

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

June 5, 2018
St. Johns, Arizona

Present were: Chairman Alton Joe Shepherd and Supervisor Joe Shirley, Jr. also present, County Manager/Clerk of the Board Ryan Patterson and County Attorney Michael Whiting. Supervisor Doyel Shamley was not in attendance due to his resignation to run for state legislature.

Chairman Shepherd called to order the Board of Supervisors meeting at 8:32 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona, and welcomed all in attendance.

Paul Hancock gave the invocation.

Mike Cirivello led the Pledge of Allegiance

Chairman Shepherd called for the Health District items.

Chris Sexton, Health Director, presented the item following a public hearing, discussion and possible approval of an ordinance outlining the procedures for public health violation hearings. **Mr. Shirley moved to open the public hearing, seconded by Mr. Shepherd.** Motion passed. There was no one wanting to address the Board during the public hearing. Mr. Sexton provided an overview of the hearing violation ordinance. **Mr. Shirley moved to close the public hearing seconded by Mr. Shepherd.** Motion passed. **Mr. Shirley moved to approve the ordinance, seconded by Mr. Shepherd.** Motion passed.

Ordinance Number 2018-11

PROCEDURES FOR PUBLIC HEALTH VIOLATION HEARINGS

Section 1. Purpose

This Ordinance establishes the procedures for hearings before a public health hearing officer to ensure due process to the property owner and to the enterprise and to allow an objective presentation of all necessary facts and materials to the hearing officer. The primary goal of these rules is to protect the lawful interests of the property owner, the County, and, above all, the citizens of Apache County, whose delegation of power and contribution of resources must be administered as a public trust for their benefit. The Director of the Apache County Public Health Services District shall be referred to in this Ordinance as the "Director."

Section 2. Public Health Inspection and Enforcement

A. Duties

1. It shall be the duty of the Environmental Health Coordinator, Director of Public Health Services, the Apache County Sheriff, and all Apache County officials otherwise charged with the enforcement and following the law within the provisions of this Ordinance.

B. Violations

1. The Director shall investigate potential public health violations in Apache County. To enforce compliance with all applicable public health ordinances, the Director shall issue notices as may be necessary by this Ordinance.

C. Notices

1. Should the Director determine that a public health violation is occurring on the subject property, the Director shall issue a Warning Letter by certified or registered mail or by hand delivery to the property owner. The Warning Letter shall include:
 - a. A street address or legal description sufficient for identification of the subject property;
 - b. The Section of the Ordinance violated;
 - c. A statement of reasonable specificity detailing the nature of the violation;
 - d. Steps necessary or actions required to bring the subject property into compliance with the Ordinance;
 - e. The date, fifteen (30) days from the date of the Warning Letter, on which all actions must be completed to remedy the violation.
 - f. The estimated cost to the County, chargeable to the owner, if the owner does not comply. (A.R.S. 11-268.A.1)

2. The Director shall re-inspect the subject property after the deadline stated in the Warning Letter. If the violation still exists, the Director has the authority to extend the compliance date by 30-day increments if significant and measurable progress is being made up to a not to exceed total period of 90 days or may issue a Notice of Violation and Demand for Compliance by certified or registered mail or by hand delivery to the property owner. The Notice of Violation and Demand for Compliance shall include:
 - a. A street address or legal description sufficient for identification of the subject property;
 - b. The Section of the Ordinance violated;
 - c. A statement of reasonable specificity detailing the nature of the violation;
 - d. Information on estimated cost to the County, chargeable to the owner, if the owner does not comply and any other possible penalties if the violation is not remedied;
 - e. Steps necessary or actions required to bring the subject property into compliance with the Ordinance;
 - f. The date, thirty (30) days from the date of the Notice of Violation and Demand for Compliance, on which all actions must be completed to remedy the violation (final deadline date);

- g. A statement informing the property owner of his/her right to request a hearing regarding the violation within 10-days of this notice and including written directions of the hearing requirements and/or constraints.
3. The Director shall re-inspect the subject property after the deadline stated in the Notice of Violation and Demand for Compliance. If the violation still exists, the Director shall issue a Notice of Violation Hearing by certified or registered mail or by hand delivery to the property owner with written directions to the hearing requirements and/or constraints.
 4. Notice of Violation Hearing shall be personally served on the alleged violator by the Director at least fourteen (21) days prior to the hearing. If the Director is unable to personally serve the notice, the notice may be served by registered or certified mail. A notice served upon the alleged violator other than by personal service shall be served at least twenty (30) days prior to the Violation Hearing.
 5. The Notice of Violation Hearing shall include:
 - a. A street address or legal description sufficient for identification of the subject property;
 - b. The Section or Sections of any Ordinance or Regulation violated;
 - c. A statement of reasonable specificity detailing the nature of the violation;
 - d. The legal authority under which the hearing is to be held;
 - e. The date, time, and location of the hearing;
 - f. The nature of the hearing;
 - g. Information on estimated cost to the County, chargeable to the owner, if the owner does not comply and any other possible penalties that may be issued by the hearing officer;
 - h. A statement informing the property owner of his/her right to be represented by counsel and any limitations or constraints associated with that choice;
 - i. A copy of the hearing procedures.

