

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
November 21, 2017
St. Johns, Arizona**

Present were: Chairman Joe Shirley, Jr., Vice Chairman Doyel Shamley and Supervisor Alton Joe Shepherd. Also present was Assistant Clerk of the Board Beth Bond and County Attorney Michael Whiting. Interim Clerk/Manager Ryan Patterson participated via the telephone.

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.

Diana Morgan led the Pledge of Allegiance.

Chris Sexton gave the invocation.

Chairman Shirley, on behalf of Community Development, presented the item for a public hearing followed by possible approval of a Subdivision Abandonment Application by James Wayne Crosswhite, LLC, allowing for the abandonment of the EC Bar Ranch Estates, by reverting to acreage all lots within the subdivision to create one (1) 206.5 acre parcel. Planned future use is for a preservation of wildlife habitat as well as increasing the water quality and volume along Nutrioso Creek. Mr. Shepherd moved to open a public hearing, seconded by Mr. Shamley. Vote was unanimous. David Brown, attorney for the owner, provided an overview of the history of the property and requested the Board approve the subdivision abandonment as well as item #2, the abandonment of the road right-of-way related to the property. Mr. Brown stated all the statutes and ordinances have been met with precision and the abandonment of the lots in the subdivision for the property located near Nutrioso, parcel 102-66-001 through 102-66-063. Mr. Brown stated on October 5, 2017, the Planning and Zoning Commission unanimously recommended approval of the abandonment. There was no one else wanting to address the Board during the public hearing. Mr. Shamley moved to close the public hearing, seconded by Mr. Shepherd. Vote was unanimous. Mr. Shamley moved to approve the item for Community Development regarding the abandonment of the subdivision, seconded by Mr. Shepherd. Vote was unanimous.

Ferrin Crosby, County Engineer, stated the item is in conjunction with item #1 for the possible approval of an abandonment of road right-of-way in conjunction with EC Bar subdivision reversion. Mr. Crosby stated the public hearing for the abandonment to be held in conjunction with EC Bar subdivision reversion. Mr. Shepherd moved approval, seconded by Mr. Shamley. Mr. Shamley asked Mr. Crosby if the road that was to be abandoned counts towards the funding with HURF. Mr. Crosby stated yes and the road mileage will be removed, and the list will be updated and will certify the number of roads within Apache County. Vote was unanimous.

Chairman Shirley entertained a motion to sit as the Board of Equalization to consider the following Petitions for Notice of Change determinations heard by Hearing Officer Charles Johnson on November 7, 2017. Mr. Shamley moved approval, seconded by Mr. Shepherd.

Acceptance of hearing determination of Petition for Notice of Change for Escudilla Cattle for parcels 102-43-008, 102-37-004 and multiple parcels 102-39-003C through 101-45- 005E agricultural status was granted.

Parcel 101-70-024 FCV for 2018 set at \$19,000

Parcel 101-70-005 FCV for 2018 set at \$15,000
Parcel 101-70-027 FCV for 2018 set at \$15,960
Parcel 102-64-040 FCV for 2018 set at \$19,190
Parcel 102-64-041 FCV for 2018 set at \$11,500
Parcel 102-64-042 FCV for 2018 set at \$13,500
Parcel 102-64-043 FCV for 2018 set at \$34,485
Parcel 102-64-045 FCV for 2018 set at \$51,030
Parcel 102-64-046 FCV for 2018 set at \$27,835
Parcel 102-64-047 FCV for 2018 set at \$35,500
Parcel 102-64-075 FCV for 2018 set at \$14,345
Parcel 102-64-040 FCV for 2018 set at \$19,190
Parcel 102-45-007L FCV for 2018 set at \$26,315
Parcel 102-64-038 FCV for 2018 set at \$66,888
Parcel 102-64-044 FCV for 2018 set at \$72,250

Acceptance of hearing determination of Petition for Notice of Change for Richard Schust, Parcel 202-39-333, FCV for 2018 set at \$196.00.

Acceptance of hearing determination of Petition for Notice of Change for Arthur and Susan Lloyd for parcel 203-40-004A, a stipulated agreement set FCV for 2018 at \$61,640 and parcel 203-40-006 a stipulated agreement set FCV at \$7,200 for 2018.

Acceptance of hearing determination of Petition for Notice of Change for Timothy Shelest, parcel 106-36-034I, FCV of \$226,636, due to ineligible for agriculture status.

Acceptance of hearing determination of Petition for Notice of Change for Margaret Fain and Linda Hale Trustees, for parcel 101-21-001Q, agriculture status was granted.

Acceptance of hearing determination of Petition for Notice of Change for Wilhelm Homestead Trust Ranch, agricultural status granted for parcels 106-45-001, 103-36-016, 106-38-005 and 106-45-001 and the following:
106-69-002A \$49,090 – outbuilding
106-69-002B \$98,409 – residence

Vote was unanimous.

