

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
March 5, 2013
St. Johns, Arizona**

Present were: Vice Chairman Barry Weller, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting. Chairman Tom M. White, Jr. participated via the telephone from Washington while attending the National Association of Counties Conference. Supervisor Joe Shirley, Jr. was not available due to travel.

Chairman White called to order the Apache County Board of Supervisors meeting and the Public Health Services District 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.

Milton Ollerton gave the invocation.

School Superintendent Barry Williams led the Pledge of Allegiance.

Chairman White called for the Public Health Services District item.

Chris Sexton, Health Director, requested approval of an Intergovernmental Agreement Amendment #1 Reproductive Health, which revised the prior price sheet. Mr. Weller moved approval, seconded by Mr. White. Motion passed.

Mr. Weller moved to adjourn the Health District meeting, seconded by Mr. White. Motion passed.

Chairman White called for the regular agenda items.

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

Mr. Wengert presented the **Consent items A-G** and recommended approval. Mr. Weller moved approval, seconded by Mr. White. **County Manager/Clerk of the Board: A.** Request approval of minutes dated February 19, 2013. **B.** Request approval of demands dated February 19, 2013 to March 5, 2013. Demands are payments made by the County. Specific details of the demands may be requested through the County public record request process. AMIGO CHEVROLET 6,037.37 ANDERSON RESOURCE GROUP INC 1,685.00 AZ COUNTIES INSURANCE POOL 1,925.60 AZ DEPT OF HEALTH SERVICES 1,075.00 BANK OF THE WEST 3,476.43 BILLS DISCOUNT AUTO PARTS (NAPA) 2,116.09 BRADCO 49,602.13 LAW OFFICE OF MARSHA GREGORY 6,672.00 MADARA ENGINEERING INC 3,766.75 NAVOPACHE ELECTRIC COOPERATIVE 25,150.13 RUSH TRUCK CENTER 1,115.04 SIERRA PROPANE 1,283.58 CLARK, ALBERT N 1,088.82 DELL COMPUTER CORPORATION 5,569.65 DIAMOND DRUGS INC 2,639.93 EMPIRE MACHINERY 1,347.52 FERRELLGAS 1,710.78 FOSTER ELECTRIC MOTOR SERVICE INC 1,108.77 FRONTIER 12,693.23 FX TACTICAL LLC 2,820.96 GRAVES PROPANE CO INC 1,429.50 HILLYARD INC 4,044.17 OFFICE DEPOT 1,406.64 PERFECT PRINTZ LLC 5,055.97 PTS OF AMERICA LLC 2,276.20 QUILL CORP 2,674.40 SHOW LOW FORD INC 1,899.78 SUMMIT HEALTHCARE ASSOCIATION INC 6,891.53 WILLIAMS LAW GROUP PLLC 6,650.00 YAVAPAI COUNTY GOVERNMENT 6,600.00 CLYDE, ASHLEIGH 2,301.19 Shirley, Joe Junior 1,999.94 Rogers, Kent 1,063.14 Stradling, Reed 1,228.78 Orona, Monica 1,089.13 Watkins, Robert 1,550.42 King, Walter Scott 1,119.65 APACHE COUNTY MEDICAL 142,808.00 APACHE COUNTY TAX WITHHOLDING 123,321.64 AZ STATE RETIREMENT SYSTEM 78,383.69 COLONIAL LIFE AND