D. Violation Hearing General Provisions

1. Commencement. Every action or proceeding brought before the Hearing Officer for an Ordinance violation shall be commenced by the Director issuing a Notice of Violation and Demand for Compliance.
2. Notice. No notice shall be deemed insufficient for failure to contain a definite statement of the essential facts constituting the specific violation if the notice contains either a written description of the violation or reference to the applicable section of the Ordinance pertaining to the violation.

3. Right to Counsel or spokesperson. The alleged violator must notify the Hearing Officer in writing at least ten (10) days before the Violation Hearing date of the alleged violator's choice to be represented by counsel or spokesperson. Failure of the alleged violator to provide written notification constitutes a waiver of that right.
4. Discovery. Prehearing discovery shall be permitted upon written request to the Hearing Officer no later than fifteen (15) days prior to hearing.
5. Continuance. The Hearing Officer may, upon any motion of any party or on its own motion, continue the hearing for a period not exceeding sixty (60) days if it appears that the interests of justice so require. Absent extraordinary circumstances, no hearing shall be continued by the Hearing Officer without notice to both parties. The Hearing Officer, or the Hearing Officer's designated administrative assistant, shall notify both parties in writing of the new hearing date.

E. Hearing Officer

1. The Hearing Officer may not be an employee of the County due to the appearance of a conflict of interest and shall be selected and scheduled by the Director.
2. The Hearing Officer may cause to be issued subpoenas for the attendance of witnesses and for the production of books, records, documents and other evidence and shall have the power to administer oaths.
3. The Hearing Officer shall determine the location of the Violation Hearing.

F. Appearance

1. The alleged violator, counsel or spokesperson with the alleged violator, shall appear at the Violation Hearing at the date and time specified in the Notice of Violation Hearing to enter a plea of responsible or not responsible.
 - a. Admission of Responsibility. At the Violation Hearing, the alleged violator may admit responsibility by appearing in person on or before the Violation Hearing by providing by mail or otherwise to the Hearing Officer a short statement signed by the alleged violator or the alleged violator's counsel admitting the violation. Once a formal admission of responsibility is received by the Hearing Officer, the Hearing Officer shall vacate the Violation Hearing, issue a compliance order against the property owner and determine a penalty for the violation according to the guidelines set forth in Section 2(M) of this Ordinance.
 - b. Denial of Responsibility. A denial of responsibility may be made by appearing in person or on or before the Violation Hearing by providing by mail or otherwise to the Hearing Officer a denial signed by the alleged violator or the alleged violator's counsel. Once a formal denial

of responsibility is received by the Hearing Officer, the Violation Hearing will proceed into the parties' arguments.

- c. Failure to Appear. If the alleged violator fails to appear for the Violation Hearing, or fails to provide an admission or denial by mail or otherwise, by the date and time specified in the Notice of Violation Hearing, the allegations filed against the alleged violator shall be deemed admitted, and the Hearing Officer shall enter default judgment for the County and issue a compliance order against the violator.

G. Order of Procedure

1. The order of the Violation Hearing shall be as follows:
 - a. The Hearing Officer shall call the case and briefly describe the procedures to be followed.
 - b. The County makes its statement.
 - c. The testimony of the County's witnesses is presented.
 - d. The respondent's statement is made.
 - e. The testimony of the respondent's witnesses is presented.
 - f. The statements and testimony of other attendees are presented at the discretion of the Hearing Officer.
 - g. The respondent's rebuttal is presented.
 - h. The respondent's closing statement is given.
 - i. The County's closing statement is given.
 - j. A ruling is made by the Hearing Officer. If the respondent is found responsible, the Hearing Officer may issue a compliance order and civil penalties.
2. The proceedings shall be recorded by an electronic recording device and shall be available as an audio file or transcribed at the request of any party at the cost of the requesting party.

H. Witnesses and Evidence

1. The Arizona Rules of Evidence shall not apply before a Hearing Officer. The Hearing Officer may admit any evidence offered subject to a determination by the Hearing Officer that the offered evidence is both relevant and reliable.
2. During the hearing, opportunity shall be afforded all parties to respond and present evidence and argument on the issues involved in the matter.
3. At least ten (10) days prior to the Violation Hearing, both parties shall produce for inspection by the opposing party a list of witnesses and prepared exhibits. The prepared exhibits are to be filed at the Saint Johns Office of the Apache County Public Health Services District. Failure to comply with this section may result, at the Hearing Officer's discretion, in the granting of a continuance to permit inspection or denial of the admission of the evidence.

4. Cross-examination of witnesses shall be strictly limited to subjects or evidence elicited during direct testimony.
5. The Hearing Officer may question witnesses, parties, or representatives of either party.

I. Record

1. The record shall include:
 - a. All pleadings, motions, interlocutory rulings.
 - b. Evidence received or considered.
 - c. A statement of matters officially noticed.
 - d. Objections and offers of proof and rulings thereon.
 - e. Proposed findings and exceptions.
 - f. Any decision, opinion or report by the officer presiding at the hearing.
 - g. All staff memoranda, other than privileged communications, or data submitted to the hearing officer or members of the agency in connection with their consideration of the case.
 - h. An audio recording of the proceedings.

