

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

June 29, 2021
St. Johns, Arizona

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

Chairman Shirley called to order the Board of Supervisors meeting at 8:30 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.

Ferrin Crosby gave the invocation.

Chairman Shirley called for the Health District items.

Stephanie McCarthy, on behalf of the Health Department requested approval of an Intergovernmental Agreement #CTR055272 Title V Maternal and Child Health/Healthy Arizona Families Amendment #1. This amendment revises the Scope of Work and Price Sheet in the amount of \$91,587 which has been budgeted for in FY22. It also removes Attachment H ADHS Family Planning Policy and Procedure Manual and adds Exhibit A which defines requirements for pass-through entities. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Mr. Shepherd inquired as to the formula used to determine how the grant is calculated and allotted throughout the entire county. Ms. McCarthy stated it is determined by population. Mr. Shepherd asked for the numbers and services (provided by the grant) in District I & II. Mrs. McCarthy stated she would be happy to sit down with Mr. Shepherd and discuss the grants in further detail. Mr. Shepherd requested this discussion be part of a future work session. Ms. McCarthy stated she would be happy to discuss the grants in an upcoming work session. Vote was unanimous.

Stephanie McCarthy, on behalf of the Health Department requested approval of Contract #CTR050593, Amendment #1, Health Start Program. This contract is extended for the second year through July 5, 2022 in the amount of \$119,000 and has been budgeted for in FY21/22. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Stephanie McCarthy, on behalf of the Health Department requested approval to change the rehire status for previous employee Tina Gonzalez to eligible for rehire. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Davis moved to adjourn the Health District meetings, seconded by Mr. Shepherd. Vote was unanimous.

Chairman Shirley called for the Library District item.

SueAn Stradling-Collins, Library Director, requested approval of a lease agreement between the Apache County Library District and the Vernon Community Park Committee from July 1, 2021 through June 30, 2022 at the rate of \$25.00 per month. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

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

Chairman Shirley called for the regular agenda items.

The Board of Supervisors sat as the Board of Directors and following a public hearing, discussion, and possible approval of the 2021-2022 Final 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 and corresponding tax rates as presented in the budget. A copy of the proposed budgets are available online at www.apachecountyaz.gov or in the County Manager's Office. **Mr. Davis made the motion to open the public hearing for comments, seconded by Mr. Shepherd.** Vote was unanimous. There was no one wanting to address the board during the public hearing. **Mr. Shepherd moved to close the public hearing, seconded by Mr. Davis.** Vote was unanimous. **Mr. Davis moved to approve the 2021-2022 Final 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 and corresponding tax rates as presented in the budget, seconded by Mr. Shepherd.** Vote was unanimous.

The Board resumed sitting as the Board of Supervisors and following a public hearing, discussion and possible adoption of the 2021-2022 Final Budget and related addendum for Apache County. A copy of the proposed budget and addendum are available online at www.apachecountyaz.gov or in the County Manager's Office. **Mr. Davis moved to open the public hearing for comments, seconded by Mr. Shepherd.** Vote was unanimous. There was no one wanting to address the Board during the public hearing. **Mr. Davis moved to close the public hearing, seconded by Mr. Shepherd.** Vote was unanimous. **Mr. Davis made the motion to approve the 2021-2022 Final Budget and related addendum for Apache County, seconded by Mr. Shepherd.** Mr. Shepherd stated he is concerned with the addendum that was presented with the budget, the attorneys' office has salary range increases and is an 11th hour submission. Mr. Shepherd stated a few years ago the Board talked about a comprehensive salary study but over the years he is seeing salary increases for specific individuals. Mr. Shepherd asked why the increases are listed on the addendum as a number and not a name; names would be more transparent. Mr. Shepherd stated employees received a 3% COLA in December and now another 3% and some individuals are getting salary increases and he would like the addendum to show their names and would like who they are stated for the record. Mr. Shepherd stated the county attorney has employees listed for increases and he has looked into surrounding county attorney salaries and if you compare salaries with case load and data, Apache County is low compared to Navajo County and other surrounding counties. Mr. Shepherd stated he is

