

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

March 7, 2023

St. Johns, Arizona

Present were, Chairman Alton Joe Shepherd, Vice Chairman Nelson Davis and Supervisor Joe Shirley, Jr. Also present, County Manager/Clerk of the Board Ryan Patterson, County Attorney Michael Whiting and Chief Deputy Attorney Celeste Robertson.

Chairman Shepherd 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.

Kimberly Cole led the Pledge of Allegiance.

Chairman Shepherd called for the Health District items.

Kimberly Cole, Health Director, requested approval of the Intergovernmental Agreement Contract Number CTR058097, Amendment #2, to the COVID-19 Expansion Project, to extend through July 31, 2024. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Kimberly Cole, Health Director, requested approval of Intergovernmental Agreement Senate Bill 1847 Funding Contract Number CTR059345 in the one-time amount of \$50,000 for a five-year period. This funding will be used to offset the costs of court ordered evaluations and restoration to competency expenses. This is a new funding opportunity for FY23. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vote was unanimous.

Kimberly Cole, Health Director, requested approval of the continuing Medical Consultant Agreement with North Country Healthcare. This agreement allows our clinic to operate under the direction of a licensed physician. Compensation for these services is \$10,000 annually in bi-annual installments. This has been budgeted for in FY23.

Mr. Shirley moved to adjourn the Health District meeting, seconded by Mr. Davis. Vote was unanimous.

Chairman Shepherd called for the regular agenda items.

Matt Fish, Community Development Director, presented the item, following a public hearing, discussion and possible approval of a Third Amended Plat of the Hidden Paradise Subdivision allowing John Georgiu to split his +/- 5.06-acre lot and create four (4) +/- 1.26 acre lots. The Apache County Planning & Zoning Commission recommended approval on January 5, 2023. Property is located in Vernon, Arizona at 60 ACR 8405. A.P.N 106-25-004A. **Mr. Shirley moved to open the public hearing, seconded by Mr. Davis.** Vote was unanimous. There was

no one wanting to address the Board during the public hearing. **Mr. Davis moved to close the public hearing, seconded by Mr. Shirley.** Vote was unanimous. **Mr. Shirley moved to approve the amended plat, seconded by Mr. Davis.** Vote was unanimous.

