

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

June 6, 2023
St. Johns, Arizona

Present were, Vice Chairman Nelson Davis. Also present, Assistant Clerk of the Board Beth Bond, County Attorney Michael Whiting and Chief Deputy Attorney Celeste Robertson. Supervisor Joe Shirley, Jr. and County Manager/Clerk of the Board Ryan Patterson were excused from the meeting. Chairman Alton Joe Shepherd participated via the telephone and requested Vice Chairman Davis conduct the meeting.

Vice Chairman Nelson Davis 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.

Matt Fish gave the invocation.

Reuban Aranda led the Pledge of Allegiance.

Vice Chairman Davis called for the Health District item.

Kimberly Cole, Health Director, requested approval of Intergovernmental Agreement Amendment #6 for Women, Infant, Children and Breastfeeding Peer Counseling (WIC and BFPC services) which increases the grant amount to \$97,808 for FY23. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Motion passed.

Mr. Shepherd moved to adjourn the Health District meeting, seconded by Mr. Davis. Motion passed.

Vice Chairman Davis called for the regular agenda items.

Beth Bond presented the Consent agenda items A-K and recommended approval. **Mr. Shepherd moved approval, seconded by Mr. Davis.** County Manager/Clerk of the Board Request approval of demands as distributed to the Apache County Board of Supervisors between May 2, 2023 to June 6, 2023. Payee Amount HOME DEPOT 1,266.46 APACHE COUNTY HSA 4,559.39 APACHE COUNTY MEDICAL 170,833.97 APACHE COUNTY TAX WITHHOLDING 170,065.58 ASRS LEGACY EORP 10,075.98 AZ STATE RETIREMENT SYSTEM 130,528.54 COLONIAL LIFE AND ACCIDENT INS 1,139.10 CORRECTIONS OFFICER RET PLAN 11,964.69 CORRECTIONS OFFICER RETIREMENT PLAN 520 1,137.72 EORP LEGACY 2,777.35 NATIONWIDE 3,045.10 NATIONWIDE TRUST FSB 2,891.20 PUBLIC SAFETY PERSONNEL 401 14,035.08 PUBLIC SAFETY SHERIFF RET 11,048.99 SUPPORT PAYMENT CLEARINGHOUSE 1,424.82 ADVANCED AIR SYSTEMS LLC 1,685.00 AMAZON CAPITAL SERVICES INC 5,183.58 APACHE COUNTY 4-H LEADERS COUNCIL 1,000.00 B&R TRUCKING 9,702.00 BAUMAN HOME AND AUTO INC (CARQUEST) 2,331.18 BEACON FIRE AND SECURITY LLC 6,900.57 CORDANT HEALTH SOLUTIONS 1,256.52 DESERT