J. Decisions and Orders

1. The Hearing Officer shall issue a written ruling within ten (10) days of the Violation Hearing. The written ruling shall include the findings, conclusions, and opinion of the Hearing Officer.
2. Any final decision shall include findings of fact and conclusions of law, separately stated.
 - a. Findings of fact shall be based exclusively on the evidence.
 - b. Findings of fact, if set forth in statutory language, shall be accompanied by a concise and explicit statement of the underlying facts supporting the findings.
3. Upon request a copy of the decision or order shall be delivered or mailed to each party and to his/her attorney of record.
4. Informal disposition may be made of any contested case by stipulation, agreed settlement, consent order or default.

K. Penalties

1. If the Hearing Officer finds that the property owner is responsible for the public health violation, the Hearing Officer may issue a compliance order and civil penalty against the property owner.
2. A compliance order issued pursuant to this section may provide for a civil penalty of not more than seven hundred fifty dollars for each violation by an individual and not more than five thousand dollars for a violation by an enterprise. A compliance order shall not impose a civil penalty for the same acts for which a court has previously imposed a civil or criminal penalty.

3. In determining the amount of a civil penalty under this section, the Director and the Hearing Officer shall consider the following:
 - a. The seriousness of the violation from the perspective of health and safety.
 - b. As an aggravating factor only, any economic benefit that results from the violation.
 - c. The history of the same of analogous violations.
 - d. The economic burden of the penalty on the violator.
 - e. Any good faith efforts to comply with the applicable requirements.
 - f. The duration of the violation as established by any credible evidence.
 - g. Payment by the violator of penalties previously assessed for the same violation.
 - h. Other factors affecting the public health and safety the Director deems relevant.
4. The Hearing Officer may waive any penalties imposed pursuant to this section if the violation is remedied within a reasonable time after the compliance order is issued.
5. The Director shall deposit all penalties collected pursuant to this section in the general fund of the County.
6. A compliance order issued pursuant to this section is final and enforceable in Superior Court unless the respondent files an appeal to the Director within fifteen (30) days after receiving the compliance order.

L. Appeals

1. An appeal of the Hearing Officer's final decision must be filed with the Director of the Apache County Public Health Services District within fifteen (30) days after the final decision was ordered and written. If the respondent fails to file an appeal within the thirty (30) days, the Hearing Officer's decision is final and enforceable.
2. On appeal, the Director may affirm, modify or vacate the Hearing Officer's decision. The Director shall consider the factors prescribed in Section 2(J)(3).
3. The Director's decision is enforceable as a judgment in superior court. The Director's decision is subject to appeal pursuant to A.R.S. Title 12, Chapter 7, Article 6.

Adopted and Approved this 5th day of June 2018.

/s/ Alton Joe Shepherd
Chairman of the Board

ATTEST:
/s/ Ryan Patterson
Clerk of the Board

Chris Sexton, Health Director, requested approval of Intergovernmental Agreement Amendment #4 STD Services ADHS14-071557. This amendment revises the Price Sheet. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Sexton, Health Director, requested approval of Intergovernmental Agreement Amendment #1 Immunization Services, ADHS 18-177674 which revises the Price Sheet. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Sexton, Health Director, requested approval of Intergovernmental Agreement Tuberculosis Control ADHS18-201096 and has been budgeted for in FY19. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Sexton, Health Director, requested approval of the Arizona Nutrition Network Supplemental Nutrition Assistance Program (AzNN SNAP-ed) Subaward Agreement Modification #4. Mr. Sexton stated this reduces total award amount from \$200,933.40 to \$198,438.22 and is an adjustment from the previous year for the amount that was unspent, and was budgeted for in FY18 and FY19 and terminated September 30, 2018. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Sexton, Health Director, requested approval of a contract with Smith Medical Partners and Apache County Public Health Services District that will allow the Clinical Services Division to comparison shop and to select them as a vendor if their pricing and terms meet the needs of the Division. Mr. Sexton provided an overview of the discounted pricing through Smith Medical Partners. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Shirley moved to adjourn the Public Health Services District meeting, seconded by Mr. Shepherd. Motion passed.

Chairman Shepherd called for the Library District items.

SueAn Stradling-Collings, Library Director, requested approval to authorize SueAn Stradling-Collins or other library district employee, blanket authority for Fiscal Year 2018-2019 to accept donations to our libraries in amounts up to \$1,000.00. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

SueAn Stradling-Collings, Library Director, approval for Fiscal Year 2018-2019 to dispose of materials that have been donated to or withdrawn for our library collection, by offering them for sale at each of our library facilities. Also request possible approval for Fiscal Year 2018-2019 to make discarded library materials and gift materials which are out of scope of our collections, available to the following entities located in Apache County: libraries, schools, senior centers, assisted living facilities nursing homes, Boys and Girls Clubs, Lions Clubs, the Apache County Historical Society and Museum, community food banks, jails and prisons, and Veterans' groups. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

SueAn Stradling-Collings, Library Director, approval of a lease agreement between the Greer Community Facilities Association and the Apache County Library District from July 1, 2018 through June 30, 2019 at the rate of \$833.56 per month. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Mr. Shirley moved to adjourn the Library District meeting, seconded by Mr. Shepherd. Motion passed.

Chairman Shepherd called for Jail District items.

