

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
June 7, 2016  
St. Johns, Arizona**

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

Chairman Shirley called to order the Board of Supervisors meeting at 8:32 a.m. in the Chinle District I Road Yard, Administrative Building, U.S. Highway 191 mile post 446.9 and welcomed all in attendance.

Kirk Arviso gave the invocation.

Rodger Dahozy led the Pledge of Allegiance.

Barry Aarons, the Aarons Company a lobbyist for the County provided an overview of the 2016 Legislative Session Wrap-up. No action was needed or taken.

Chairman Shirley tabled the item for Doyel Shamley, Natural Resources Liaison regarding an update on the Apache County stewardship work on thinning and wildfire protection in Alpine.

Mr. Wengert, on behalf of Community Development, requested approval of a Reversion to Acreage application allowing Robert M. & Linda S. Conant to revert part of Tal-WI-WI in the Pines, lots 26 & 27 back to acreage. Mr. Wengert stated the property is located near Alpine, parcel 101-54-063 and 064 and the Planning and Zoning Commission approved the application unanimously. Mr. Wengert stated this item was tabled from the previous meeting when the public hearing was held. Mr. Weller expressed his concerns and issues with the application. Mr. Shirley asked if the process was in good standing. Mr. Whiting stated yes. Mr. White stated that everything looked in proper order and moved approval, seconded by Mr. Shirley. Mr. Wengert stated all the proper processes have been followed, had an extensive review, and the public had time to comment and no one has. Mr. Weller stated he disagreed that the proper process was followed. A discussion was held regarding the application process. Motion passed 2-1 with Mr. Weller voting nay.

Mr. Wengert presented the **Consent Items A-E**. Mr. Weller moved to remove **A, B** and **C** for discussion and separate action and to approve **Consent Items D & E**. Hearing no second, motion died. Mr. White moved to approve Consent Items A-E, seconded by Mr. Shirley. Mr. Weller expressed his concern with approving the demands, stating he had not received the requested reports on six bank accounts overseen by the County Attorney. Mr. Weller stated in Consent Item B, the minutes from May 17, 2016 omitted critical discussion and questions. Mr. Weller stated his concern with **Consent Item C** is, he has not received any reports from the Liaison for the Transportation assessment. A discussion was held regarding Mr. Weller's concerns. Consent Items: A. Request approval of demands as distributed to the Apache County Board of Supervisors between May 3, 2016 to May 17, 2016. Payee Amount APACHE COUNTY HSA 2,031.67 APACHE COUNTY MEDICAL 135,941.51 APACHE COUNTY TAX WITHHOLDING 137,587.73 ASRS LEGACY EORP 1,009.62 AZ STATE RETIREMENT SYSTEM 88,419.36 COLONIAL LIFE AND ACCIDENT INS 1,248.50 CORRECTIONS OFFICER RET PLAN 5,797.98 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,569.61 NATIONWIDE 1,605.00 PUBLIC SAFETY PERSONNEL 401 11,393.58 PUBLIC SAFETY SHERIFF RET 41,984.47 SECURITY BENEFIT GROUP 1,111.00 SUPPORT PAYMENT CLEARINGHOUSE 2,126.35 ADVERTISING IDEAS 1,014.00 ALLEGRA