MOUNTAIN CORPORATION 20,262.06 EMPIRE MACHINERY 2,726.36
EMPIRE POWER SYSTEMS 5,040.05 FRONTIER 1,662.57 MOUNTAIN COMFORT
HEATING AND COOLING 3,095.90 NATIONAL BUSINESS FURNITURE 4,456.40
NAVAJO TRIBAL UTILITY AUTHORITY 1,262.03 NAVOPACHE ELECTRIC
COOPERATIVE 6,416.54 NORTH COUNTRY COMMUNITY HEALTH 5,000.00
PINAL COUNTY ARIZONA 14,227.00 PITNEY BOWES RESERVE ACCOUNT
5,000.00 PRAGMATICA LLC 9,500.00 QUILL CORP 4,264.29 KODY RICHARDSON
1,800.00 RIGG LAW FIRM PLLC 5,000.00 CELESTE ROBERTSON 2,421.92
RUSH TRUCK CENTER 1,247.66 SAFELITE AUTO GLASS 1,652.29 SAN TAN FORD
203,283.77 SECURUS TECHNOLOGIES INC 1,781.48 SIERRA PROPANE 3,868.25
SOUTHERN TIRE MART LLC 33,838.66 VERIZON WIRELESS 3,380.43 WHITE
MOUNTAIN COMMUNICATIONS 72,606.28 YAVAPAI COUNTY GOVERNMENT
8,250.00 JAY YELLOWHORSE 1,037.60 SUPPORT PAYMENT CLEARINGHOUSE
1,199.82 DRAKE EQUIPMENT OF ARIZONA INC 1,256.99 4IMPRINT 5,440.19
ADVANCED AIR SYSTEMS LLC 13,937.50 ADVANCED CORRECTIONAL
HEALTHCARE INC 39,086.01 ALLEGRA 1,115.83 AMAZON CAPITAL SERVICES INC
3,466.09 AMIGO CHRYSLER DODGE JEEP RAM 5,360.85 B&R TRUCKING
10,548.58 BAUMAN HOME AND AUTO INC (CARQUEST) 1,535.32 BCB INVESTMENTS
4,603.04 BEHAVIORAL HEALTH WELLNESS PROGRAM 1,200.00 BRAD HALL &
ASSOCIATES INC 34,189.54 COALITION OF ARIZONA NEW MEXICO COUNTIES
2,600.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS 2,825.75 CRESCENT
ELECTRIC SUPPLY CO 3,487.00 ELECTION SYSTEMS AND SOFTWARE
6,237.82 EMPIRE MACHINERY 6,278.70 FLEET PRIDE 1,544.07 FRONTIER 4,217.14