Jail Commander Michael Cirivello requested approval of a contract between the Jail District and Securus Technologies for inmate tablet as well as a five (5) year extension to the contract with them for phone/visitation services. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Sheriff Dedman requested action in reference to the following salary adjustments for Sheriff's Office Jail personnel by positions: Jail Commander from \$63,232 to \$72,543; Detention Sergeant from \$45,841 to \$47,678; Detention Sergeant from \$39,423 to \$47,675; Detention Corporal from \$34,054 to \$36,546; Detention Corporal from \$33,224 to \$34,885; Detention Corporal from \$35,716 to \$43,191; Detention Corporal from \$34,885 to \$37,377; Detention Administrative Coordinator from \$38,462 to \$45,617. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Mr. Shepherd stated the agenda item didn't address the ERE's but the information was provided in the backup material. Motion passed.

Jail Commander Michael Cirivello requested approval to purchase a new air handler for the C&D Pods in the jail. The Board of Supervisors determines that an emergency exists due to time being of the essence, and award one of the three bids that were received, with the recommendation to approve the Mountain Comfort bid as it was the lowest bidder.

Mountain Comfort Heating & Cooling - \$149,007.51

Intermountain Mechanical -\$185,817.00

Rim Country Mechanical -\$157,550.00

Mr. Shirley moved approval to award the bid to Mountain Comfort, seconded by Mr. Shepherd. Motion passed.

Mr. Shirley moved to adjourn the Jail District meeting, seconded by Mr. Shepherd. Motion passed.

Chairman Shepherd called for the regular agenda items.

Mr. Patterson presented the item for possible action to appoint a new Supervisor for District III, due to the resignation of Supervisor Doyel Shamley. Mr. Patterson read the resignation letter from Mr. Shamley who resigned to run for state representative. Mr. Patterson thanked Mr. Shamley for his service to Apache County and highlighted some of his accomplishments. County Attorney Whiting provided an overview of the requirements for filling the vacant supervisor seat. Mr. Whiting stated there are four major requirements; the Clerk of the Board,

Ryan Patterson will sit with the Board as a voting member, the individual must be from the same political party, the individual must be a resident of District III and would serve for the remainder of Mr. Shamley's term. Chairman Shepherd shared the letter Mr. Shamley had provided that included four individuals who he recommended and outlined the names of the four individuals. Mr. Whiting stated it is his understanding that any of the four individuals recommended by Mr. Shamley would be adequate and a person (Mr. Shamley) could support but wanted to leave the decision to the Board who they felt the most comfortable working with for the remainder of the term. Chairman Shepherd stated he wanted to hear from the individuals to see if they are even interested in the position and stated as the letter indicated the names were in no particular order other than alphabetical, by last name. Malena Bazarro, Economic Development Director for District III was present and declined the recommendation. Beth Bond, Assistant Clerk of the Board was present and declined the recommendation. Gary Kiehne, a resident of District III was not present. Travis Simshauser District III Roads Manager stated he would be interested in accepting the recommendation. Mr. Simshauser stated he has worked with Mr. Shamley for the past 14 months and would be honored to fill Mr. Shamley's seat. Chairman Shepherd asked Mr. Simshauser if he met the residency and political party requirements. Mr. Simshauser stated yes. **Mr. Shirley stated he has known Mr. Simshauser for many years and he knows the people and moved to appoint Travis Simshauser to the vacant District III Supervisor position, seconded by Mr. Patterson.** Art Lee, a citizen of District III requested to address the Board. Mr. Lee stated he served the County for 30 years and stated he would like to see the Board open up the position for input from the citizens in District III. Art Modica, a resident of District III stated he would like to see the County open the position to the community. Chairman Shepherd stated there is a process explained by the County Attorney and following state statutes, this is a vacancy and the Board needs to move forward. Chairman Shepherd stated he would have liked to see a special election held but statutes don't allow for that. Chairman Shepherd stated there can be a substitute motion made. Hearing no other motion, vote was unanimous to appoint Travis Simshauser to the vacant District III Supervisor position.

Mr. Simshauser thanked the Board for their support. A discussion was held regarding the swearing in ceremony. Mr. Simshauser stated he would like Judge Latham to swear him into office and he would like his family present when he was sworn in. Chairman Shepherd stated the swearing in was not on the agenda for today so it would be done at a later date and asked Mr. Patterson to assist with the arrangements.

The Board sat as the Board of Directors and following a public hearing, discussion and possible approval of the 2018-2019 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. A copy of the proposed budget is available online at www.co.apache.az.us or in the County Manager's Office. Mr. Patterson provided an overview of the proposed budget. **Mr. Shirley moved to open the floor for public comments, seconded by Mr. Shepherd.** Motion passed. There was no one wanting to address the Board. Mr. Patterson thanked all elected officials and department heads for their assistance with the budget process. Mr. Patterson stated last year the budget was 57.9 million and this year's is at 53.9 million and that includes all general fund and special revenue funds. **Mr. Shirley moved to close the public hearing, seconded by Mr. Shepherd.** Motion passed. **Mr. Shirley moved to approve the**

tentative budget seconded by Mr. Shepherd. Motion passed.

RESOLUTION NO. 2018-12
APACHE COUNTY RESOLUTION FOR THE TENTATIVE ADOPTION
OF THE BUDGET FOR FISCAL YEAR 2018-2019

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 2018-2019.

Passed and adopted by the Board of Supervisors of Apache County this 5th day of June 2018.

