

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
March 3, 2015
St. Johns, Arizona**

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

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

Betty Smith led the Pledge of Allegiance.

Joe Young gave the invocation.

Chairman Shirley called for the Library District item.

Judith Pepple, Library Director presented notification of the retirement of Margaret Evelyn Williams, Library Manager, Alpine Public Library, effective February 20, 2015 and request approval to pay out her accumulated sick leave balance per Apache County Human Resources Policy 3.25. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

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

Chairman Shirley called for the Health District item.

Chris Sexton, Health Director, requested approval of Community Health Grant, Amendment #3 effective January 1, 2015 replacing the current price sheets and is an ongoing grant. Mr. White moved approval, seconded by Mr. Weller. Mr. Weller stated he was going to approve this because it is a financial update to that particular grant but he wanted to state he is uncomfortable with some of the references associated with the Amendment such as the scientology organization that is referenced in the document, and he is hoping the State looks into that. Vote was unanimous.

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

Mr. Wengert requested approval to award Bid #2015-05 for publication services. Mr. Wengert stated only one bid was received and that was from the White Mountain Independent and provided a brief overview of the rate increases and recommended approval. Mr. Weller moved approval, seconded by Mr. White. Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award Bid #201506 (culverts) Bid #201507 (AB Cover Material) and Bid #201508 (Magnesium Chloride). Chairman Shirley requested each bid be discussed separately.

Mr. Crosby presented Bid #201506 for culverts and stated they received bids from two companies; Arizona Culvert & Pacific Ponderosa. Mr. Crosby recommended awarding the bid to both vendors based on freighting costs and availability and can stay in effect until June 30, 2016. Mr. Weller moved approval, of 201506, seconded by Mr. White. A discussion was held regarding the vendors not being exclusive and if the purchases would be documented each time that particular vender was used. Mr. Crosby stated that is documented and the vendors are informed by letter they are not exclusive. Vote was unanimous.

Ferrin Crosby, County Engineer, presented Bid#201507 for ¾ inch AB, ¾ inch rock, 3/8 inch chip seal rock, and crusher fines and cold mix. Mr. Crosby stated the received bids from three vendors; Perkins Cinders, Hatch Construction & Alpine Excavation and recommended awarding the bids to all three based on availability and geography and would want to haul the least amount of miles to save transportation costs. Mr. Crosby stated all the vendors are close on their costs so he recommended approval for all three vendors. Mr. White moved approval seconded by Mr. Weller with the same understanding about tracking the purchases for each vendor. Vote was unanimous.

Ferrin Crosby, County Engineer, presented Bid #201508 for Magnesium Chloride. Mr. Crosby provided an overview of bids for Magnesium Chloride and recommended awarding to Desert Mountain for the Durablend & Road Loc and from GMCO, the Dustgard and Dustgard 830 products. Mr. White moved approval to approve Bid #2001508. Mr. Weller seconded the motion, A discussion was held regarding the variables and price difference within products used for dust control on roads. Mr. White explained that what type of product used on a road is determined by the soil conditions. Mr. Crosby stated even though one product costs more, it is not applied at the same rate so the costs are very comparable in price and through trial and error have learned what works the best. Mr. Weller asked for a future presentation on road condition treatments and material experiments conducted on the Navajo Nation for stabilization of soil. Mr. Crosby stated he would put together a presentation. Vote was unanimous.