FUTURE TIRE 2,128.99 GALL'S INC 1,314.01 GLAXO SMITHKLINE PHARMACY
1,086.81 REDACTED 2,200.00 ROBERT JAMES HIGGINS 2,318.58 REDACTED 2,300.00
LESUEUR ADVANCE AUTOMOTIVE LLC 3,004.89 REDACTED 1,500.00 MEAD
PUBLISHING 2,575.00 MOUNTAIN COMFORT HEATING AND COOLING 4,894.81
NAVAJO TIMES PUBLISHING COMPANY INC 4,096.86 NAVAJO TRIBAL UTILITY
AUTHORITY 9,184.79 NTUA WIRELESS, LLC 5,220.02 PEACE CHAPEL FUNERAL
HOME 7,155.80 DOUGLAS LANCE PEARCE 1,147.77 QUILL CORP 5,284.56
RHINEHART OIL CO 13,851.72 KODY RICHARDSON 1,167.00 ROUND VALLEY ELKS
BOOSTER CLUB LLC 1,000.00 SECURUS TECHNOLOGIES INC 1,432.99 SITECH
SOUTHWEST LLC 4,026.60 STANTEC CONSULTING SERVICES 9,348.39 TRACTOR
SUPPLY CO 1,728.11 TREAD MASTERS TIRE & LUBE 1,193.49 VERIZON WIRELESS
1,321.35 WRIGHT EXPRESS FSC WEX 5,452.57 GROVER HILLS CONSTRUCTION
LLC 77,443.65 MOUNTAIN COMFORT HEATING AND COOLING 2,614.52
CHRISTOPHER R PADILLA 1,000.00 NATIONAL BANK 29,679.85 ADLERHORST
INTERNATIONAL LLC 12,930.00 ADVERTISING IDEAS 4,963.40 ALLEGRA
2,006.39 AMAZON CAPITAL SERVICES INC 5,476.13 AMIGO CHRYSLER DODGE JEEP
RAM 2,233.38 APACHE COUNTY YOUTH DEVELOPMENT FOUNDATION 2,000.00 AZ
DEPT OF RISK MANAGEMENT 1,664.86 AZLGEBT 346,566.39 B&R TRUCKING 9,828.87
BAUMAN HOME AND AUTO INC (CARQUEST) 2,785.30 BRAD HALL & ASSOCIATES
INC 63,856.48 BAUER K BROWN 1,002.60 BUTLER'S OFFICE EQUIPMENT & SUPPLY
INC 1,256.20 C & E CONCRETE INC 2,957.98 CDW GOVERNMENT LLC 7,333.09
ALBERT N CLARK 1,151.67 CONSOLIDATED ELECTRICAL DISTRIBUTORS
3,755.83 CONTRACT PHARMACY SERVICES INC 19,050.51 CREATIVE MULTIMEDIA

