

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS SPECIAL MEETING  
May 6, 2014  
St. Johns, Arizona**

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

Chairman White 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.

Chuck Moter gave the Invocation.

Ben Dugdale led the Pledge of Allegiance.

Chairman White called for the Library District items.

Judith Pepple, Library Director, requested approval to close District libraries on Saturday, May 24, 2014, Saturday, July 5, 2014 and Saturday, August 30, 2014 due to low demand for library services on these holiday weekends. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Judith Pepple, Library Director, requested approval to accept a donation in the amount of \$1,436.20 from the Salt River Project Booster's Association through the agency of the United Way of Northern Arizona with no conditions attached to this donation. Mr. Shirley moved approval, seconded by Mr. Weller. A discussion was held regarding the donation process. Vote was unanimous.

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

Chairman White called for the Jail District item.

Chief Deputy Sheriff Brannon Eagar requested approval to pay \$13,366 to Braun Northwest to cover the taxes and change orders required for the build of the new transport vehicle. Chief Eagar stated that in the bid process the sales tax was omitted from the award as well as some new equipment that was included in an upgrade that was not available at the time of the bid award. Mr. Weller moved approval seconded by Mr. Shirley, Vote was unanimous.

Mr. Shirley moved to adjourn the Jail District meeting, seconded by Mr. Weller. Vote was unanimous.

Chairman White called for the regular agenda items.

Ryan McCreery, Cori Hartman, Barry Swift with Kinder Morgan provided an overview on Kinder Morgan and an update on the CO2 Pipeline Project, St. Johns Field Development. No action was needed or taken.

There was no one present from Apache Sitgreaves National Forest for an update on Forest activities and fire conditions so no presentation was held.