1,263.33 ARIZONA WIRELESS AND RADIO INC 3,973.44 AZ BRAKE & CLUTCH SUPPLY  
3,714.80 AZ DEPT OF HEALTH SERVICES 1,645.00 BLUE HILLS ENVIRONMENTAL 34,048.34  
BRADCO 1,047.72 CDW GOVERNMENT LLC 2,388.24 CORONADO LAW FIRM PLLC 2,410.00 D  
AND A BODY SHOP 6,092.57 DAVID J MARTIN PLLC 3,897.00 DIAMOND DRUGS INC 6,037.52  
EMERY K LA BARGE ATTORNEY AT LAW 1,210.00 EVENFLO COMPANY INC 4,871.55 GENES  
FRAME & ALIGNMENT INC 3,208.00 GOODYEAR AUTO SERVICE 2,078.68 HAMBLIN LAW  
OFFICE PLC 8,500.00 HATCH CONSTRUCTION 18,992.41 HILLYARD INC 1,231.19 INGRAM  
LIBRARY SERVICES 4,116.14 KTNM RADIO STATION 1,680.00 LAW OFFICE OF DIRK LEGATE  
PLLC 8,527.50 MESA ENTERPRISES INC 2,553.16 MONUMENT RESOURCES 6,575.44 MOORE  
MEDICAL LLC 1,068.62 NAVAJO COUNTY 7,500.00 NAVOPACHE ELECTRIC COOPERATIVE  
4,389.25 NEVES UNIFORMS & EQUIPMENT 1,206.43 OVERDRIVE INC 1,112.32 PATTERSON,  
DANA BRYCE 8,783.25 PHOENIX MARRIOTT MESA 1,231.38 PIMA COUNTY MEDICAL 2,000.00  
PIMENTEL CONTRACT CLEANING 3,350.00 PRO PETROLEUM 14,232.32 QUILL  
CORP 2,671.24 REIDHEAD, BRANDY 3,205.00 SALINE LAW GROUP PLLC 2,370.50 SECURUS  
TECHNOLOGIES INC 1,240.92 SHAMROCK FOODS COMPANY 1,427.39 SHI INTERNATIONAL  
CORP 1,552.72 THE UNIVERSITY OF ARIZONA 6,250.00 THOMSON REUTERS WEST 1,572.12  
VALLEY AUTO PARTS 1,582.43 VERIZON WIRELESS 1,871.04 WHITING, MICHAEL B 1,260.52  
WILLIAMS LAW GROUP PLLC 8,500.00 YOUNGS FUTURE TIRE 1,148.46 HEINFELD MEECH  
AND CO PC 11,750.00 LEE, BREANNA LYNNE 1,652.13 NACOG 10,525.00 NAVAJO TRIBAL  
UTILITY AUTHORITY 1,649.22 NAVOPACHE ELECTRIC COOPERATIVE 9,555.68 SHELL OIL  
2,360.47 ASHTONS REPAIR INC 1,144.84 AVAYA COMMUNICATIONS 1,381.19 AZ ASSN OF  
COUNTIES 12,478.87 BILLS DISCOUNT AUTO PARTS (NAPA) 1,799.26 CELLULAR ONE NE AZ  
1,021.88 CRESCENT ELECTRIC SUPPLY CO 1,855.59 DELL COMPUTER CORPORATION  
1,637.80 EARTH MOVER TIRE SALES INC 3,857.27 EMPIRE MACHINERY 1,033.44  
FERRELLGAS 1,722.70 GARDNER, SAMUEL TODD 3,035.00 HILLYARD INC 1,266.41 HUGHES  
SUPPLY INC (LAKESIDE) 1,039.01 INGRAM LIBRARY SERVICES 1,104.50 KATHLEEN M  
MCGUIRE PSY D LLC 2,752.50 KTNM RADIO STATION 1,680.00 LITTLE COLORADO  
BEHAVIORAL HEALTH CENTERS INC 1,212.50 MOUNTAIN COMFORT HEATING AND  
COOLING 6,950.00 NAVAJO NATION WATER CODE ADMIN 3,175.00 OVERDRIVE INC 3,457.90  
PACIFIC PONDEROSA CO INC 1,564.08 PROFORCE LAW ENFORCEMENT 1,221.33 QUILL  
CORP 1,123.22 SECURUS TECHNOLOGIES INC 2,085.65 SPYGLASS GROUP LLC  
11,940.78 ST JOHNS CITY 9,640.33 THOMSON REUTERS WEST 1,671.52 VERITAS  
RESEARCH CONSULTING 1,880.00 WALL, JUANITA 1,395.00 APACHE COUNTY HSA 2,031.67  
APACHE COUNTY MEDICAL 136,726.31 APACHE COUNTY TAX WITHHOLDING 133,842.23  
ASRS LEGACY EORP 1,009.62 AZ STATE RETIREMENT SYSTEM 89,743.81 COLONIAL LIFE  
AND ACCIDENT INS 1,285.17 CORRECTIONS OFFICER RET PLAN 5,666.16 CORRECTIONS  
OFFICER RETIREMENT PLAN 520 4,504.36 NATIONWIDE 1,605.00 PUBLIC SAFETY  
PERSONNEL 401 11,393.58 PUBLIC SAFETY SHERIFF RET 45,897.51 SECURITY BENEFIT  
GROUP 1,111.00 SUPPORT PAYMENT LEARNINGHOUSE 2,126.35 AMAZON COM INC 5,212.65  
AZ DEPT OF CORRECTIONS 7,574.07 BEST WESTERN – CANYON DECHELLY MOTEL INC  
1,079.50 BOUND TREE MEDICAL LLC 3,480.29 BRADCO 14,870.02 CLYDE, VICTOR J 1,483.06  
DELL COMPUTER CORPORATION 2,113.48 EMPIRE MACHINERY 38,026.26 FRONTIER  
4,365.98 GALLUP CUSTOM TINTING 2,626.42 GOODYEAR AUTO SERVICE 2,736.90 HILLYARD  
INC 1,868.87 INGRAM LIBRARY SERVICES 3,176.40 NORCHEM DRUG TESTING  
LABORATORY 1,274.60 OVERDRIVE INC 2,943.91 PITNEY BOWES RESERVE ACCOUNT  
5,000.00 QUILL CORP 4,739.05 RICO MOTOR COMPANY INC 29,900.00 SHI INTERNATIONAL  
CORP 2,181.42 TRINITY SERVICES GROUP INC 16,520.70 UNIVERSAL FLEET CARD 1,832.84  
VALLEY AUTO PARTS 2,579.92 VERITAS RESEARCH CONSULTING 1,440.00 VERIZON  
WIRELESS 2,877.58 WHITE MOUNTAIN PERFORMANCE 1,453.82 YOUNGS FUTURE TIRE  
1,158.79 ADHS AZ HEALTH CARE COST 22,400.00 BANK OF THE WEST – 4747 2,172.17  
CONSOLIDATED INDUSTRIES LLC 4,500.00 D AND A BODY SHOP 5,981.19 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 revised minutes dated