INC (CMI) 15,478.75 DELL COMPUTER CORPORATION 15,866.52
EDTECHNOLOGYFUNDS INC 2,999.00 EMPIRE MACHINERY 12,476.69
FUTURE TIRE 7,608.72 GALL'S INC 1,275.52 GALLUP INDEPENDENT 1,731.04
GOVERNMENT FORMS & SUPPLIES LLC 1,550.00 KLINT HEAP 1,608.02
HILLYARD/FLAGSTAFF 2,306.13 LAW OFFICE OF MICHAEL S PENROD PLC
6,592.00 LSQ GROUP HOLDINGS LLC 3,597.10 MOUNTAIN COMFORT HEATING AND
COOLING 3,824.02 MUNICIPAL EMERGENCY SERVICES INC 3,538.47
NATIONAL PEN CO LLC 4,752.22 NAVAJO COUNTY 6,000.00 NAVAJO TRIBAL
UTILITY AUTHORITY 1,426.24 O'REILLY AUTO PARTS 3,389.75
PSYCHOLOGICAL AND CONSULTING SERVICES 2,500.00 QUALITY CARQUEST
1,070.71 QUILL CORP 1,386.57 RHINEHART OIL CO 10,703.09 SAFETY KLEEN 1,079.00
SALT RIVER PROJECT - SRP – MARS 1,091.00 SECURUS TECHNOLOGIES INC 1,818.56
SKAGGS PUBLIC SAFETY UNIFORMS & EQUIPMENT 1,233.43 ST JOHNS CITY
1,147.33 ST JOHNS EMERGENCY SERVICES 9,149.86 THE AARONS COMPANY LLC
3,000.00 THOMSON REUTERS WEST 8,575.16 TRINITY SERVICES GROUP INC
23,639.84 UNITED RENTALS 1,234.37 WHITE MOUNTAIN AMBULANCE SERVICE INC
1,028.50 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,485.70
SAMUEL A WOOD 2,455.63 APACHE COUNTY HSA 4,644.39 APACHE COUNTY
MEDICAL 170,854.02 APACHE COUNTY TAX WITHHOLDING 174,641.40 ASRS
LEGACY EORP 10,075.98 AZ STATE RETIREMENT SYSTEM 133,327.34 COLONIAL
LIFE AND ACCIDENT INS 1,139.10 CORRECTIONS OFFICER RET PLAN 12,486.44
CORRECTIONS OFFICER RETIREMENT PLAN 520 1,137.72 EORP LEGACY
2,777.35 NATIONWIDE 3,258.86 NATIONWIDE TRUST FSB 2,896.21 PUBLIC SAFETY
PERSONNEL 401 14,035.08 PUBLIC SAFETY SHERIFF RET 11,066.26 SUPPORT
PAYMENT CLEARINGHOUSE 1,199.82 AMAZON CAPITAL SERVICES INC 7,649.95
AMIGO CHRYSLER DODGE JEEP RAM 15,554.36 APACHE COUNTY 4-H LEADERS
COUNCIL 1,000.00 AZ DEPT OF HEALTH SERVICES 1,040.00 AZ NARCOTICS
OFFICERS ASSN 1,800.00 AZ NARCOTICS OFFICERS ASSN 5,000.00 AZ SUPREME
COURT 1,440.00 B&R TRUCKING 4,932.39 BAUMAN HOME AND AUTO INC
(CARQUEST) 1,196.32 BLUE HILLS ENVIRONMENTAL 47,639.99 BREWER LAW
OFFICE PLLC 8,500.00 ALANA MARIE CASTILLO 1,065.47 CHARM-TEX 1,945.00
CONTINUANT INC 1,237.16 COURTESY AUTO OF MESA LLC 1,013.47
CECILIA DIAZ 6,275.75 ELECTION SYSTEMS AND SOFTWARE 47,436.73
EMPIRE MACHINERY 4,065.85 EPIC MOTORSPORTS CORP 3,559.92 HAMBLIN LAW
OFFICE PLC 8,500.00 HOUSTON BARRICADE & SUPPLY LLC 24,695.90 INGRAM
LIBRARY SERVICES 10,144.43 JAMES KEMP THIN BLUE LINE LANDSCAPING
10,488.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,106.36 NAVOPACHE ELECTRIC
COOPERATIVE 19,244.22 KEIRSTEN NIELSEN 7,608.00 PACIFIC PONDEROSA CO INC
4,278.78 DANA BRYCE PATTERSON 8,500.00 PIMA COUNTY MEDICAL 5,000.00
QUILL CORP 4,240.14 R JOHN R JOHN LEE ATTORNEY AT LAW 8,500.00 RELIABLE
BACKGROUND SCREENING 1,521.80 RHINEHART OIL CO 23,254.38 SAFE LIFE
DEFENSE, LLC 7,654.03 SAFELITE AUTO GLASS 1,097.90 SECURUS TECHNOLOGIES
INC 2,089.61 SIERRA PROPANE 1,353.93 SNAP-ON INDUSTRIAL 6,675.08 SOUTHERN
TIRE MART LLC 1,844.12 ST JOHNS EMERGENCY SERVICES 1,186.98 SUMMIT
HEALTHCARE ASSOCIATION INC 1,388.27 SUMMIT HEALTHCARE MEDICAL
ASSOCIATES 3,400.00 THE GUIDANCE CENTER 1,000.00 THOMSON REUTERS WEST