Mr. Wengert presented the **Consent Agenda Items A-D** Mr. Shirley moved approval, seconded by Mr. Weller. County Manager/Clerk of the Board: A. Request approval of minutes dated April 15, 2014 and April 22, 2014. B. Request approval of demands dated April 15, 2014 to May 6, 2014. Demands are payments made by the County. Specific details of the demands may be requested through the County public record request process. Payee Amount AZ COUNTIES INSURANCE POOL 70,064.06 AZ COUNTIES INSURANCE POOL 4,411.15 AZ DEPT OF REVENUE 5,330.10 AZ SUPREME COURT 4,306.00 BAKER'S OFFICE CITY 2,718.41 BANK OF THE WEST 2,439.61 BANK OF THE WEST – 6432 2,820.93 BARNES, PATRICIA M 3,935.00 BAUMAN HOME AND AUTO INC 1,641.14 BLUE HILLS ENVIRONMENTAL 1,502.45 BRADCO 4,960.44 CAPPS, MELODY 1,041.14 CDW GOVERNMENT LLC 1,071.30 COUNTRY MOUNTAIN AIRWAVES LLC 4,194.90 CRESCENT ELECTRIC SUPPLY CO 1,036.83 DELL COMPUTER CORPORATION 2,154.45 DEWITT, COLLIN J 1,600.00 FROG WINDOW CLEANERS 2,390.00 HILLYARD INC 2,476.10 KATHLEEN M MCGUIRE PSY D LLC 1,940.00 LITTLE COLORADO BEHAVIORAL HEALTH CENTERS INC 1,395.50 MERITAIN HEALTH INC. 5,000.00 MISBACH, CHRISTOPHER BRIAN 1,253.11 NAVAJO TRIBAL UTILITY AUTHORITY 1,670.88 NAVOPACHE ELECTRIC COOPERATIVE 10,093.33 NEW WORLD SYSTEMS CORPORATION 1,797.03 NORCHEM DRUG TESTING LABORATORY 1,740.66 ORTHOPEDIC SPECIALISTS OF NORTH AMERICA 2,000.00 OVERDRIVE INC 1,805.53 PATTERSON, DANA BRYCE 8,500.00 PINE NEEDLE EMBROIDERY 1,283.72 QUILL CORP 2,886.29 RESERVE ACCOUNT 5,000.00 RIGG LAW FIRM PLLC 1,809.50 RYAN, TALMADGE E 1,114.00 SANCHEZ, DAVID A 1,396.66 SCHIFF, LAURENCE 1,600.00 SKILLPATH SEMINARS 1,076.00 SONIVE, LINDA 3,600.00 ST JOHNS CITY 2,923.32 STAPLES CREDIT PLAN 1,341.11 STEVEN PITT AND ASSOCIATES 5,496.00 TJP COMMUNICATIONS 2,157.22 TOWN OF EAGAR 7,432.27 UNIVERSAL FLEET CARD 1,812.39 VALLEY AUTO PARTS 1,069.52 VERITAS RESEARCH CONSULTING 1,801.61 WOODLAND BUILDING CENTER 3,723.25 YAVAPAI COUNTY GOVERNMENT 7,000.00 YOUNG, JOSEPH 6,630.00 YOUNGS FUTURE TIRE 3,111.55 NELSON, LORRAINE W 1,041.01 APACHE COUNTY MEDICAL 147,186.00 APACHE COUNTY TAX WITHHOLDING 130,011.38 AZ STATE RETIREMENT SYSTEM 84,789.43 COLONIAL LIFE AND ACCIDENT INS 1,291.45 CORRECTIONS OFFICER RET PLAN 8,793.54 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,205.94 MUTUAL OF OMAHA 1,280.02 NATIONWIDE 1,605.00 PUBLIC SAFETY PERSONNEL 401 13,825.82 PUBLIC SAFETY SHERIFF RET 29,944.06 SECURITY BENEFIT GROUP 1,371.00 SUPPORT PAYMENT CLEARINGHOUSE 2,554.58 ACOUSTICAL SURFACES INC 1,043.61 ADHS AZ HEALTH CARE COST 22,400.00 AMAZON COM INC 3,661.37 ARIZONA HIGHWAY SAFETY SPECIALIST INC 26,649.00 ARMBRUST, JAMES C 3,150.00 ASHTONS REPAIR INC 1,539.47 AVAYA COMMUNICATIONS 1,381.19 BRADCO 57,935.07 CALIFORNIA CONTRACTORS TOOLS & SUPPLIES 1,055.12 CDW GOVERNMENT LLC 1,082.70 CHEVRON USA INC 1,358.79 CRISS CANDELARIA LAW OFFICE 1,748.75 DELL COMPUTER CORPORATION 6,119.11 DIAMOND DRUGS INC 5,366.01 EMPIRE MACHINERY 1,773.40 FRONTIER 1,018.12 FRONTIER 1,040.54 FRONTIER 1,537.58 FRONTIER 1,486.87 FRONTIER 4,458.95 HATCH CONSTRUCTION 16,114.58 INGRAM LIBRARY SERVICES 2,665.48 KTNM RADIO STATION 4,034.10 MATFORCE 2,000.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,035.66 NAVOPACHE ELECTRIC COOPERATIVE 2,372.05 OVERDRIVE INC 1,334.59 PIMA COUNTY MEDICAL 4,400.00 QUILL CORP 4,019.53 SHOW LOW FORD INC 69,912.48 SIERRA PROPANE 1,249.94 ST JOHNS EMERGENCY SERVICES 1,083.66 TABLE TOP TELEPHONE COMPANY INC 1,014.86 THOMSON REUTERS WEST 3,385.92 TJP COMMUNICATIONS 1,398.23 UNIVERSAL FLEET CARD 1,556.92 VERIZON WIRELESS 2,409.70 WELLS FARGO BANK 1,274.84 YOUNGS FUTURE TIRE 1,086.15 US POSTMASTER 1,392.42 WELLS FARGO BANK 107,974.53 AMAZON COM INC 1,497.41 AZ DEPT OF ECONOMIC SECURITY 3,278.79 BINGHAM EQUIPMENT COMPANY 7,445.36 BRADCO 85,806.04 CEDAR GROVE WATER CO 2,772.69 DELL COMPUTER CORPORATION 3,381.12 EMPIRE MACHINERY 242,780.25 ESRI INC 1,139.95

FLEET PRIDE 1,275.62 GMCO CORPORATION 12,108.13 GOLIGHTLY TIRE 2,892.42 GRAVES PROPANE CO INC 2,290.92 HATCH CONSTRUCTION 7,517.44 HEINFELD MEECH AND CO PC 7,316.33 HILLYARD INC 1,553.84 INGRAM LIBRARY SERVICES 5,741.66 LAWSON PRODUCTS INC 2,300.37 LEADSONLINE LLC 2,238.00 MERCK SHARP & DOHME CORP 1,880.63 OFFICE DEPOT 1,676.06 OVERDRIVE INC 1,198.66 QUILL CORP 1,242.45 REDW LLC 16,000.00 ROMERO, MARY E 1,390.00 THE UNIVERSITY OF ARIZONA 6,250.00 TJP COMMUNICATIONS 1,390.84 US DEPARTMENT OF AGRICULTURE 7,914.41 VALLEY AUTO PARTS 2,188.44 VERITAS RESEARCH CONSULTING 2,623.90 VERIZON WIRELESS 1,190.84 WATCH SYSTEMS LLC 7,500.00 NAVAJO TRIBAL UTILITY AUTHORITY 1,955.18 Community **Development**

**Department: C.** request approval to re-appoint Dick Bruneau to the Board of Adjustments and Appeals for another 4 year term and appoint Michael Schacht as a new member to serve a 4 year term. Personnel Items **D. District II:** Discussion and possible approval to convert a currently vacant Road Maintenance Worker I (range 18) to a Roads Inspector (range 30) and fill the vacancy. Vote was unanimous.