concerned overtime hours are being accumulated and if the salary increases are a way to pay off overtime and increases need to be taken under a comprehensive approach but we need to move forward as a county not as individuals. Mr. Shepherd stated he has been a supervisor for 4 ½ years and we have been talking for the past three years about a comprehensive salary study but it is just being piecemealed so he has a lot of questions and would like to see the addendum removed and discussed at a work session, otherwise he will have to oppose the item. Mr. Davis stated in his review of the addendum, some employees are in elected offices and some are under a department and as a member of the board of supervisors, his job is to make sure the right person is hired to run the departments and as voters those elected the officials are who the citizens feel have the ability to run those offices and make decisions. Mr. Davis stated as to a work session for future raises, he is open to that but he is not a micro-manager and the people put in the positions have a budget and told to do the best they can with those funds and trust they are in touch with their people. Mr. Davis stated he has full confidence in the elected officials and managers to make the right decisions. Chairman Shirley stated each department get s a budget and it is in the parameters of their authority to give merit increases and we are giving a 3% across the board raise to all employees. Mr. Shirley stated good people are hard to find and we need to try and keep good staff so that is why some of these merit raises are warranted and he supports it. Mr. Shepherd stated he is not a micro-manager but instead of piecemealing increases, we should be looking at all salaries comprehensively and this addendum came in at the last minute just to get us to pass it but if this is the way we are going to do it, then he can bring his salary adjustments for his staff at the next meeting, because they deserve it. Mr. Shepherd stated that he would like to see a solution that benefits everyone, not just a select few. Mr. Shepherd stated the attorney's office is not providing his office with service and wants to have a discussion regarding outside legal counsel. Motion passed 2-1 with Mr. Shepherd opposing.

Mr. Patterson presented the Consent Agenda items A-C 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 June 1, 2021 to June 29, 2021. Payee Amount VERIZON WIRELESS 2,942.00 WHITE MOUNTAIN COMMUNICATIONS 2,304.24 YAVAPAI COUNTY GOVERNMENT 2,350.00 AMAZON CAPITAL SERVICES INC 8,094.52 AMAZON COM INC (Health & Library) 1,317.37 BAUMAN HOME AND AUTO INC 1,136.32 C&I SHOW HARDWARE & SECURITY SYSTEMS INC 12,865.25 CDW GOVERNMENT LLC 2,664.32 DELL COMPUTER CORPORATION 2,405.75 EASTERN ARIZONA COUNTIES ORGANIZATION EAC 6,000.00 ERNIE'S SUPPLY LLC 1,684.34 FAIR WELDING & INSPECTION 1,337.20 FLEET PRIDE 2,093.87 FRONTIER 4,674.68 HOME DEPOT 1,520.46 MERCK SHARP & DOHME CORP 4,870.02 NICOLL CONSTRUCTION LLC 133,424.13 PAGE STEEL 3,055.29 DENNIELLE PATTERSON 1,461.10 PINAL COUNTY ARIZONA 25,800.00 QUILL CORP 3,186.52 JOHN MICHAEL ROBERTSON 3,074.06 SECURUS TECHNOLOGIES INC 2,466.74 SHOW LOW MOTORSPORTS INC 1,567.73 THE AARONS COMPANY LLC 3,000.00 THE ARIZONA PARTNERSHIP FOR IMMUNIZATION 4,151.42 VERIZON WIRELESS 3,597.37 WHITE MOUNTAIN COMMUNICATIONS 3,079.62 APACHE COUNTY 4-H LEADERS COUNCIL 1,000.00 CDW GOVERNMENT LLC 1,943.41 NATIONAL BANK 16,163.80 APACHE COUNTY FSA 1,032.44 APACHE COUNTY HSA 4,118.75 APACHE COUNTY MEDICAL 159,281.94 APACHE COUNTY TAX WITHHOLDING 134,822.26 ASRS LEGACY EORP 8,301.16