1,300.99 TRANE US INC 8,794.00 VERIZON WIRELESS 1,373.73 WHITE MOUNTAIN PUBLISHING CO 2,252.14 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 3,203.44 YAZZIE'S AUTO PARTS INC 2,371.10 AMIGO CHRYSLER DODGE JEEP RAM 1,696.34 CELESTE ROBERTSON 1,100.48 LARRY H MILLER FORD MESA 79,999.88 A TOW TO THE RESCUE & RECOVERY 1,030.00 ADVANCED AIR SYSTEMS LLC 4,086.00 AMAZON CAPITAL SERVICES INC 8,187.79 APACHE COUNTY YOUTH COUNCIL 4,893.00 AT&T MOBILITY LLC (FIRSTNET) 3,421.01 B&R TRUCKING 10,495.22 BAUMAN HOME AND AUTO INC (CARQUEST) 1,107.43 BLUE HILLS ENVIRONMENTAL 2,579.14 BOB BARKER COMPANY INC 1,867.13 BURNHAM MORTUARY 1,000.00 CHALMERS FORD INC 20,074.11 CHAMPION FORD 1,536.89 John Lucas COMMUNITY BROADBAND ADVOCATES LLC 9,786.06 FRONTIER 4,222.70 FRONTIER 1,791.03 FRONTIER 1,430.30 GLAXO SMITHKLINE PHARMACY 5,483.09 HOME DEPOT 1,204.01 HP2 INC 2,810.85 J & J SIGNS AND DESIGNS 1,210.00 JAIME HULSEY 1,598.32 KTNM RADIO STATION 2,862.00 LSQ GROUP HOLDINGS LLC 3,618.49 NAVAJO TIMES PUBLISHING COMPANY INC 1,645.12 NAVAJO TRIBAL UTILITY AUTHORITY 5,105.97 NAVOPACHE ELECTRIC COOPERATIVE 4,886.18 NORTHEASTERN ANESTHESIA PLLC 1,500.00 OVERDRIVE INC 1,534.92 PCLIQUIDATIONS.COM 2,209.62 PINAL COUNTY ARIZONA 10,410.00 PREMIUM PROPANE LLC 1,377.85 QUILL CORP 4,500.99 REDW LLC 15,150.00 ROBERTS TIRE SALES INC 1,200.00 SANOFI PASTEUR INC 12,750.19 SECURUS TECHNOLOGIES INC 1,989.74 SIERRA PROPANE 1,712.44 SOUTH FORK PROPERT LLP 4,500.00 ST JOHNS EMERGENCY SERVICES 1,443.49 VERIZON WIRELESS 1,358.14 JOYCLYNN WHITING 2,696.34 YAZZIE'S AUTO PARTS INC 1,174.01 APACHE COUNTY HSA 5,219.39 APACHE COUNTY MEDICAL 172,033.74 APACHE COUNTY TAX WITHHOLDING 160,069.64 ASRS LEGACY EORP 10,075.98 AZ STATE RETIREMENT SYSTEM 126,337.35 COLONIAL LIFE AND ACCIDENT INS 1,040.07 CORRECTIONS OFFICER RET PLAN 12,509.20 CORRECTIONS OFFICER RETIREMENT PLAN 520 1,137.72 EORP LEGACY 2,777.35 NATIONWIDE 3,258.86 NATIONWIDE TRUST FSB 2,896.21 PUBLIC SAFETY PERSONNEL 401 14,035.08 PUBLIC SAFETY SHERIFF RET 10,392.43 SUPPORT PAYMENT CLEARINGHOUSE 1,047.32 CONDITIONED RESPONSE TRAINING 2,843.73 BO HOUNSHELL 2,100.00 LORIE KNOBBE 4,500.00 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 May 2, 2023. C. Request approval of the tax exemption for the Archaeological Conservatory for parcels 105-01-001C, 108-08-002B, 104-19-006 and 104-19-006A, pursuant to ARS 42-11153. The exemption was filed late due to an administrative change within the organization. D. Request approval of an application and resolution to accept Salt River Pima-Maricopa grant funds on behalf of the Vernon Fire District. Treasurer's Office: E. Request approval of the Affidavit of Scrivener's Error for the following parcels 201-40-112B and 201-40-111A. Emergency Management: F. Request approval of a resolution to designate Brian Hounshell, the Director of Emergency Management, the Authorized Representative and Ferrin Crosby, County Engineer, as the Alternate Authorized Representative for Public Assistance. G. Request approval to end the State of Emergency for Resolution 2023-01 Snow and Mud in Apache County, entered on January 18, 2023 and Resolution 2023-09 Flooding at Chinle Wash in District 1, entered on April 24, 2023. H. Request approval to accept the Healthy Forest Initiative Grant (Agreement No. HFI 22-324) from AZ Department of Forestry and Fire Management in the amount of \$213,000. County