Mr. Patterson presented the Consent Agenda items A-G. **Mr. Shirley moved approval, seconded by Mr. Davis.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between February 7, 2023 to March 7, 2023. Payee Amount 4IMPRINT 46,530.53 ALLEGRA 2,031.44 AMAZON CAPITAL SERVICES INC 3,720.79 BAUMAN HOME AND AUTO INC 3,272.60 BLUE HILLS ENVIRONMENTAL 42,510.75 BOOT BARN 3,022.59 BRAD HALL & ASSOCIATES INC 89,893.50 CDW GOVERNMENT LLC 130,022.50 CEDAR GROVE WATER CO 1,157.15 John Lucas COMMUNITY BROADBAND ADVOCATES LLC 20,950.50 COURTESY CHEVROLET 242,454.28 DESERT MOUNTAIN CORPORATION 5,275.27 EM HALE LAW 1,456.00 EMPIRE MACHINERY 347,699.46 FERRELLGAS 2,600.58 HATCH TOYOTA 86,533.07 HUBBARD MERRELL ENGINEERING CORPORATION 6,500.00 NAPA 1,465.28 NAVAJO TRIBAL UTILITY AUTHORITY 11,494.62 NAVAJO WESTERNERS 1,705.98 NTUA WIRELESS, LLC 5,245.02 POWER FORD 2,217.81 PREMIUM PROPANE LLC 1,383.22 QUILL CORP 2,622.60 PRESTON MAURICE RABAN 4,675.00 RDO EQUIPMENT CO 9,683.14 RHINEHART OIL CO 14,030.75 RIGG LAW FIRM PLLC 5,000.00 SECURUS TECHNOLOGIES INC 1,406.67 SIERRA PROPANE 2,469.40 SOUTHERN TIRE MART LLC 3,364.94 STREET COP TRAINING LLC 1,797.00 THE UNIVERSITY OF ARIZONA 7,500.00 TREAD MASTERS TIRE & LUBE 1,243.96 TWIN ARROWS NAVAJO CASINO RESORT 20,466.62 VERIZON WIRELESS 2,335.64 SAMUEL A WOOD 1,098.38 WOODLAND BUILDING CENTER C/O NATIONS BEST 1,455.65 APACHE COUNTY HSA 4,651.90 APACHE COUNTY MEDICAL 175,871.50 APACHE COUNTY TAX WITHHOLDING 175,382.55 ASRS LEGACY EORP 10,075.98 AZ STATE RETIREMENT SYSTEM 141,985.77 COLONIAL LIFE AND ACCIDENT INS 1,164.31 CORRECTIONS OFFICER RET PLAN 11,391.59 CORRECTIONS OFFICER RETIREMENT PLAN 520 1,684.53 EORP LEGACY 2,777.35 NATIONWIDE 3,718.04 NATIONWIDE TRUST FSB 2,767.57 PUBLIC SAFETY PERSONNEL 401 14,035.08 PUBLIC SAFETY SHERIFF RET 11,304.09 SUPPORT PAYMENT CLEARINGHOUSE 1,199.50 ALTON JOE SHEPHERD 1,268.24 SHI INTERNATIONAL CORP 6,405.61 BV'S AUTO GLASS N TIRES LLC 1,793.52 NATIONAL BANK 18,481.78 NATIONAL BANK OF ARIZONA 0285 4,439.95 ADVANCED AIR SYSTEMS LLC 2,479.00 ALLEGRA 9,083.77 AMAZON CAPITAL SERVICES INC 5,579.94 AMERIGAS - GALLUP 1,072.56 AZ SUPREME COURT 7,500.00 AZ SUPREME COURT 3,120.00 BAUMAN HOME AND AUTO INC 1,518.29 BRAD HALL & ASSOCIATES INC 30,328.81 CDW GOVERNMENT LLC 2,162.57 DANIEL J CHRISTIANO PHD 1,000.00 DONALD KEVIN DAVIS 2,500.00 DAY CUSTOMS AUTOMOTIVE 1,231.21 DELL COMPUTER CORPORATION 45,314.82 EMPIRE MACHINERY 3,803.60 GLAXO SMITHKLINE PHARMACY 3,664.46 GROVER HILLS CONSTRUCTION LLC 131,920.67 KLINT HEAP 1,409.01 ROBERT JAMES HIGGINS 2,355.08 HIGH COUNTRY PROPANE 2,066.94 HILLYARD/FLAGSTAFF 1,412.05 HINTON BURDICK PLLC 11,800.00 INGRAM LIBRARY SERVICES 2,426.99 TYRON JENSEN 1,459.22 JONES OUTDOOR ADVERTISING INC 2,595.60 LAW OFFICE OF MICHAEL S PENROD PLC 11,264.00 LESUEUR ADVANCE

