley called for the regular agenda items and called for Item #2 for the regular Tentative budget. A discussion was held regarding the change in order of agenda items.

Chairman Shirley, on behalf of the Board of Supervisors called for the item. Mr. Wengert presented an overview of the proposed tentative 2016-2017 Tentative Budget for Apache County. Mr. Wengert stated this has been a lean year for the County and the State continues to take revenue and there is not money for increases for employees so this is basically a holding year. Chairman Shirley opened the floor for public hearing. There was no one wanting to address the Board. Ryan Patterson, Finance Director stated he had met with the Arizona Tax Research Authority (ATRA) and they reviewed his calculations in the budget and have not increased any tax rates more than last year, and stayed under the Truth in Taxation rates. Mr. White moved to close the public hearing, seconded by Mr. Weller. Vote was unanimous. Mr. White thanked everyone for their work on the budget and made the motion to approve the 2016-2017 Tentative Budget. Mr. Shirley seconded the motion. Motion passed 2-1 with Mr. Weller voted nay, stating his vote is due to many egregious reasons of abuse of the flexibility language and lack of accountability in many districts.

**RESOLUTION NO. 2016-07  
APACHE COUNTY RESOLUTION FOR THE TENTATIVE ADOPTION  
OF THE BUDGET FOR FISCAL YEAR 2016-2017**

**WHEREAS**, in accordance with the provisions of Title 42, Chapter 17, Articles 1-5, Arizona Revised Statutes (A.R.S.), the Board of Supervisors did, on July 5th make an estimate of the different amounts required to meet the public expenditures for the ensuing year, also an estimate of revenues from sources other than direct taxation, and an estimate of the amount to be raised by taxation upon real and personal property, and

**THEREFORE, BE IT RESOLVED**, that the said estimates of revenues and expenditures shown on the accompanying schedules are hereby adopted as the Tentative Budget of Apache County for Fiscal Year 2016-2017.

Passed and adopted by the Board of Supervisors of Apache County this 5th day of July, 2016.

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

ATTEST:

/s/ Delwin Wengert  
Clerk of the Board of Supervisors

The Board of Supervisors sat as the Board of Directors and Mr. Shirley presented the 2016-2017 Tentative Budgets for the Apache County Library District, Apache County Public Health Services District, Apache County Flood Control District, Apache County Juvenile Jail District, Apache County

Jail District, Junior College Tuition and the Post- Secondary Education. Chairman Shirley opened the public hearing for public comment. There was no one wanting to address the Board during the public hearing. Mr. Wengert provided an overview of the special district budgets and recommended utilizing the flexibility language to keep the jail district in the black until a legislative solution is found. Mr. Weller moved to close the public hearing, seconded by Mr. White. Vote was unanimous. Mr. White moved to approve the 2016-2017 Tentative Special District budgets, seconded by Mr. Shirley. Mr. Weller stated he is confused why there is no public input whatsoever on the budget and invited any member of the public or newspaper to come to his office for a detailed explanation on why he is voting against the budgets. Motion passed 2-1 with Mr. Weller voting nay.

The Board continued the regular meeting sitting as the Board of Supervisors.

Ryan Patterson, Finance Director, requested approval to transfer \$700,000 from the Junior College District to the Jail District to cover the negative opening balance. Mr. Patterson provided an overview of the reasons for the negative balance and stated the flexibility language provides the ability to transfer the funds to the Jail District. Mr. Weller moved approval, seconded by Mr. White. Mr. Weller asked why this was presented as a separate item instead of with the budget. Mr. Patterson stated this is for Fiscal Year 2016 and if they were aware of this earlier, it would have been part of the budget. Mr. Weller and Mr. Patterson held a discussion regarding the use of flexibility language. Vote was unanimous.