Attorney: I. Request approval of an Independent Contractor Agreement with Taylor Law Office for as needed legal services. Community Development: J. Request approval to waive the \$300 fee for a Temporary Use Permit allowing the Alpine Action Alliance, a non-profit organization to host a Community Fun Day charity event to include a cornhole tournament, kids games, and food vendors. The event will be held June 10, 2023. K. Request approval to waive the \$300 fee for a Temporary Use Permit allowing Terry Fillipi to host a two (2) day Alpine Country Blues Festival, the event will include food vendors, musical entertainment, and a beer and wine garden. The event will be held June 16 – 17, 2023. Vote was unanimous for Consent Agenda items A-K.

Chris Padilla, on behalf of the Engineering Department, requested approval to abandon a portion of Eden Avenue lying adjacent to lots 43 through 46 - Public Easement in Section 4, Township 10 North, Range 24 East, of Cedar Ridge Unit 2 in Apache County, Arizona. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Motion carried.

**RESOLUTION OF THE BOARD OF SUPERVISORS
ABANDONMENT OF A PORTION OF EDEN AVENUE WITHIN CEDAR RIDGE UNIT II
RESOLUTION NO: 2023-13**

WHEREAS a request has been made by James Keeley that the Apache County Board of Supervisors abandon a portion of, Eden Avenue lying adjacent to lots #43 thru #46 Public Easement in Section 4, Township 10 North, Range 24 East, of Cedar Ridge U2 Apache County, Arizona as it is recorded in the records of Apache County Land Surveys Book 2, Page 34, and

WHEREAS said Roadway or County Road lying adjacent to Eden Avenue lying adjacent to lots #43 thru #46 is a public easement, for the use of the public; and

WHEREAS said portion of road is surrounded by lots #43 through lot #46 said lots are owned by one owner; being: James Keeley; and

WHEREAS it appears that such roadway is not necessary for public use as a roadway,

BE IT FURTHER RESOLVED THAT Apache County hereby abandons the roadway and extinguishes the easement without compensation from the owners per ARS 28-7208 and 7214; reserving unto the same any easement for utility purposes.

NOW THEREFORE BE IT RESOLVED The Board of Supervisors of Apache County, Arizona that the portion of roadway known as County Road Eden Avenue lying adjacent to lots #43 thru #46 to as described in **Exhibit “A”** is hereby abandoned and extinguished for roadway purposes in accordance with the legal description in **Exhibit “A”**, all the right, title, claim and interest of the County of Apache and the public therein is hereby conveyed to the owner of the abutting land. Said Portion of Eden Avenue, more accurately described in exhibit A.

Passed and adopted by the Apache County Board of Supervisors this 6th day of June 2023.

/s/ **Alton Joe Shepherd**
Chairman, of the Board

ATTEST:
/s/ **Ryan N. Patterson**
Clerk of the Board

APPROVED AS TO FORM:

/s/ Michael Whiting,
County Attorney

EXHIBIT "A"

ABANDONMENT

That portion of Eden Avenue lying adjacent to Lots 43 thru 46 of Cedar Ridge, Unit 2, as shown on the plat recorded in Book 2 of Town Site Maps, Page 34, Apache County Records, being located in
Section 4,

Township 10 North, Range 24 East, Gila & Salt River Meridian, Apache County, Arizona, said portion being more particularly described as follows: Commencing at the Southeast corner of said Lot 46; THENCE North 0° 01' 40" East, along the East side of said Lot 46, being the basis of this description, a distance of 144.10 feet to the POINT OF BEGINNING;

THENCE North 0° 01' 40" East, a distance of 121.38 feet to the beginning of a non-tangent curve concave southerly, said curve has a radius of 50.00 feet, to which a radial line bears South 29° 55' 35" west;

THENCE easterly along said curve through a central angle of 60° 00' 10" an arc distance of 52.36 feet;

THENCE South 0° 01' 40" West a distance of 121.38 feet to the beginning of a non-tangent curve concave southerly, said curve has a radius of 50.00 feet, to which a radial line bears North 30° 01' 40" East;

THENCE westerly along said curve through a central angle of 60° 00' 00" an arc distance of 52.36 feet to the POINT OF BEGINNING.

Said parcel contains 0.14 acres, more or less. Said parcel is subject to existing easements, rights of way and restrictions of record.

Chris Padilla, on behalf of the Engineering Department, requested approval of a contract with G-WORKS who bought out Pubworks with no change in annual fees. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Motion carried.

Chris Padilla, on behalf of the Engineering Department, requested approval to enter into a contract with Ardurra Engineering in the amount of \$97,300. Mr. Padilla stated Adurra Engineering will provide the professional services of designing and creating plans for the reconstruction of County Road 5020. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Motion carried.

Chris Padilla, on behalf of the Engineering Department, requested approval to update yearly annual pricing with Desert Mountain for dust suppression and road stabilization products. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Motion carried.

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

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

Approved this 27th day of June, 2023.

/s/ Alton Joe Shepherd
Chairman of the Board

/s/ Ryan N. Patterson
Clerk of the Board