Mr. Wengert presented pursuant to A.R.S. 35-325, official public opening as well as discussion and consideration of responsive bids for the Apache County Servicing Bank Request for Proposal, and selection of most qualified bank based on such proposals. Mr. Wengert stated the County put out a Request for Proposal (RFP) to all banks that operate within Apache County & Navajo County and received two bids; one from National Bank of Arizona and one from Wells Fargo and only National Bank of Arizona had a responsive bid; a main portion of the bid was to have a brick and mortar structure here in the County seat and Wells Fargo indicated they would only provide an ATM. Mr. Wengert recommended approval of National Bank. Mr. Weller stated the agenda item indicated this was the official public opening and he understands a different set was opened and he saw an email that Wells Fargo wanted to be a part of the meeting through conference call. Mr. Wengert stated he communicated with Wells Fargo and told them that if the Board had any questions they would call and they said they would be available if the Board wanted to call. Mr. Weller stated he had not had a chance to examine the documents so if the public want to see the opening of his copy they can meet in his office after the meeting. Mr. Weller stated that the particular criteria of a brick and mortar structure in our town was not met by Wells Fargo and if it was requested appropriately in the RFP, he would vote for approval of National Bank of Arizona moved to approve. Mr. White seconded the motion. Vote was unanimous.

Mr. Wengert presented the **Consent items A-D** and recommended approval. Mr. White moved approval seconded by Mr. Weller. **A.** Request approval of demands as distributed to the Apache County Board of Supervisors between February 17, 2015 to March 3, 2015. Payee Amount AZ DEPT OF REVENUE 2,401.91 AMERICAN FENCE CO OF AZ 1,521.55 AZ COUNTIES INSURANCE POOL 5,343.15 AZ DEPARTMENT OF ENVIRONMENTAL QUALITY 2,788.50 AZ

DEPT OF HEALTH SERVICES 2,485.00 B & H PHOTO VIDEO PRO AUDIO 1,383.63 BRADCO 3,042.25 DELL COMPUTER CORPORATION 1,491.92 DIAMOND DRUGS INC 4,426.34 EMPIRE MACHINERY 2,439.09 FOUR CORNERS RADIOLOGY ASSOCIATES 1,859.28 FRONTIER 4,574.41 FRONTIER 1,035.32 GMCO CORPORATION 8,129.84 GOODYEAR AUTO SERVICE 1,023.31 HATCH CONSTRUCTION 8,224.44 INGRAM LIBRARY SERVICES 4,384.19 INTERNATIONAL CODE COUNCIL (ICC) 1,422.51 LAW OFFICE OF DIRK LEGATE PLLC 8,500.00 MCCOOK BOILER AND PUMP COMPANY 3,440.36 NAVAJO TRIBAL UTILITY AUTHORITY 1,294.21 NAVAJO TRIBAL UTILITY AUTHORITY 2,445.82 NAVOPACHE ELECTRIC COOPERATIVE 26,211.97 OVERDRIVE INC 1,069.36 PATTERSON, DANA BRYCE 8,500.00 QUALITY READY MIX INC 5,464.58 QUILL CORP 1,688.75 REIDHEAD, BRANDY 2,410.00 REPACORP 2,248.47 RESOURCE ANESTHESIOLOGY ASSOC OF NM INC 3,450.00 SAN DIEGO POLICE EQUIPMENT 4,218.80 SCRUBWORKS 2,846.00 SHELL OIL 1,044.52 SIERRA PROPANE 1,658.64 ST JOHNS EMERGENCY SERVICES 1,106.34 STALEY LAW FIRM PLLC 1,969.00 TESSCO INC 16,509.45 VALLEY AUTO PARTS 1,763.62 VERIZON WIRELESS 2,035.83 WHOLESALE FLOORS LLC 3,256.89 WILLIAMS LAW GROUP PLLC 8,500.00 SOURCECORP 19,744.63 APACHE COUNTY HSA 2,762.92 APACHE COUNTY MEDICAL 137,067.20 APACHE COUNTY TAX WITHHOLDING 131,659.88 AZ STATE RETIREMENT SYSTEM 87,486.23 COLONIAL LIFE AND ACCIDENT INS 1,312.06 CORRECTIONS OFFICER RET PLAN 9,439.71 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,907.69 NATIONWIDE 1,605.00 PUBLIC SAFETY PERSONNEL 401 10,971.63 PUBLIC SAFETY SHERIFF RET 35,589.20 SECURITY BENEFIT GROUP 1,101.00 SUPPORT PAYMENT CLEARINGHOUSE 2,270.62 ADHS AZ HEALTH CARE COST 22,400.00 AMAZON COM INC 4,093.67 AMERICAN FENCE CO OF AZ 1,046.20 AVAYA COMMUNICATIONS 1,381.19 BARCODE PLANET 5,792.00 BEGAY, IRENE 5,502.46 BEGAY, KYLE M 1,296.05 BRADCO 1,977.02 COMMUNITY COUNSELING CENTERS INC 4,922.00 D & H PETROLEUM & ENVIRONMENTAL SERVICES 2,445.34 DELL COMPUTER CORPORATION 2,306.13 DRAKE EQUIPMENT OF ARIZONA INC 5,301.57 FERRELL GAS 2,276.06 FOUR CORNERS WELDING & GAS SUPPLY 1,301.19 GALL'S INC 4,134.62 GALLUP LUMBER & SUPPLY 3,192.35 GOLIGHTLY TIRE 1,544.16 HATCH MOTOR COMPANY SNOWFLAKE 1,181.58 HILLYARD INC 1,753.21 INGRAM LIBRARY SERVICES 1,146.38 MICROSCOPE SPECIALISTS 7,665.73 NAVAJO TRIBAL UTILITY AUTHORITY 1,708.49 NAVOPACHE ELECTRIC COOPERATIVE 4,523.40 NELSON, CHARLOTTE 1,014.30 NEW WORLD SYSTEMS CORPORATION 1,602.53 NORCHEM DRUG TESTING LABORATORY 1,780.42 PERFECT PRINTZ LLC 3,102.56 QUILL CORP 3,289.21 SANDOVAL, PATRICK J 2,492.37 SHELL OIL 3,081.64 ST JOHNS CITY 4,172.47 TOWN OF EAGAR 7,564.74 UNIVERSAL FLEET CARD 1,507.50 VALLEY AUTO PARTS 1,181.75 VERIZON WIRELESS 1,204.80 WEXFORD HEALTH SOURCES 1,399.17 WORLD OF TRAVEL 4,456.30 YAVAPAI COUNTY GOVERNMENT 7,750.00 YAZZIE, RENEE ANN 1,730.05