ACCIDENT INS 1,223.69 CORRECTIONS OFFICER RET PLAN 7,768.03 CORRECTIONS
 OFFICER RETIREMENT PLAN 520 3,644.21 MERITAIN HEALTH FLEXIBLE SPENDING 1,304.20
 MUTUAL OF OMAHA 1,207.53 NATIONWIDE 1,560.84 PUBLIC SAFETY PERSONNEL 401
 11,142.18 PUBLIC SAFETY SHERIFF RET 23,717.31 SECURITY BENEFIT GROUP 1,796.00
 SUPPORT PAYMENT CLEARINGHOUSE 2,648.60 ADHS AZ HEALTH CARE COST 22,400.00
 AMAZON COM INC 3,331.91 AMERIGAS GALLUP 1,089.16 AMIGO CHEVROLET 1,504.41
 ARIZONA YOUTH PARTNERSHIP 6,250.00 ASHTON'S REPAIR INC 1,347.92 AVAYA
 COMMUNICATIONS 1,381.19 AZLGEBT 265,651.27 BANK OF THE WEST 2,013.02 BRADCO
 28,512.50 BRANCO MACHINERY COMPANY 3,526.45 CDW GOVERNMENT LLC 1,505.61
 COMMUNITY COUNSELING CENTERS INC 34,200.00 DELL COMPUTER CORPORATION
 3,592.82 EMBASSY SUITES 1,910.52 FERRELLGAS 1,302.82 FRONTIER 8,149.28 GOLIGHTLY
 TIRE 4,239.78 GOODYEAR AUTO SERVICE 1,494.98 GRAVES PROPANE CO INC 4,262.83
 GREENBERG CLARK INC 1,500.00 INGRAM LIBRARY SERVICES 6,551.22 J&J SIGNS AND
 DESIGNS 1,535.00 JURYS WYOMING HOTEL LLC 3,206.00 KATHLEEN M MCGUIRE PSY D LLC
 1,767.50 MEDIANET SOLUTIONS INC 1,196.00 NAVAJO COUNTY 6,670.69 NAVAJO TRIBAL
 UTILITY AUTHORITY 2,003.04 NAVAJO TRIBAL UTILITY AUTHORITY 3,311.11 NAVAJO TRIBAL
 UTILITY AUTHORITY 1,824.21 NAVOPACHE ELECTRIC COOPERATIVE 2,813.22 NIELSEN
 WELL DRILLING 9,818.03 NORCHEM DRUG TESTING LABORATORY 1,204.71 OAKES,
 CHRISTOPHER L 1,088.82 OVERDRIVE INC 1,561.47 PATTERSON, DANA BRYCE 6,650.00
 PIMA COUNTY MEDICAL 4,400.00 PRODUCTIVE CORPORATION 4,618.50 QUILL CORP
 2,522.82 SECURUS TECHNOLOGIES INC 1,326.96 SIERRA PROPANE 2,363.65 SPIVEY,
 LANCE 1,093.27 THE WOOD LAW OFFICE (RONALD WOOD) 6,650.00 US GEOLOGICAL
 SURVEY 7,500.00 VERIZON WIRELESS 1,621.05 YAVAPAI COUNTY GOVERNMENT 7,750.00
 YOUTH DEVELOPMENT INSTITUTE 9,850.00 ANDERSON, CHARLI A 1,097.32 AZ DEPT OF
 REVENUE 1,804.35 **C.** Request approval of a Special Event Liquor License Application for Ann
 Avenenti with the Corporal Joe McCarthy American Legion Auxiliary for the Memorial Day Parade
 and Luncheon on May 27, 2013 from 9:00 a.m.to 5:00 p.m. at the Lions Club Park in Concho,
 Arizona. **Personnel Items:** **D. Treasurer's Office:** Request authorization to remove Analese
 Castillo, Tax Lien & Bankruptcy Supervisor from probationary status effective March 1, 2013 with the
 2.5% end of probation increase. **E. Recorder's Office:** Request approval to hire a temporary, part
 time Administrative Assistant II (20 hours per week), not to exceed 120 days. **F. Probation
 Services:** Request authorization to remove Rebekah Dickens, Juvenile Detention Officer, from
 probationary status effective February 13, 2013 with the 2.5% end of probation
 increase. **G. Assessor's Office:** Request authorization to remove Jessica Dargie from probationary
 status effective February 27, 2013 with the 2.5% end of probation increase. Vote was unanimous.
 Ferrin Crosby, County Engineer requested approval of a resolution to abandon a portion of County
 Road N6232, a non-maintained road in a 40acre subdivision and the applicants have gone through
 all of the required processes and statutes to get this done and recommended that this be
 abandoned. Mr. Weller moved approval, seconded by Mr. White. Mr. Weller thanked Mr. Crosby for
 educating him on the abandonment process and stated that this is not something that the county
 does lightly; a great deal of study and time was put in by the Engineering Department to do their best
 to assure this doesn't cause conflict with other property owners. Mr. Walsh, a resident of Vernon,
 Arizona stated that he was not aware of a resolution according to the agenda and all of the past
 resolutions approved by this board have been on the agenda and there is no resolution. Mr. Walsh
 stated that he also wanted to know if this type of vote requires all three Board members to vote on it
 because there are some types of abandonments that require all three members vote on it. Mr. Weller
 stated that he had not read the resolution and asked if the resolution was in the backup material.
 County Attorney Whiting responded that the resolution was attached to item #3 and he and Attorney
 Joe Young have reviewed this item and have also discussed it with Mr. Crosby. Mr. Whiting stated
 that any vote by the Board regarding an abandonment, only requires a majority of the quorum, not a
 full Board. Motion passed.