Ferrin Crosby, County Engineer requested approval to enter into an Intergovernmental Agreement IGA/JPA 14-004011-I between AZ Department of Transportation and Apache County for pavement striping on the road to the Tucson Electric Power Plant. Mr. Crosby stated that the total cost of the project is \$120,000 and will be at no cost to the County. Mr. Shirley moved approval, seconded by Mr. Weller. Mr. Weller and Mr. Crosby held a discussion regarding how it was determined to use the funds on that particular project. Vote was unanimous.

Ferrin Crosby, County Engineer requested that Bid#201401 for a water truck for District III be denied based on the only bid received being above a reasonable amount. Mr. Weller moved to reject Bid #201401, seconded by Mr. Shirley. Vote was unanimous.

Malena Bazaruto, Grants Manager, requested approval of the Arizona State Forestry Agreement WBB1 10-601 for bark beetle mitigation in the Crosby Acres Subdivision of Greer, Arizona. Ms. Bazaruto stated that this project is not to exceed \$59,100 in grant funds and requires no County matching funds and the required 10% matching funds will come from the property owners. Mr. Weller moved approval, seconded by Mr. Shirley. A discussion was held regarding the bark beetle problem. Vote was unanimous.

Malena Bazaruto, Grants Manager, requested approval of the Technical Assistance Contract between Northern Arizona Council of Governments (NACOG) and Apache County for environmental assessment of the City of St. Johns' Community Development Block Grant (CDBG) Mountain View Water Line Project that will be administered by Apache County. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Chief Deputy Sheriff Brannon Eagar requested authorization to accept the Governor's Office of Highway Safety DUI Abatement Grant Program (DUIAC-E-027) in the amount of \$20,000 and will support personnel services (overtime) and ERE's. Chief Eagar stated that this program will enhance DUI enforcement and education and requires no matching funds. Mr. Shirley moved approval seconded by Mr. Weller. Vote was unanimous.

Chef Deputy Eagar on behalf of Apache County Emergency Management, requested authorization to enter into a Cooperative Intergovernmental Agreement with the Arizona State Forester. Chief Eagar stated that this Agreement is to provide mutual emergency assistance and cooperation between the Arizona Land Department through the State Forester, Forestry Division (the State) and Apache County. Mr. Weller moved approval, seconded by Mr. Shirley. A discussion was held regarding the responsibility of the County to cover the cost if not reimbursed by the State. Vote was unanimous.

District III Supervisor Weller presented the item regarding returning the "Call to the Public" to the lead position on the Apache County Board of Supervisors meeting agenda as first order of business after the Pledge and Prayer, or other District agendas. Mr. Weller made the motion to place Call to the Public back on the agenda to again hear the concerns of the citizens. Motion died for lack of a second. Mr. White stated that he is thinking about this issue and possibly in the near future he will vote to return the item back to the agenda. Mr. Shirley stated that if we are being true to the consistency of Apache County, 2/3rds of the Board is from the North so maybe 2/3rds of the meetings should be held on Navajo Land.

District III Supervisor Weller stated that he recently held a meeting with Ben Dugdale, County IT Director and wanted him to provide an overview of what progress the County has made regarding the live stream issue before the agenda item presentation by Mr. Brad Grower on live streaming options for the County Board of Supervisors as an improved communication tool, followed by discussion and possible action with the attendance of Apache County Communications and Information Technology Departments for questions and dialogue. Mr. Shirley stated that the agenda item indicated that Brad Grower was to give the presentation and Mr. Dugdale was to only be available to answer questions and does not want to hear the presentation because the County has our own IT Department and the Board has not asked for it and when the Board is ready, the Board will address it. Mr. Shirley made the motion to table the item indefinitely. Mr. Weller stated that as a Board member he can bring an item to the agenda so saying the Board has not asked for it is not completely accurate. Mr. Weller asked for the respect of the Board to bring items before the Board and the item states there would be dialogue from County IT and Communications Departments and this is the only venue to speak to other Board members as to not violate open meeting law. Mr. White stated that he also is not ready to hear the presentation. Motion died for lack of a second. No presentation was given.