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.** Approval of minutes dated February 17, 2015. **C. District II:** Request approval to hire Orlene Lincoln into the vacant Road Worker III position at the starting salary of \$35,360.00 based on her years of experience. **D. District II:** Request approval to increase the salary of Ralph Chee, Equipment Mechanic III to \$36,938.14 due to his years of experience. Vote was unanimous.

Mr. Weller, under call to the public informed everyone about the Arizona Game and Fish will conduct a public meeting to gather comment regarding a proposal to release Mexican wolves onto the Apache National Forest in 2015. Mr. Weller stated there was 11 page electronic document about this issue and the impact to the area, and it can be obtained from his office if anyone wanted to receive a copy. Mr. Weller stated the meeting will be held on Friday March 13, 2015 at 6:00 p.m. in Alpine.

George Walsh, a resident of Vernon, stated he has a concern with item#3, the banking bid award and wanted to since it says official public opening, how is the public to know whether or not there were more bids other than what the County Manager declared. Mr. Walsh stated the agenda item says the opening would be here at this meeting and that didn't take place and the Board has

approved something that wasn't done according to the agenda and was put on the agenda because it is required by statute and if that was the case, the Board shouldn't be approving it and the Board should go back to that item and redo it.

Mr. White moved to adjourn, seconded by Mr. Weller. Mr. Weller stated that in response to Mr. Walsh, by statute, when a comment is made that addressing the County or an individual in call to the public a board member may respond and wanted to state that he also was concerned with the issue of opening the sealed bids and spoke with the County Attorney relative to that issue and it is his understanding that there is no statutory requirements under this particular banking bid and he had asked for the public opening if needed, and he is going to take the documents to his office and open them and anyone who wants to join him there is welcome. Vote was unanimous to adjourn.

Approved this 17th day of March, 2015

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

/s/ Delwin Wengert
Clerk of the Board