Mr. Wengert presented the Consent Items and recommended approval. Mr. White moved to approve the **Consent items A-D**, seconded by Mr. Shirley. Mr. Weller stated he would have approved **Consent items B-D** but he cannot give an affirmative vote for Item A, due to still not receiving the requested materials related to the six bank accounts in the County Attorney's Office, requested via emails and through the County record request process. Mr. Weller stated he misspoke at the last meeting when he said he had been asking for the reports since 2013; he meant to say since 2015, a year and a half that he has been waiting for the documents from the County Attorney's Office. **A.** Request approval of demands as distributed to the Apache County Board of Supervisors between June 21, 2016 to July 5, 2016. Demands are payments made or to be made, by the County. Payee Amount EASTERN ARIZONA COUNTIES ORGANIZATION EAC 50,000.00 ADHS AZ HEALTH CARE COST 22,400.00 AVAYA COMMUNICATIONS 1,381.19 AZ BRAKE & CLUTCH SUPPLY 1,923.65 AZ NARCOTICS OFFICERS ASSN 1,625.00 BACK TO LIFE INC 5,580.00 BASKIN, ALYSSA 1,803.20 BRADCO 46,364.10 CONSOLIDATED ELECTRICAL DISTRIBUTORS 5,039.05 CS&S COMPUTER SYSTEMS 2,214.84 DELL COMPUTER CORPORATION 57,568.13 EARTH MOVER TIRE SALES INC 1,146.27 EMPIRE MACHINERY 21,524.59 FRONTIER 4,384.02 GOODYEAR AUTO SERVICE 3,998.48 HATCH MOTOR COMPANY SNOWFLAKE 9,453.87 HIGH COUNTRY SIGNS LLC 2,247.50 HORIZON ENTERPRISES PLUMBING AND HEATING 1,129.80 INGRAM LIBRARY SERVICES 5,246.15 KTNM RADIO STATION 3,118.50 MASS TRANSCRIPTIONS 1,017.90 MEAD PUBLISHING 2,575.00 NAVAJO TRIBAL UTILITY AUTHORITY 3,025.38 NAVOPACHE ELECTRIC COOPERATIVE 6,235.39 NEVES UNIFORMS & EQUIPMENT 3,595.16 PENA, KERRY 1,325.96 PERFECT PRINTZ LLC 1,081.27 PIMA COUNTY MEDICAL 2,300.00 PIMENTEL CONTRACT CLEANING 3,350.00 PRO PETROLEUM 15,178.60 QUILL CORP 2,373.59 REDW LLC 2,600.00 REIDHEAD, BRANDY 3,205.00 RUSH TRUCK CENTER 1,821.84 SHI INTERNATIONAL CORP 1,035.67 ST JOHNS CITY 1,449.36 SUMMIT EQUIPMENT REPAIR 2,933.37 THOMSON REUTERS WEST 1,150.52 TRANSTAR INDUSTRIES INC 1,161.46 TRUJILLO, RENEE ANN 1,915.90 VERITAS RESEARCH CONSULTING 1,160.00 WOODLAND BUILDING CENTER 1,116.44 YOUNGS FUTURE TIRE 1,479.26 OFFICE OF THE AUDITOR GENERAL 8,000.00 AMAZON COM INC 8,686.62 ARIZONA DEPARTMENT OF WATER RESOURCES 6,000.00 DELL COMPUTER CORPORATION 3,727.24 DESERT MOUNTAIN CORPORATION 17,352.12 HATCH CONSTRUCTION 47,268.77 HILLYARD INC 1,602.47 LATHAM, MICHAEL 1,070.37 LIFESPAN FITNESS 2,597.00 NAVAJO COUNTY 7,500.00

NEWMAN SIGNS INC 2,360.64 NORTHERN SAFETY COMPANY INC 1,916.89 PITNEY BOWES 3,510.66 QUILL CORP 7,150.28 SHOW LOW FORD INC 1,505.70 ST JOHNS EMERGENCY SERVICES 1,710.46 STAPLES CREDIT PLAN 2,849.23 SUE, ALBERT W 1,980.00 SUSTEEN INC 1,245.00 TJP COMMUNICATIONS 1,184.35 TRINITY SERVICES GROUP INC 15,589.90 UNIVERSAL FLEET CARD 1,694.68 VERITAS RESEARCH CONSULTING 1,240.00 VERIZON WIRELESS 3,532.49 WALETA LAKE HAVASU CITY 2,400.00 WILLIAMS GC NEWSPAPERS INC 1,438.15 WOODLAND BUILDING CENTER 2,096.01 Houston, Karen Sue 1,787.90 Shirley, Joe Junior 2,099.88 Rogers, Kent 1,219.34 Sherrill, Lanny 1,077.52 Stradling, Reed 1,464.24 Baloo, Eric 1,156.41 Chavez, Lillian C 1,049.66 King, Walter Scott 1,313.51 Burbank, Lorenzo 1,166.68 Bia, Johnnie Senior 1,036.62 APACHE COUNTY TAX WITHHOLDING 146,443.41 ASRS LEGACY EORP 1,009.62 AZ STATE RETIREMENT SYSTEM 90,081.95 CORRECTIONS OFFICER RET PLAN 5,426.51 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,504.35 PUBLIC SAFETY PERSONNEL 401 11,393.58 PUBLIC SAFETY SHERIFF RET 50,519.02 BRADCO 14,095.59 BRIMHALL SAND & ROCK 5,986.25 CNS BUSINESS FORMS INC 2,736.67 EARTH MOVER TIRE SALES INC 3,375.10 EMPIRE MACHINERY 31,100.07 HATCH CONSTRUCTION 7,738.88 PRINTELECT 5,142.93 Specific details of the demands may be requested through the County public record request process. **B.** Request approval of minutes dated June 16, 2016 and June 21, 2016. **C.** Request approval of a permanent Liquor License Extension of Premises Application for Alpine Bar & Grill, 42649 Highway 180 in Alpine, Arizona. **D.** Request approval to place Karen Houston, Human Resources Director, on a term of unpaid administrative leave, effective June 28, 2016 upon exhaustion of all her accumulated vacation and sick leave. Motion passed 2-1 with Mr. Weller voting nay.