AZ STATE RETIREMENT SYSTEM 106,528.03 COLONIAL LIFE AND ACCIDENT INS
1,449.30 CORRECTIONS OFFICER RET PLAN 11,260.01 CORRECTIONS OFFICER
RETIREMENT PLAN 520 2,123.54 EORP LEGACY 1,360.17 NATIONWIDE 2,205.50
NATIONWIDE TRUST FSB 3,893.17 PUBLIC SAFETY PERSONNEL 401 13,397.80
PUBLIC SAFETY SHERIFF RET 10,012.37 SUPPORT PAYMENT CLEARINGHOUSE
1,485.13 AMAZON CAPITAL SERVICES INC 2,044.95 AMERIGAS - GALLUP
1,078.39 AZ DEPT OF RISK MANAGEMENT 1,151.46 AZ NARCOTICS OFFICERS ASSN
5,000.00 BEACON FIRE AND SECURITY LLC 1,044.18 CONTRACT PHARMACY
SERVICES INC 1,633.91 EXHIB-IT! TRADESHOW MARKETING EXPERTS 2,912.00
FBI-LEEDA INC 1,390.00 FLEET PRIDE 1,117.20 FUTURE TIRE 1,689.69
GUARDIAN TRACKING 3,711.00 KLINT HEAP 1,580.02 HILLYARD/FLAGSTAFF
2,675.35 HOME DEPOT 1,892.84 HUGHES SUPPLY INC (LAKESIDE) 2,348.60
INLAND KENWORTH INC (FARMINGTON) 1,405.59 LEGATE, PENROD &
ASSOCIATES 3,934.00 MH CONSULTING & PROJECT MANAGEMENT LLC 1,400.00
NAVAJO TIMES PUBLISHING COMPANY INC 2,586.93 NAVAJO WESTERNERS
2,820.70 PITNEY BOWES 3,132.24 PITNEY BOWES RESERVE ACCOUNT 5,000.00
PSYCHOLOGICAL AND CONSULTING SERVICES 4,000.00 QUILL CORP 2,059.34
RHINEHART OIL CO 24,899.87 DAVID JULIAN ROMERO 1,137.60 LAURENCE SCHIFF
2,200.00 ST JOHNS CITY 2,295.24 TOWER SAFETY & CONSTRUCTION 1,700.00
TOWN OF EAGAR 1,218.41 TRINITY SERVICES GROUP INC 16,383.14 WALMART
COMMUNITY 4,073.09 WOODLAND BUILDING CENTER 2,455.65 WRIGHT EXPRESS
FSC WEX 3,118.83 YAZZIE'S AUTO PARTS INC 2,998.86 RECROOMS.COM 2,699.00
NACO 1,030.00 ADHS AZ HEALTH CARE COST 22,400.00 AMAZON CAPITAL
SERVICES INC 2,929.89 AZ ASSN OF COUNTY SCHOOL SUPERINTENDENTS
3,770.00 BEACON FIRE AND SECURITY LLC 1,688.83 BI2 TECHNOLOGIES LLC
11,758.00 BREWER LAW OFFICE PLLC 8,500.00 CDW GOVERNMENT LLC
1,307.15 CHANGEPOINT INTEGRATED HEALTH 3,300.00 CONTINUANT INC
1,178.20 ELECTION SYSTEMS AND SOFTWARE 4,754.84 ENVIRONMENTAL
TECHNOLOGY INC 3,477.27 FRONTIER 1,887.15 FUTURE TIRE 1,455.82
HAMBLIN LAW OFFICE PLC 8,500.00 ROBERT JAMES HIGGINS 3,142.60
HOME DEPOT 1,423.98 INGRAM LIBRARY SERVICES 3,218.02 KUBL GROUP LLC
14,800.00 NATIONS GAS TECHNOLOGIES INC 1,099.22 NAVAJO TRIBAL UTILITY
AUTHORITY 5,893.02 NAVOPACHE ELECTRIC COOPERATIVE 10,990.36
ORKIN PEST CONTROL 1,682.22 PACIFIC PONDEROSA CO INC 18,867.84
QUILL CORP 4,518.58 R JOHN R JOHN LEE ATTORNEY AT LAW 8,500.00
RHINEHART OIL CO 22,683.06 ROGUE FITNESS 5,987.32 RUSH TRUCK CENTER
1,712.70 SAFELITE AUTO GLASS 1,271.86 SECURUS TECHNOLOGIES INC
3,751.84 THE GUIDANCE CENTER 1,000.00 THOMSON REUTERS WEST 1,158.79
TRIPLE P AMERICA INC 2,618.55 WILLIAMS SCOTSMAN INC (WILLSCOT)
1,327.86 YAZZIE'S AUTO PARTS INC 1,336.34 APACHE COUNTY TAX WITHHOLDING
1,862.25 JOSEPH YOUNG 1,800.00 AZ DEPT OF REVENUE 4,399.10 HOUSTON
BARRICADE & SUPPLY LLC 35,791.78 NORTHERN TOOL & EQUIPMENT CO 1,737.54
APACHE COUNTY HSA 4,118.75 APACHE COUNTY MEDICAL 160,884.56 APACHE
COUNTY TAX WITHHOLDING 129,313.22 ASRS LEGACY EORP 8,301.16
AZ STATE RETIREMENT SYSTEM 104,457.75 COLONIAL LIFE AND ACCIDENT INS
1,449.30 CORRECTIONS OFFICER RET PLAN 11,117.22 CORRECTIONS OFFICER