/s/ Alton Joe Shepherd
Chairman, Board of Supervisors

ATTEST:

/s/ Ryan Patterson
Clerk of the Board of Supervisors

The Board resumed as the Board of Supervisors. Mr. Patterson presented the item following a public hearing, discussion and possible adoption of the 2018-2019 Tentative Budget for Apache County and stated a copy of the proposed Tentative Budget has been available online at www.co.apache.az.us or in the County Manager's Office. **Mr. Shirley moved to open the floor for public comment, seconded by Mr. Shepherd.** Motion passed. There was no one wanting to address the Board. **Mr. Shirley moved to close the public hearing, seconded by Mr. Shepherd.** Motion passed. Mr. Shirley moved approval, seconded by Mr. Shepherd. Motion passed.

Mr. Patterson presented the Consent Agenda items A-E **Mr. Shirley moved approval, seconded by Mr. Shepherd.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between May 1, 2018 to June 5, 2018. Demands are payments made, or to be made, by the County. Payee Amount APACHE COUNTY HSA 3,392.07 APACHE COUNTY MEDICAL 161,701.13 APACHE COUNTY TAX WITHHOLDING 140,090.77 ASRS LEGACY EORP 1,101.84 AZ STATE RETIREMENT SYSTEM 99,743.22 COLONIAL LIFE AND ACCIDENT INS 1,230.54 CORRECTIONS OFFICER RET PLAN 8,039.57 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,239.56 EORP LEGACY 1,288.26 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 7,616.75 PUBLIC SAFETY SHERIFF RET 39,687.48 SECURITY BENEFIT GROUP 1,535.00 SUPPORT PAYMENT CLEARINGHOUSE 1,738.39 ABASTA, RICKY DAVID Junior 1,700.00 ALERTUS TECHNOLOGIES LLC 6,792.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 3,280.48

APACHE NATURAL RESOURCES CONSERVATION DISTRICT 5,000.00 REDACTED
1,917.15 BLUE HILLS ENVIRONMENTAL 27,336.99 COALITION OF ARIZONA NEW
MEXICO COUNTIES 2,600.00 CONTAINERS ON DEMAND LLC 3,685.00 CORONADO
LAW FIRM PLLC 2,277.00 DELL COMPUTER CORPORATION 1,519.50 DESERT VIEW
FUNERAL HOME LLC 9,165.25 FIXED INCOME ACADEMY LP 1,990.00 FRONTIER
1,769.07 GRAVES PROPANE CO INC 1,152.21 HIGH DESERT CYCLES 23,542.20 HOME
DEPOT 2,342.06 HORNE AUTO CENTER INC 1,377.64 INGRAM LIBRARY SERVICES
3,263.15 INLAND KENWORTH INC (FARMINGTON) 1,767.21 JCG TECHNOLOGIES INC
1,068.71 LATHAM, MICHAEL 1,114.27 MEAD PUBLISHING 2,550.00 MOLINAR,
STEPHANIE M 1,230.00 NAVAJO TRACTOR SALES INC 4,558.71 PACIFIC
PONDEROSA CO INC 9,666.96 QUALITY READY MIX INC 3,326.24 QUILL CORP
2,848.02 RUSH TRUCK CENTER 8,468.49 SANDOVAL, PATRICK J 1,142.69 STAPLES
CREDIT PLAN 3,293.79 SW ECOLOGY LLC 6,693.57 THE AARONS COMPANY LLC
3,000.00 TRUCK PRO DBA AZ BRAKE & CLUTCH SUPPLY 1,931.29 VALLEY AUTO
PARTS 1,597.84 VECTOR RESOURCES INC 3,016.65 VERIZON WIRELESS 1,415.53
NATIONAL BANK OF ARIZONA 0127 2,836.14 NATIONAL BANK OF ARIZONA 0085
3,131.74 NATIONAL BANK OF ARIZONA 0186 3,155.95 NATIONAL BANK OF
ARIZONA 0285 1,481.45 NATIONAL BANK OF ARIZONA 0301 2,102.15 NATIONAL
BANK OF ARIZONA 0830 1,309.95 AZ COUNTIES INSURANCE POOL 1,500.00 AZ
DEPT OF ECONOMIC SECURITY 3,939.73 AZ NARCOTICS OFFICERS ASSN 2,625.00
AZLGEBT 313,651.40 BILTMORE EVALUATION & TREATMENT SERVICES
2,000.00 BRADCO 20,521.94 COVEY, JOSHUA T 1,967.98 CS&S COMPUTER SYSTEMS
6,169.00 EMPIRE MACHINERY 3,549.80 FEDERAL FLAGS LLC 2,331.31
GALL'S INC 1,344.10 GALLUP BLUEPRINT 1,316.98 GLAXO SMITHKLINE
PHARMACY 2,346.70 GMCO CORPORATION 4,201.56 GOLIGHTLY TIRE 4,649.94
HILLYARD/FLAGSTAFF 2,193.71 HOME DEPOT 1,601.00 KARPEL COMPUTER
SYSTEMS INC 5,400.00 KATHLEEN M MCGUIRE PSY D LLC 2,095.00
KOMATSU FINANCIAL LIMITED PARTNERSHIP 116,775.59 MOUNTAIN COMFORT
HEATING AND COOLING 5,630.30 NACO 1,020.00 NAVAJO TRIBAL UTILITY
AUTHORITY 3,441.77 NAVOPACHE ELECTRIC COOPERATIVE 5,906.99
NEWMAN SIGNS INC 1,854.39 NORTHLAND PIONEER COLLEGE 300,000.00
OHENRY PRODUCTIONS INC 24,561.02 OVERDRIVE INC 1,368.10 PTS OF AMERICA
LLC 3,406.50 QUILL CORP 3,309.06 RDO EQUIPMENT CO 24,474.75 SANOFI PASTEUR
INC 7,153.58 SCHIFF, LAURENCE 1,500.00 ST JOHNS EMERGENCY SERVICES
1,456.21 SWBRA AZ01 2,500.00 THE LIBRARY STORE INC 1,221.27 TJP
COMMUNICATIONS 1,132.72 TRINITY SERVICES GROUP INC 18,047.53
VERIZON WIRELESS 1,208.23 WHITE MOUNTAIN PUBLISHING CO 1,891.79
WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,545.11 BUNGER STEEL INC
6,444.00 APACHE COUNTY HSA 3,017.07 APACHE COUNTY MEDICAL 162,875.43
APACHE COUNTY TAX WITHHOLDING 138,213.35 ASRS LEGACY EORP
1,101.84 AZ STATE RETIREMENT SYSTEM 99,845.08 COLONIAL LIFE AND
ACCIDENT INS 1,230.54 CORRECTIONS OFFICER RET PLAN 7,747.22
CORRECTIONS OFFICER RETIREMENT PLAN 520 5,151.52 EORP LEGACY
1,288.26 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY
PERSONNEL 401 7,616.75 PUBLIC SAFETY SHERIFF RET 42,704.55 SECURITY
BENEFIT GROUP 1,535.00 SUPPORT PAYMENT CLEARINGHOUSE 1,738.39 AA SALES