AUTOMOTIVE LLC 2,791.96 O'REILLY AUTO PARTS 2,433.36 OVERDRIVE INC 3,345.07 PIMA COUNTY MEDICAL 6,000.00 PREMIUM PROPANE LLC 3,732.04 QUILL CORP 3,273.79 R&S NORTHEAST LLC 1,589.32 RHINEHART OIL CO 8,895.15 RUSH TRUCK CENTER 2,731.71 SANOFI PASTEUR INC 5,172.55 SITECH SOUTHWEST LLC 96,417.07 SPARKLETTS WATER 1,342.50 STANTEC CONSULTING SERVICES 14,726.73 THE AARONS COMPANY LLC 3,000.00 THE ARIZONA PARTNERSHIP FOR IMMUNIZATION 1,517.83 TRAVEL LEADERS 1,995.20 WAGNER EQUIPMENT CO 1,036.17 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 10,615.58 WHITE MOUNTAIN STEEL LLC 2,081.86 WRIGHT EXPRESS FSC WEX 3,155.83 AMAZON CAPITAL SERVICES INC 3,819.29 AMIGO CHRYSLER DODGE JEEP RAM 7,695.01 AZ COUNTIES INSURANCE POOL 6,613.42 AZ DEPT OF RISK MANAGEMENT 1,545.22 AZLGEBT 12,770.00 BARBI INC 2,879.00 BREWER LAW OFFICE PLLC 8,500.00 CATERPILLAR FINANCIAL SERVICES CORPORATION 23,297.52 DESERT MOUNTAIN CORPORATION 3,761.60 EATON SALES & SERVICE 9,521.03 FRONTIER 1,866.10 GALL'S INC 1,380.36 GALLUP BLUEPRINT 1,041.00 HAMBLIN LAW OFFICE PLC 8,500.00 GENEVA L JACKSON 2,070.83 DAVID LAMM 1,699.16 MARSHALL AND SWIFT BOECKH LLC 1,060.15 NAVAJO TIMES PUBLISHING COMPANY INC 1,755.36 NAVAJO TRIBAL UTILITY AUTHORITY 1,080.69 NAVOPACHE ELECTRIC COOPERATIVE 11,231.92 O'REILLY AUTO PARTS 1,216.81 OFFICE OF THE AUDITOR GENERAL 9,000.00 OVERDRIVE INC 1,571.30 DANA BRYCE PATTERSON 8,500.00 PERFECT PRINTZ LLC 5,796.26 PREMIUM PROPANE LLC 1,400.05 QUALITY CARQUEST 1,568.09 QUILL CORP 1,711.58 R JOHN R JOHN LEE ATTORNEY AT LAW 8,500.00 RDO EQUIPMENT CO 3,955.59 RIM COUNTRY POWER SPORTS LLC 3,290.67 SALT RIVER PROJECT - SRP – MARS 1,091.00 SANTANDER BANK NA 66,455.01 SECURUS TECHNOLOGIES INC 2,749.23 SIERRA PROPANE 6,105.44 SOUTHERN TIRE MART LLC 6,075.93 ST JOHNS CITY 1,765.99 THE GUIDANCE CENTER 3,700.00 THOMSON REUTERS WEST 3,735.00 TRINITY SERVICES GROUP INC 21,791.28 TYLER TECHNOLOGIES INC 2,545.00 VANAFIRE LLC 35,000.00 VERIZON WIRELESS 1,591.10 WHITE MOUNTAIN COMMUNICATIONS 1,150.05 WHITE MOUNTAIN PUBLISHING CO 1,815.74 MICHAEL B WHITING 1,185.51 WOODLAND BUILDING CENTER C/O NATIONS BEST 6,296.53 REDACTED 1,108.00 YAZZIE'S AUTO PARTS INC 1,922.50 APACHE COUNTY HSA 4,651.90 APACHE COUNTY MEDICAL 173,766.42 APACHE COUNTY TAX WITHHOLDING 182,652.69 ASRS LEGACY EORP 10,075.98 AZ STATE RETIREMENT SYSTEM 130,121.55 COLONIAL LIFE AND ACCIDENT INS 1,164.31 CORRECTIONS OFFICER RET PLAN 12,002.68 CORRECTIONS OFFICER RETIREMENT PLAN 520 1,602.20 EORP LEGACY 2,777.35 NATIONWIDE 3,228.22 NATIONWIDE TRUST FSB 2,842.57 PUBLIC SAFETY PERSONNEL 40114,035.08 PUBLIC SAFETY SHERIFF RET 11,034.12 SUPPORT PAYMENT CLEARINGHOUSE 1,170.50 NAVAJO TRIBAL UTILITY AUTHORITY 6,174.89 A-1 GLASS AND MIRROR INC 1,546.66 ALSCO INC 1,035.47 AMAZON CAPITAL SERVICES INC 4,307.77 APACHE COUNTY PROBATION DEPARTMENT 3,282.00 AZ DEPT OF HEALTH SERVICES 1,130.00 AZLGEBT 355,102.36 BACKWOODS TEES LLC 1,336.48 BAUMAN HOME AND AUTO INC 3,011.66 BECK'S BILLIARDS 2,602.60 MARLEITA BEGAY 1,194.80 BLADES GROUP LLC 3,534.00 CRESCENT ELECTRIC SUPPLY CO 2,282.38 EMPIRE MACHINERY 3,987.60 FERRELLGAS 1,233.58 GOLIGHTLY TIRE 11,334.12 HAMBLIN & ASSOCIATES LLC 9,850.00 ILLYARD/FLAGSTAFF 1,523.78

HINTON BURDICK PLLC 15,400.00 HS GOVTECH USA INC 2,400.00 LAWSON PRODUCTS INC 1,572.10 NAVAJO NATION 1,200.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,575.53 NAVOPACHE ELECTRIC COOPERATIVE 22,848.47 PINAL COUNTY ARIZONA 31,577.00 POWERSCREEN WESTERN LLC 17,783.07 PREMIUM PROPANE LLC 2,858.82 QUILL CORP 1,919.06 RHINEHART OIL CO 18,590.04 RIGG LAW FIRM PLLC 1,360.00 ROGUE FITNESS 1,464.06 RUSH TRUCK CENTER 1,473.34 SIERRA PROPANE 2,469.50 SOUTHERN TIRE MART LLC 6,601.85 ST JOHNS EMERGENCY SERVICES 1,186.98 STANTEC CONSULTING SERVICES 5,474.75 SYMBOL ARTS 1,779.39 TRANE US INC 5,918.94 WHITE CAP LP 1,162.71 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,011.78 YAZZIE'S AUTO PARTS INC 7,357.94 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 February 7, 2023. C. Request approval of a resolution to accept Pascua Yaqui Tribe grant funds on behalf of the Concho Fire District.