RETIREMENT PLAN 520 2,013.84 EORP LEGACY 1,360.17 NATIONWIDE 1,940.75
NATIONWIDE TRUST FSB 3,843.17 PUBLIC SAFETY PERSONNEL 401 13,397.80
PUBLIC SAFETY SHERIFF RET 9,545.23 SUPPORT PAYMENT CLEARINGHOUSE
1,302.12 AMAZON CAPITAL SERVICES INC 5,625.82 AZ COUNTIES INSURANCE POOL
2,709.00 CDW GOVERNMENT LLC 1,992.10 CRESCENT ELECTRIC SUPPLY CO
1,399.77 DELL COMPUTER CORPORATION 2,092.05 BEN DUGDALE 1,878.15
ECHELON FRONT LLC 2,300.00 EMPIRE MACHINERY 37,881.17 FRONTIER
4,674.87 FRONTIER 1,333.78 HILLYARD/FLAGSTAFF 1,397.43 HOME DEPOT
2,000.53 ALANE M MOORE 1,800.00 JASON WAYNE MOORE 1,045.30 MOUNTAIN
COMFORT HEATING AND COOLING 1,308.92 MULTICARD 1,359.00 NAVAJO TRIBAL
UTILITY AUTHORITY 5,146.46 NAVOPACHE ELECTRIC COOPERATIVE 7,385.99
NORTHERN SAFETY COMPANY INC 1,287.31 NORTHLAND PIONEER COLLEGE
341,947.76 PACIFIC PONDEROSA CO INC 1,984.34 DANA BRYCE PATTERSON
8,500.00 PIMA COUNTY MEDICAL 2,300.00 QUILL CORP 2,588.73 RESCUE RESPONSE
GEAR 4,853.66 RHINEHART OIL CO 20,237.77 RIGG LAW FIRM PLLC 2,904.00
JOHN MICHAEL ROBERTSON 1,314.63 SECURUS TECHNOLOGIES INC 1,048.83
THE LIBRARY STORE INC 1,405.12 THOMSON REUTERS WEST 1,426.27 UNITED
INFORMATION SERVICES 20,855.50 VERIZON WIRELESS 4,362.38 WHITE
MOUNTAIN REGIONAL MEDICAL CENTER 1,051.01 WRIGHT EXPRESS FSC WEX
1,999.76 NAVAJO TRIBAL UTILITY AUTHORITY 3,759.16 NAVAJO TRIBAL UTILITY
AUTHORITY 1,387.30 FIRE CAM LLC 2,055.02 SECURUS TECHNOLOGIES INC
1,821.67 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 June 1, 2021. C. Request approval of the tax exemption for
the Arizona Southern Baptist Convention for parcel 209-18-010 pursuant to A.R.S. §42-11153.
The exemption was filed late due to an administrative oversight within the organization. Vote
was unanimous.

Mr. Patterson requested approval of an Independent Contractor Agreement with Titus Consulting, LLC. **Mr. Davis moved approval, seconded by Mr. Shirley.** Mr. Shepherd asked if other consultants could also be given a contract. Mr. Patterson responded the contract is based on utilization and does not preclude anyone else from bringing a contract for services to the board for consideration. Mr. Davis stated he understands this contract's services are on a as needed basis and if a department chooses to utilize this company, each department will pay for the services out of their own budget. Vote was unanimous.

Mr. Patterson, on behalf of District III, requested approval of a Letter of Support related to broadband infrastructure. **Mr. Davis moved approval, seconded by Mr. Shirley.** Mr. Shepherd stated he does not believe board action is necessary for a letter of support and this letter indicates we support one provider. Mr. Shepherd stated the presentation at the last board meeting didn't reference his district and just left to NTUA and there are public schools on the Navajo Nation that are state funded as well as deeded land, and feels like the cart is being put before the horse. Mr. Shepherd stated the county attorney drafted this letter and asked why it needed board action. Mr. Davis stated that the main issue his constituents have with economic development is a lack of good internet provider and there have been many meetings to come up with a plan to bring a good internet provider and at last month's meeting, we listened to a man tell us he would

do this project start to finish, using his own money, do the surveys, apply for the grants and all he is asking for is a letter of support; we are not signing a contract or giving any commitment, and if someone else came next week and said they have a proposal, we would sit down and listen to them as well. Mr. Davis stated this is the only start to finish project he has on his desk. Mr. Davis stated he is an Apache County supervisor and many times we deal with issues that benefit District I, II and III but everyone in Apache County is his people whether it affects his district or not, if it benefits the people of Apache County it has his support and would hope his colleagues would support this so hopefully something great can come to the county. Mr. Shepherd asked Mr. Whiting why this needs board approval if it's just a letter. Mr. Whiting stated the letter will assist with applying for grants with the Arizona Commerce Authority. Mr. Shirley stated it's better to act as a body or a team, than just as an individual. Vote was unanimous.