SERVICE INC 1,214.61 ADHS AZ HEALTH CARE COST 22,400.00 AZ ASSN OF COUNTIES 12,478.87 AZ SUPREME COURT 1,800.00 BRADCO 22,661.85 BREWER LAW OFFICE PLLC 8,500.00 CDW GOVERNMENT LLC 1,725.13 CONSOLIDATED ELECTRICAL DISTRIBUTORS 1,138.54 CZARNYSZKA, SUEANNE K 1,081.48 DENNISON, ANDREW 1,306.00 DIAMOND DRUGS INC 10,347.51 DLT SOLUTIONS LLC 2,394.23 EMBASSY SUITES 1,646.92 FERRELLGAS 1,629.63 FRONTIER 1,247.96 GUNNELS, BUTCH 1,015.10 GUST ROSENFELD PLC 6,965.41 HAMBLIN LAW OFFICE PLC 8,500.00 HILLYARD/FLAGSTAFF 2,357.82 HOME DEPOT 1,610.45 LAW OFFICE OF DIRK LEGATE PLLC 8,500.00 MOORE LAW FIRM PLLC 1,237.50 NAVAJO TRIBAL UTILITY AUTHORITY 1,494.94 NAVOPACHE ELECTRIC COOPERATIVE 12,600.92 PATTERSON, DANA BRYCE 8,500.00 PERFECT PRINTZ LLC 4,968.01 PIMA COUNTY MEDICAL 2,300.00 QUILL CORP 5,586.11 REDW LLC 1,425.00 RUSH TRUCK CENTER 1,809.37 SECURUS TECHNOLOGIES INC 1,185.54 SPEEDY SALES AND SERVICE 1,276.00 ST JOHNS CITY 1,306.99 ST JOHNS EMERGENCY SERVICES 1,453.31 THE BANCORP BANK 105,138.60 THE UNIVERSITY OF ARIZONA 6,250.00 TJP COMMUNICATIONS 2,608.71 TOWN OF EAGAR 1,750.00 US POSTMASTER 1,500.00 VALLEY AUTO PARTS 1,860.67 VERIZON WIRELESS 1,308.01 WOODLAND BUILDING CENTER 12,452.81 WRIGHT EXPRESS FSC 3,556.87 YELLOWHORSE, JAY 1,490.47 YOUNGS FUTURE TIRE 1,253.18 4IMPRINT 3,612.64 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,258.36 AMAZON COM INC 1,054.44 AMIGO CHEVROLET 3,067.12 APACHE COUNTY 4-H LEADERS COUNCIL 1,000.00 AVAYA COMMUNICATIONS 1,603.62 BILLS DISCOUNT AUTO PARTS (NAPA) 2,406.54 BRADCO 20,496.59 CDW GOVERNMENT LLC 1,301.18 CONSOLIDATED ELECTRICAL DISTRIBUTORS 3,534.25 CORONADO LAW FIRM PLLC 5,363.00 COURTESY CHEVROLET 34,748.23 DAN BROOKS SURVEYING LLC 8,910.00 DOYLES AUTO BODY INC 1,493.70 EMPIRE MACHINERY 9,484.54 ERNIES FIRE EXTINGUISHER 1,560.00 FOUR CORNERS WELDING & GAS SUPPLY 1,138.96 FRONTIER 4,510.14 GOLIGHTLY TIRE 4,241.40 HOME DEPOT 1,895.66 INDEED INC 1,500.00 NACOG 11,564.00 NATIONAL BUSINESS FURNITURE 1,639.89 NAVAJO TRIBAL UTILITY AUTHORITY 3,038.77 NAVOPACHE ELECTRIC COOPERATIVE 3,698.56 NORCHEM DRUG TESTING LABORATORY 1,472.10 OFFICE DEPOT 1,261.55 ONEIL PRINTING INC 11,139.63 PACIFIC PONDEROSA CO INC 1,529.12 PITNEY BOWES RESERVE ACCOUNT 5,000.00 PRO PETROLEUM 20,346.76 QUALITY READY MIX INC 8,526.77 QUILL CORP 9,735.04 RC OWENS CONSTRUCTION 8,925.00 REST UR RUMP 1,200.00 RIGG LAW FIRM PLLC 2,711.50 SANDOVAL, PATRICK J 1,608.43 SECURUS TECHNOLOGIES INC 1,260.74 SHELL OIL 1,941.14 STANLEY SECURITY SOLUTIONS INC 1,117.03 TECHSOUP GLOBAL 1,920.00 THOMSON REUTERS WEST 2,432.30 ULINE INC 1,482.75 UNIFIRST CORPORATION 1,604.18 US POSTMASTER 1,000.00 VERIZON WIRELESS 6,766.51 WEBGROUP MEDIA LLC 1,632.00 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,205.33 WOODLAND BUILDING CENTER 1,570.38 YAVAPAI COUNTY GOVERNMENT 3,100.00 APACHE COUNTY TAX WITHHOLDING 145,821.73 ASRS LEGACY EORP 1,101.84 AZ STATE RETIREMENT SYSTEM 100,994.40 CORRECTIONS OFFICER RET PLAN 7,747.18 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,368.65 EORP LEGACY 1,288.26 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 7,616.75 PUBLIC SAFETY SHERIFF RET 42,336.57 AMAZON