May 3, 2016, minutes dated May 17, 2016 and minutes dated May 24, 2016. **C.** Request renewal of Northern Arizona Council of Government, Economic Development Administration (EDA) Assessment in the amount of \$5,507.00 and the Rural Transportation Liaison Assessment in the amount of \$5,018.00. **D.** Request approval of a fireworks permit for Alpine Fire District for a fireworks display on July 2, 2016. The site of the display will be located on County Road 2311 at the Alpine Sanitary District treatment plant. Personnel Items: **E.** Probation Services: Notification of retirement of Bob Kirk, Probation Officer II, effective June 24, 2016 and request authorization to pay out his accumulated sick leave in accordance with Apache County Human Resources Policy 3.25. Motion passed to approve **Consent Items A-E** with a 2-1 vote with Mr. Weller voting nay. Mr. Wengert requested approval to accept a one-time payment of \$50,000 from the Arizona State Forester. This amount will be passed through to ECO for County environmental programs. Mr. White moved approval, seconded by Mr. Shirley. Mr. Weller stated he cannot support funding to an organization such as ECO which has worked against Apache County on critical issues such as the Mexican grey wolf and forest thinning issues. Motion passed with a 2-1 vote with Mr. Weller voting nay.

Mr. Wengert requested approval of a proposal from American Tower Corporation to amend the lease for cell tower site 280688-Lyman Lake to allow payment of \$185,000 for the entire term of the lease that rather than monthly payments. Mr. Weller expressed his concerns with the lump amount payment change to the contract. Mr. Weller moved to table the item until June 21, 2016 so the contract could be reviewed, seconded by Mr. White. Vote was unanimous.

Judge Allen Perkins, on behalf of Superior Court, presented the item pursuant to ARS 8-323, requesting all the Justice of the Peace within the jurisdiction of Apache County, be appointed as Juvenile Hearing Officers for the cases authorized by ARS 8-323, effective June 7, 2016. Mr. White moved to approve, seconded by Mr. Weller. A discussion was held regarding which court would handle the court filings, training and the costs associated with any necessary training. Judge Butch Gunnels addressed the board and stated all training would be at no cost. Vote was unanimous.

Ada Guinn, on behalf of Probation Services, requested approval to provide \$2,288 in matching funds for an ongoing Family Counseling Grant. The State of Arizona will disburse \$11,904 for a total of \$14,192. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Ada Guinn, on behalf of Probation Services, requested approval of the appointment of Ryan Patterson, Director of Finance as the Chief Fiscal Officer for both Adult and Juvenile Divisions in accordance with ARS 12-268A and the AZ Code of Judicial Administration, Part 6, Sections 6-206 & 6-301. Mr. White moved approval, seconded by Mr. Weller. Vote was unanimous.

Mr. Wengert, on behalf of the Election Department, requested approval to publish the Call and Notice of Election for the Nutrioso Fire District Recall to be held November 8, 2016. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Delos Bond, on behalf of the Engineering Department, requested approval to abandon East 300 feet of County Road 3201 in Park Show Low, Unit 1. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Barry Weller, District III Supervisor, requested action on improved communication for the public, to all parts to the County, of Board of Supervisors (BOS) meetings; live streaming of BOS meetings, web site access to video of BOS meetings, web site access to BOS audio recordings, live camera/remote attendance, detail of minutes produced. Mr. Weller stated we have invested tens of

thousands of dollars in audio and video capability, travel and training in all three districts for video capability, it seems time to start receiving some benefit to that cost. Mr. Weller moved to have the Apache County Information Technology (IT) Department to report to the Board at the June 21, 2016 Board meeting, the final steps needed to start live streaming the Board meetings, if costs are reasonable. Mr. White stated he did not believe that was an item that needed a motion; if Mr. Weller wanted IT to give a report, they can. Motion died for lack of a second. Mr. Weller made the motion to allow the cameras already in place, to record Board meetings and provide audio and video recordings to the public at nominal costs by a simple internet request and the fee schedule would be determined later by the Board of Supervisors. Motion died for lack of a second. Mr. Weller made the motion to have the Board start utilizing the existing two-way camera on each of the Supervisors' desk computers to use when a supervisor is traveling so there communication. Motion died for lack of a second. Mr. Weller stated his motions are to help improve the communication to all citizens in all three districts and moved to continue the practice of full transcription of all Board of Supervisors meetings and discussions into the meeting minutes to continue to allow the public full access to the discussions that take place by going online and reading the minutes. A discussion was held regarding what other counties in Arizona include in their minutes. Motion died for lack of a second.

Chairman Shirley opened the floor for call to the public.

Lenora Fulton, County Recorder, stated she would also like to hear more from IT on cameras in the Board room and would like IT to come give a report to see the possibilities.

Marleita Begay, County Treasurer, addressed the Board and stated in regard to the minutes, she would like things like contracts to be more specific in transcribing in more detail would be beneficial.

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

Approved this 21st day of June, 2016

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

/s/ Delwin Wengert  
Clerk of the Board