David Romeo, Chief Deputy Treasurer, requested approval of a renewal on a line of revolving credit for Apache County in an amount of \$5,600,000. Mr. Romeo stated this amount will be allotted to the county entities when needed and when a fund within the chart of funds is drawn into the red and is required to be brought back in the black by a draw on the line of credit. Mr. Romeo stated the County has established lines of credit over the past several years that were not used but may be used this year. A discussion was held regarding what entities may use the revolving line of credit. Mr. Weller moved approval with the stipulation quarterly reports from the Treasurer's Office be sent to the Board of Supervisors when the revolving account is utilized by an entity. Mr. White seconded the motion. County Attorney Michael Whiting stated there was an error in the agenda item on the amount of the revolving account and asked the item be tabled until the next meeting. Mr. Romeo stated the item would need to be on the August 1, 2016 meeting since he would be gone. Mr. Weller withdrew his motion to approve and moved to table the item, seconded by Mr. White. Vote was unanimous.

David Romeo, Chief Deputy Treasurer, requested approval of a "Certificate of Removal and Abatement of Taxes" pursuant to ARS 42-18351, 42-18352 and 42-183533 for parcels 105-01-001 for tax years 2012, 2013, 2014 and 2015 for owner Wenima Development LLC, and this abatement of taxes on the accounts are being abated due to a settlement between Apache County and the property owner. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to utilize Navajo County's contract for asphalt emulsion. Mr. White moved approval, seconded by Mr. Weller. A discussion was held regarding the cost and utilizing the contract only if needed. Vote was unanimous.

Mr. Wengert requested approval of a Series 11 Liquor License Application recommendation for Ryan Nelson, Greer Peaks Lodge, 1 Main Street in Greer, Arizona. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Chief Deputy Sheriff Brannan Eagar, on behalf of Emergency Management, requested the declaration of a State of Emergency entered into on June 16, 2016 regarding the Cedar Creek Fire. Chief Eagar stated as of July 2, 2016 the Cedar Creek Fire was 100% contained and recommended the State of Emergency be rescinded. Mr. Weller moved to terminate the State of Emergency related to the Cedar Creek Fire, seconded by Mr. White. Mr. Wengert thanked everyone for their involvement in the fire and the majority of the calls related to the fire were handled in Apache County. Mr. Weller and Mr. Shirley thanked everyone associated with the good work related to the fire. Vote was unanimous.

Malena Bazarro, Grants Manager, requested approval of a resolution adopting the final draft of the Navajo and Apache County Sitgreaves Communities Wildfire Protection Plan (CWPP). Ms. Bazarro stated the plan is posted on the County website at [co.apache.az.us](http://co.apache.az.us) and also went through the public comment period. Mr. Weller moved approval of the resolution supporting the final draft of the Navajo and Apache Sitgreaves Communities Wildfire Protection Plan, seconded by Mr. White. Vote was unanimous.

#### **RESOLUTION #2016-08**

#### **A RESOLUTION OF THE APACHE COUNTY BOARD OF SUPERVISORS AUTHORIZING THE SITGREAVES COMMUNITIES WILDFIRE PROTECTION PLAN**

**WHEREAS**, the Healthy Forests Restoration Act of 2003 (the "Act") established federal grant programs for communities that develop comprehensive wildfire protection plans; and

**WHEREAS**, in 2004, the Sitgreaves Communities Wildfire Protection Plan (SCWPP) was developed and adopted in response to the Act for the at-risk communities and unincorporated areas in Apache County, Arizona, located in and around public lands administered by the U.S. Department of the Interior, Bureau of Land Management, State of Arizona, and the Apache-Sitgreaves National Forest, including certain areas within the town of Vernon.

**WHEREAS**, the Apache County Board of Supervisors desires to adopt the revised Sitgreaves Communities Wildfire Protection Plan in order to better protect the community from wildfire risk, to better prepare citizens, and to become eligible to apply for and receive federal and other grant monies to implement wildland projects and programs;

**NOW THEREFORE , BE IT RESOLVED** by the Apache County Board of Supervisors to, hereby authorize the concurrence and adoption of the Sitgreaves Communities Wildfire Protection Plan this 5th day of July 2016.

/s/ Joe Shirley, Jr., Chairman

/s/ Michael Whiting, Apache County Attorney

Chairman Shirley called for anyone wanting to address the Board during call to the public.

Margaret Lautagne, a resident of Apache County, spoke about the condition of County Road 3114 and asked the County to consider repairs to the road, stating the one mile road is one of the worst in the area and at times is impassible. Ms. Lautagne stated they have worked hard to clear their property of forest debris and overgrowth and emergency response vehicles cannot get to her property in case of a fire. Mr. Weller stated the Lautagne's property stands out for the good forest cleaning they have done to support the fire department and State standards.

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

Approved this 19th day of July, 2016.

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

/s/ Delwin Wengert  
Clerk of the Board