CAPITAL SERVICES INC (IT DEPT) 2,682.16 ARIZONA LAW ENFORCEMENT RADAR TECHNOLOGY 1,327.30 CHEVRON USA INC 1,316.21 CS&S COMPUTER SYSTEMS 1,035.84 ELECTION SYSTEMS AND SOFTWARE 121,660.47 FILEONQ INC 5,000.00 HILLYARD/FLAGSTAFF 1,359.70 HOME DEPOT 1,050.29 INGRAM LIBRARY SERVICES 6,767.39 MASIMO AMERICAS INC 1,076.00 MASS TRANSCRIPTIONS 1,656.00 OFFICE OF THE AUDITOR GENERAL 9,000.00 PAGE STEEL 1,005.41 PTS OF AMERICA LLC 2,583.00 QUALITY READY MIX INC 7,089.60 QUILL CORP 3,582.65 RL'S A-1 AUTO BODY SHOP 1,574.12 ROAD MACHINERY LLC 18,667.66 SECURUS TECHNOLOGIES INC 1,723.58 ST JOHNS EMERGENCY SERVICES 1,448.95 SW ECOLOGY LLC 5,040.00 TATES AUTO CENTER OF GALLUP 2,257.44 TRAK ENGINEERING INC 13,161.50 TYLER TECHNOLOGIES INC 82,414.56 VALLEY AUTO PARTS 2,656.77 VERIZON WIRELESS 1,275.09 WHITE MOUNTAIN AMBULANCE SERVICE INC 1,277.15 DENNISON, ANDREW 1,561.00 TI-TEX DIST/RONNIE ELLIS 7,600.00 Specific details of the demands may be requested through the County public record request process. B. Approval of the minutes dated April 2, 2018 and May 1, 2018, May 2, 2018, May 4, 2018 and May 15, 2018. C. Request approval of a Fireworks Permit for the Alpine Fire District on July 7, 2018. Sheriff's Office approval is contingent on contacting Chief Eagar three (3) days prior to the event to review current fire conditions. Personnel Items: D. Chamber's Road Yard: Request approval to place employee Billy Stump on a leave of absence without pay for a period of no longer than 12 weeks in accordance with Section 3.6 of the Apache County Human Resources Policy Manual. Sheriff's Office: E. Request approval to sell a 2011 Dodge pickup to the Vernon Fire District for \$1,000.00. This vehicle has a blown engine. F. Discussion and possible approval to change the re-hire eligibility status for previous employee Connie Larios. Motion passed.

Paul Hancock, on behalf of Superior Court, requested approval to table the award for Bid#201803 "Lodge" to the July 3, 2018 Board of Supervisors meeting. This item was tabled from the May 1, 2018 meeting. A discussion was held regarding the procedures to table the item. Chairman Shepherd removed the agenda item.

Denise Jones, on behalf of the Assessor's Office, requested approval of the updated job description for each position in the Assessor's Office to bring the descriptions up to date and more current with what is actually going on in the department. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Barry Williams, School Superintendent, on behalf of the Apache County Schools Business Consortium: Discussion and possible approval to hire Joseph Broderick as a Network Administrator III with a starting salary of \$68,600.00 and to include reimbursement up to \$500.00 of actual relocation expenses per Human Resources Policy 1.7 Relocation Allowance. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Chief Deputy Sheriff Brannon Eagar requested approval to enter into an Intergovernmental Agreement regarding Northeastern Arizona Law Enforcement Training Academy (NALETA). Through this agreement, Apache and Navajo County law enforcement agencies provide instructors only when the agency deems them available, which also keeps law enforcement

instructor certifications current. **Mr. Shirley moved approval, seconded by M. Shepherd.** Motion passed.