Angela Romero, Election Director, requested approval to conduct the November 2, 2021 Special Election as a "Ballot by Mail" election for: an Extension of Override for Round Valley Unified School District #10 and a Special Bond and Override for Window Rock Unified School District #8. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Mr. Shepherd asked if there will be a walk-in polling place for the elections. Mrs. Romero stated there will be replacement centers and election day facilities for those who choose to drop their ballot off in person. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to enter into a contract with Woodson Engineering & Survey, Inc., for professional services on County Road C420 (Ganado School Loop). The scope and fee to include project administration topographical survey, civil design and geotechnical investigation. Proposed cost is \$143,240 utilizing District II funds. Mr. Crosby stated there is an opportunity to pay for this out on a NACOG supplemental award that has been applied for and if awarded, would use those funds to pay for the design services. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Brian Hounshell, Emergency Management Director, presented the item in accordance with Outdoor Fire Ordinance 2019-10, notification Apache County entered into Stage 2 Fire Restrictions on June 11, 2021. No action was needed or taken.

Brian Hounshell, Emergency Management Director, requested approval to extend the WFHF 18-202 grant until August 31, 2021 a wildfires hazardous fuels grant. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Brian Hounshell, Emergency Management Director, requested approval of State Homeland Security Grant Program (EMW-2020-SS-00017-S01). Mr. Hounshell stated this is jointly funded with Navajo and Coconino counties for training and exercise for the North Region. Apache County's portion is \$20,857.33. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Larry Noble, County Recorder, requested approval to enter into a contract with Tyler Technologies Inc., to provide an updated recording program at a cost not to exceed \$126,000 utilizing Recorder and General Funds. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Mr. Davis thanked Mr. Noble for his work on getting the county all on the same software

program. Vote was unanimous.

Sheriff Dedman presented the request for approval to award Bid B21-04-001 for Provision of Health Care Services to Advanced Correctional Healthcare. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

County Attorney Michael Whiting, requested approval of an Arizona Criminal Justice Commission Grant for Drug, Gang and Violent Crime Control FY2022 Cycle 35, DC-22-020 in the amount of \$72,292.40 with a match of \$24,097.47 for the period of July 1, 2021 through June 30, 2022. **Mr. Shepherd moved approval seconded by Mr. Davis.** Mr. Shepherd asked if this is an ongoing grant and if so, how many years. Mr. Whiting responded the grant is ongoing for almost 20 years. Mr. Shepherd and Mr. Whiting and Mr. Shepherd held a discussion regarding the filing of the grant reports and what amount of the grant goes to providing services to District II. Mr. Shepherd requested to see copies of the reports. Mr. Whiting stated they are on the Arizona Justice website. Mr. Shepherd stated this is what he is referring to when he says he gets no services from the county attorney's office. Mr. Whiting stated he misunderstood Mr. Shepherd wanted actual copies of the grant reports and will provide them. Sheriff Dedman stated he also has concerns regarding gang, drug and alcohol related activities on the reservation and there is a new drug & gang unit he has been meeting with since police manpower has been reduced from 350 to 129 officers any available funding needs to be utilized to assist them. Vote was unanimous.

Craig Sullivan, Executive Director, County Supervisors Association, presented a power point report on recent County Supervisors Association activities including a discussion on the recent legislative session and budget. No action was needed or taken.

Chairman Shirley opened the floor for the call to the public.

Michelle Ralston, Constituent Services Representative for Senator Mark Kelly's office addressed the Board to introduce herself and stated the senator sends his regards and she looks forward to checking in with the Board to communicate important issues between the board and Senator Kelly's office. Mr. Shirley stated the senator was invited to Chinle and was assured he would be there at the end of this month to meet with constituents and hope he attends. Mrs. Ralston stated staff of the senator is planning on attending but she will see if the senator is planning a Chinle visit and will also carry back any questions the board may have.

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

A work session power point presentation was held regarding the American Rescue Plan Act and legislative priorities was held. Discussion only, no action was taken.

Sheriff Dedman stated he would like all the elected officials to get notification of future work sessions.

Mr. Davis moved to adjourn the work session, seconded by Mr. Shepherd. Vote was unanimous.

Approved this 27th day of July, 2021.

/s/ Dr. Joe Shirley, Jr.
Chairman o the Board

ATTEST:

/s/ Ryan N. Patterson
Clerk of the Board