**APACHE COUNTY
RESOLUTION 2013-03**

WHEREAS a request has been made by Lisa Ann Family Trust that the Apache County Board of Supervisors abandon a portion of County Road #N6232, an Unnamed, Non-Maintained Public Easement in Section 25, Township 14 North, Range 29 East of Carrizo Ranches, Apache County, Arizona as it is recorded in the records of Apache County Land Surveys Book 10, Page 39, (11 of 32); and

WHEREAS said Roadway or County Road #N6232 is a public easement, for the use of the public; and

WHEREAS said portion of road is surrounded by lots #129 through lot #136 said lots are owned by one owner; being: the Lisa Ann Family Trust; and

WHEREAS said roadway is bound by State Trust Land on the East and West and therefore no users or potential users at the end of the road, and

WHEREAS it appears that such roadway is not necessary for public use as a roadway, and the application should be granted;

NOW THEREFORE BE IT RESOLVED by the Board of Supervisors of Apache County, Arizona that the portion of roadway known as County Road #N6232 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 County Road #N6223 being 60' wide and 5271.52' long, plus or minus. Legal description of said street is as follows:

EXHIBIT "A"

ABANDONMENT

A public easement know as County Road N6232, or the south 30 feet of Parcel 129 through Parcel 132 inclusive, and the north 30 feet of Parcel 133 through Parcel 136 inclusive, of Carrizo Ranches, Section 25, Township 14 North, Range 29 East of the Gila and Salt River Meridian, Apache County, Arizona, as recorded in Apache County Records, Book 10 Land Surveys, Page 39, (11 of 32).

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.

DATED this 5th day of March 2013.

/s/ Tom M. White, Jr., Chairman /s/ Michael Whiting
Board of Supervisors, Apache County County Attorney, Apache County

Amanda McComb, Chief Deputy Treasurer, requested approval of a contract with John Smith at \$45.00 per hour, through June 30, 2013 at a not to exceed amount of \$20,000. Mr. Weller moved approval, seconded by Mr. White. Mr. Weller stated that the Treasurer's office has gone through a tremendous amount of change and some of the issues which took place last year makes everyone ill at ease but focuses on how important the Treasurer's Office is to the management of the funds for the County. Mr. Weller stated that this is a critical position and he appreciates everyone involved, especially Treasurer Begay working to get this contract in place so we can get through this transitional, temporary situation. George Walsh, a resident of Vernon, Arizona stated that the only concern he has is that the contract is through June 30, 2013 because as Mr. Weller is aware, there have been some incidents where things are time set but continue on without Board approval. Mr. Wengert stated that this contact will be watched just as other contracts are watched and that is why these things are decided in the public so there is no problem with this going past June 30, 2013. Motion passed.

Mr. Weller moved to adjourn, seconded by Mr. White. Motion passed.

Approved this 19th day of March, 2013.
/s/ Tom M. White, Jr. /s/ Delwin Wengert
Chairman of the Board Clerk of the Board