RESOLUTION NUMBER: 2023-04

A RESOLUTION OF THE BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA,
ACCEPTING GRANT MONEY FROM PASCUA YAQUI TRIBE GAMING REVENUE
SHARING FUNDS PROGRAM FOR PURCHASE OF EQUIPMENT

WHEREAS, the Concho Fire District is in need of Firefighting Turnout Gear (PPE-complete ensembles-jacket, pants, particulate blocking hood, gloves, boots and helmets).

WHEREAS, the Concho Fire District is in urgent need of new Firefighting Turnout Gear to replace outdated gear (greater than 10 years from manufacture) for the health and safety of its firefighters; provide turnout gear to firefighters presently without NFPA compliant turnouts and to comply with NFPA standards regarding health and safety by providing 2 sets of turnouts for each firefighter.

WHEREAS, the Concho Volunteer Fire Department has applied for a grant to purchase such equipment with the Pascua Yaqui Tribe Gaming Revenue Sharing Funds Program (GRSFP); and

WHEREAS, Pascua Yaqui Tribe Gaming Revenue Sharing Funds Program (GRSFP) has made a favorable recommendation to make the grant in the amount of \$125,778, pending resolution of the Apache County Board of Supervisors being in support of the acquisition/accepting these monies;

NOW, THEREFORE, BE IT RESOLVED by the Board of Supervisors of the County of Apache, Arizona as follows:

That the grants funds proposed by the Pascua Yaqui Tribe Gaming Revenue Sharing Fund Program (GRSFP) in the amount of \$125,000 for the purchase of Firefighting Turnouts-complete Ensembles be acknowledged and accepted.

PASSED AND ADOPTED by the Board of the County of Apache, Arizona, this 7th day of March 2023.

ATTEST:

/s/ Alton Joe Shepherd, Jr.
Chairman of the Board

/s/ Ryan N. Patterson
Clerk of the Board

County Attorney's Office: D. Request approval of an opioid litigation settlement with Teva, Allergan, CVS, Walgreens and Walmart; with administration and distribution through the One Arizona Agreement, previously approved by unanimous vote. E. Request approval to raise the salary range for the Law Clerk position to Range 50. School Superintendent's Office: F. Request approval of a professional services contract with Jodi Rothlisberger and will not affect the general fund budget. G. Request approval of a professional services contract with Heinfeld, Meech & Co and will not affect the general fund budget. Vote was unanimous for approval of the Consent Agenda items A-G.

Angela Romero, Election Director, requested approval, based on the recommendation of the Republican Party County Chairman, Alan Barwick, determine vacancies exist in the office of precinct committeeman and appoint Richard King for the Nutrioso Precinct. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vote was unanimous.

Troy Czarnyszka, on behalf of Superior Court, presented the item pursuant to ARS 12-121 & 12-144, discussion, and possible approval of the reappointment of Judge Garrett Whiting as a full-time Superior Court Judge Pro Tempore, and the reappointment of part-time Judge Robert Higgins. The appointments shall begin July 1, 2023 and end June 30, 2024. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vote was unanimous.

Mr. Patterson, on behalf of the St. Johns Constable, requested the item to accept a grant in the amount of \$6,592.44 from the Constable Ethics, Standards and Training Board for the purpose of purchasing updated body armor for all three constables in each justice court precinct with no matching funds required or additional cost to the County be removed from the agenda. Chairman Shepherd removed the item. No action was taken.

Heather Van Der Noord, on behalf of Emergency Management, requested approval of Amendment #1 to Grant Agreement HFI21-311 between Apache County and the AZ DFFM for a modification of the original location of the scope of work. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vote was unanimous.

Chief Deputy Sheriff Roscoe Herrera requested approval to accept a contribution from Operation Underground Railroad, a non-profit organization that exists to protect children from sex trafficking and sexual exploitation. Chief Herrera stated the contribution will be utilized to purchase one fixed license Plate Reader system to be installed within Apache County. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Patterson presented the notification of the following meetings where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed or taken.

- The Eastern Arizona Counties Organization meeting on March 15, 2023, at 2:00 p.m. held at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

- Small Counties Forum meeting on March 15, 2023, at 5:30 p.m. held at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The County Supervisors Association (CSA) meeting on March 16, 2023, at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

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

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

Approved this 4th day of April, 2023.

ATTEST:

/s/ Alton Joe Shepherd
Chairman of the Board

/s/ Ryan N. Patterson
Clerk of the Board