Sheriff Dedman requested action to approve funding of an Apache County Sheriff's Office Criminal Investigation Division by converting one (1) vacant Lieutenant Detective position and four (4) vacant Deputy 1 positions to create one Commander position and three (3) Detective positions, then fill one (1) Commander starting at \$55,802.00; fill one (1) Lieutenant Detective starting at \$48,118.00 and three (3) Detective positions starting at \$41,492.00. Total cost including ERE's is \$452,072.00. a discussion was held regarding the item. Sheriff Dedman provided an overview of what the responsibilities of the new division would be. Mr. Shirley moved approval. Mr. Shepherd stated a second is needed and is a collaborative effort and needs input from newly appointed Supervisor Travis Simshauser. Mr. Shepherd stated he is not going to second the motion and still has questions; looking over the past year we have increased the deputies salaries and, just approved the detention employees and now there is a request to increase another \$400,000. Mr. Shepherd stated he doesn't know where the money is going to come from; sheriff's operations are in the red and go over each year and we need to make sure we are operation in the black and this increase will make it higher in the black and sooner or later we are going to deplete the coffers of the County. Mr. Shepherd stated he would like to see each district broke down to show how many calls are received, arrests, citations etc. Mr. Shepherd stated the Justice Court in Chinle has not received a single speeding citation so now he is a part time judge. Mr. Shepherd stated he would like to look at the whole proposal and how we are approaching this. Mr. Shepherd stated he always stands on the position this is one county and the services are equal, so until he gets that information and the new supervisor can give input he will not be seconding the motion. Mr. Whiting stated without a second to the motion, it dies for lack of a second. Sheriff Dedman requested the item be tabled until Supervisor Simshauser is sworn in. Chairman Shepherd stated he would like a report from Mr. Patterson on the status of the savings account and at what point will the funds be depleted if this item is approved. Chairman Shepherd tabled the item until Supervisor Simshauser can participate.

Mr. Patterson requested approval of a liquor license application recommendation for Jace Sanders, for Bumsteads, located at 40 County Road 2220, Alpine, Arizona. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Malena Bazarro, Economic Development, District III, requested approval of a six-month extension to grant contract #WFHF 16-203 between Arizona Department of Forestry & Fire and Apache County for continued mitigation of Whiting Homestead near Vernon, Arizona. Ms. Bazarro stated this is only to extend the timeframe, and there is no additional funding required. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Stephanie McCarty, Human Resources Manager, on behalf of the Engineering Department, requested approval to change the current Civil Engineering Aid II position to a Civil Engineering Aid III position and is a difference of \$3,049.00 and with ERE's is 3,642.00. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Stephanie McCarty, Human Resources Manager, on behalf of the Engineering Department, requested approval to add a GIS Manager position (range 66). This position will replace the

current Civil Engineering Technician II that will be vacated due to retirement in December. Ms. McCarty stated when the person retires the old position will go away. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Stephanie McCarthy, Human Resource Manager, requested approval to reorganize the Justice Courts, to eliminate the positions of Justice Court Clerk I (Range 24: \$22,940), II (Range 24: \$22,940), III (Range 26: \$24,101), and Chief Justice Court Clerk (Range 30: \$26,603) and to create the positions of Justice Court Clerk (Range 27: \$24,704), Senior Justice Court Clerk (Range 30: \$26,603), and Justice Court Coordinator (Range 38: \$32,414). The reorganization will result in an increase in salary range for all positions. Ms. McCarty stated this was brought to her attention during the budget process and she reached out to the other small counties and obtained information on their structure and salary. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Motion passed.

Craig Sullivan, Executive Director, County Supervisor's Association, provided a report on recent County Supervisors Association activities including a discussion on the recent legislative session and budget. No action was needed or taken.

Michael Whiting, County Attorney, presented the item following a possible executive session for legal advice, pursuant to ARS 38-431.03(A)(3), discussion and possible action regarding cessation of representation of Keller Rohrback Law Office, L.L.P.; and retain the services of Andrews & Thornton and Fenimore Craig P.C.; in same opioid matter. Mr. Whiting provided an update on the litigation services. **Mr. Shirley stated he did not believe there was the need for an executive session and moved approval, seconded by Mr. Shepherd.** Motion passed.

Chairman Shepherd opened the floor for call to the public.

Art Modica addressed the Board regarding the road issues on County Road 5270. Mr. Modica stated the methods used in maintaining that road are poor. Mr. Modica stated the school bus will not drive down it. Chairman Shepherd asked Mr. Patterson to have staff visit with Mr. Modica regarding his road.

Raymond Smith, Jr., a Navajo Nation Council Delegate, requested law enforcement services be expanded to other District to assist the Navajo Nation police. Mr. Smith stated there is office space near Sanders that is vacant, and a sheriff sub-office could be put there. Mr. Smith stated they also need fire services in the northern part of the county. Mr. Smith stated he is also concerned with the uranium levels at the middle and grammar schools in Sanders, Arizona. Mr. Smith stated the Lupton, N'hata Dziil and St. Michaels senior center in District III are hosting an Elder's Day and invited the supervisors to the event. Mr. Smith stated he is also interested in any of the books the county is disposing of to give some to the senior centers. Mr. Smith stated the roads in the northern part of District III are in need of repair as well.

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

Approved this 3rd day of July 2018.

/s/ Alton Joe Shepherd
Chairman of the Board

/s/ Ryan N. Patterson
Clerk of the Board