Mr. Wengert presented approval of a Memorandum of Understanding between the Department of the Interior, Bureau of Land Management, Socorro Field Office and Apache County establishing the County as a Cooperating Agency working with the BLM for the purpose of preparing the Lobos CO2 Pipeline Project Environmental Impact Statement. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Mr. Wengert presented the item following a possible executive session for legal advice pursuant to A.R.S. 38-431.06 (A) (3) discussion and possible action pertaining to the Mexican Gray Wolf draft Alternative Environmental Impact Statement (EIS) proposed by the District III Supervisor and the draft Environmental Impact Statement (EIS) prepared by the Ad Hoc Stakeholders Coalition Committee that is being proposed by the Eastern Counties Organization (ECO) Association. Mr. Wengert stated the ECO met yesterday and voted to support the Ad Hoc Stakeholders Statement. Mr. Shirley stated that he did not see a need to go into executive session and would rather hold the discussion in open meeting stated that he supports ECO and made the motion to support ECO's Environmental Impact Statement, Mr. Weller seconded the motion for sake of discussion. A discussion was held regarding the differences in the plans. Mr. Weller stated that the majority of the impact from the wolves in District II of Apache County and the ranchers here know best what the issues related to the wolves. Mr. Weller provided an overview of the specific issues that are reflected in the Apache County plan and are ranchers present that may want to speak to the issue.

Chairman White stated that he also would like to hear from the community.

David Brown, a resident of Apache County addressed the Board and stated that he is a member of ECO and also represents the Arizona Cattle Growers who are also a signatory to the ECO plan and his organization represents the vast majority of the ranchers in Apache County and his ranch is right

in the heart of wolf county and has suffered losses. Mr. Brown provided a brief overview of the two plans and stated that he is support of the ECO Plan because it is the only alternative plan that will work.

Wink Crigler a resident of Apache County and stated that she is a neighbor to the Brown's Ranch and have also suffered expenses due to the wolves and provided an overview of her opinion on the 2 plans. Ms. Crigler stated that she supports collaboration and consensus building but she but does not support compromise to the point that we are all put out of business. Mr. Weller and Ms. Crigler held a discussion on which of the two plans she preferred. Ms. Crigler stated that she didn't think either plan has a chance of being accepted by U.S. Game and Fish and really does not support either plan.

Mr. Weller stated that he does not think compromise is not something he can support and vote for so he would not support the ECO plan.

Brad Grower, a resident of Apace County expressed his concern with wanting to see a cap in the plan on the number of wolves based on the elk population and the economic wellbeing of the hunting industry that would be affected.

Mr. White stated that the County has been members of ECO for a long time and he feels that he needs to support ECO.

Doyel Shamley, Natural Resources Coordinator, stated that the reason for alternatives is to get the most ideas out on the table. Motion passed to approve the ECO Alternative Plan 2-1 with Mr. Weller voting nay.

A work session was held with the Office of Emergency Management along with Steve Bold from the Arizona Department of Emergency Management with Apache County Elected Officials and Department Heads regarding the Continuity of Operations Plan (COOP). No action was needed or taken.

A work session was held on the Fiscal Year 2014-2015 Budget. Ryan Patterson provided an overview of the upcoming budget process and what to do with the \$263,000 projected increase in revenue. Mr. Wengert stated that he would like the Board's opinion on if the Board wanted to use the increase for raises for the employees or distribute it for department's operations. Mr. Shirley stated that he would like to see a 2 or 3% across the Board increase for all County employees, that they need to be encouraged and appreciated. Mr. Weller stated that he values the employees as well but he was put in office by the citizens of Apache County and citizens didn't get a raise last year and the employees did so he does not feel the employees should not be receiving an increase and is concerned that there is a potential to lay people off in the next year or two when funding starts to go away. Mr. Wengert stated that the County employees had not had an increase for many years before last year's COLA and as far a taxes go, Apache County has the lowest primary property tax rate in the State and is very lucky to have the majority of property taxes paid by the power plants. Mr. Wengert stated that pay raises for employees have been few and far between in past years so when there is a little extra it's not a bad idea because they have needs also and are doing a great job. Mr. White stated that it has been a long time that employees have gone without raises and he feels that he would like to see both merit raises for each supervisor to distribute within their department but also some to their operation's budget. No action was taken.

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

Approved this 19th day of May, 2014.

/s/ Tom M. White, Jr.  
Chairman of the Board

/s/ Delwin Wengert  
Clerk of the Board