Mr. Patterson presented the Consent agenda items. **A-E** and recommended approval. Mr. Shamley moved approval, seconded by Mr. Shepherd. **County Manager/Clerk of the Board: A.** Request approval of demands as distributed to the Apache County Board of Supervisors between November 7, 2017 to November 21, 2017. Payee Amount AMAZON CAPITAL SERVICES INC (IT DEPT) 1,944.54 AMK SOLUTIONS 4,340.38 AZ COUNTIES INSURANCE POOL 1,532.10 AZ SUPREME COURT 1,517.50 BAUMAN HOME AND AUTO INC 1,193.56 BELOTE, SIERRA NICOLE 2,640.86 BENDER, JUDITH A 7,362.50 BRADCO 2,766.87 BURNHAM MORTUARY 1,000.00 CDW GOVERNMENT LLC 1,100.70 COURTESY CHEVROLET 25,997.76 EMBASSY SUITES 1,545.49 FLEET PRIDE 1,847.45 FRONTIER 1,770.06 GALL'S INC 1,330.17 GALLUP CUSTOM TINTING 1,125.00 GOLIGHTLY TIRE 2,956.54 HIGH 5 DESIGN 1,080.57 HILLYARD/FLAGSTAFF 2,358.45 INGRAM LIBRARY SERVICES 2,353.35 JOE, JANET M 5,369.25 KATHLEEN M MCGUIRE PSY D LLC 2,280.00 LAWSON PRODUCTS INC 1,591.97 MOORE LAW FIRM PLLC 1,600.50 MYRON CORP 1,505.15 NAPA 1,098.54 NATIONAL BANK OF ARIZONA 0127 1,877.02 NATIONAL BANK OF ARIZONA 1389 1,763.61 NATIONAL BANK OF ARIZONA 0085 1,450.59

NAVAJO TRIBAL UTILITY AUTHORITY 1,694.22 NAVOPACHE ELECTRIC COOPERATIVE 6,332.39 NORCHEM DRUG TESTING LABORATORY 2,184.25 NORTHLAND PIONEER COLLEGE 23,113.91 FIZER INC 3,314.76 PIMA COUNTY MEDICAL 4,600.00 PINAL COUNTY ARIZONA,400.00 QUILL CORP 5,059.80 REIDHEAD SAND AND ROCK 4,065.10 ROBERTS TIRE SALES INC 5,837.40 ROMERO, DAVID JULIAN 1,430.41 SANOFI PASTEUR INC 6,436.01 SCALES BIOLOGICAL LABORATORY INC 5,378.96 SHIRLEY, JOE Junior 1,124.56 ST JOHNS CITY 6,407.57 STAPLES CREDIT PLAN 4,436.69 SWEETLANDS COMPLETE AUTO 3,650.78 TABLE TOP TELEPHONE COMPANY INC 1,135.57 THE AARONS COMPANY LLC 3,000.00 TJP COMMUNICATIONS 4,007.15 TRINITY SERVICES GROUP INC 3,939.21 VERIZON WIRELESS 1,509.20 WILSON AMPLIFIERS 1,230.90 WRIGHT EXPRESS FSC 3,258.95 YELLOWHORSE, JAY 1,036.72 YOUNGS FUTURE TIRE 2,077.34 PIONEER TITLE AGENCY INC 81,814.67 AMERICAN FAMILY LIFE ASSURANCE 1,000.94 APACHE COUNTY HSA 3,302.09 APACHE COUNTY MEDICAL 160,243.80 APACHE COUNTY TAX WITHHOLDING 149,776.61 ASRS LEGACY EORP 1,089.96 AZ STATE RETIREMENT SYSTEM 101,118.48 COLONIAL LIFE AND ACCIDENT INS 1,230.54 CORRECTIONS OFFICER RET PLAN 7,492.70 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,237.71 EORP LEGACY 1,288.26 NATIONWIDE 1,105.00 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 7,699.10 PUBLIC SAFETY SHERIFF RET 42,014.18 SECURITY BENEFIT GROUP 1,580.00 SUPPORT PAYMENT CLEARINGHOUSE 1,879.57 ADVERTISING IDEAS 4,333.30 ASHTONS REPAIR INC 1,226.68 AVAYA COMMUNICATIONS 1,603.62 AZLGEBT 315,481.07 BLUE HILLS ENVIRONMENTAL 1,649.15 BOB BARKER COMPANY INC 1,314.95 BRADCO 57,736.42 BREWER LAW OFFICE PLLC 8,500.00 DAN BROOKS SURVEYING LLC 1,350.00 DESERT VIEW FUNERAL HOME LLC 8,025.00 DIAMOND DRUGS INC 2,012.48 EBSCO SUBSCRIPTION SERVICES 2,717.75 ELECTRONIC CENTER INC 3,327.74 EMPIRE MACHINERY 11,633.15 FRONTIER 4,514.08 GALL'S INC 1,098.49 HAMBLIN LAW OFFICE PLC 8,500.00 HATCH MOTOR COMPANY INC 1,826.79 HILLYARD/FLAGSTAFF 1,300.42 HUMAN SERVICES CONSULTANTS 16,035.24 JAMES, CORRIE 1,278.62 JCG TECHNOLOGIES INC 1,988.28 LAW OFFICE OF DIRK LEGATE PLLC 8,500.00 NAVOPACHE ELECTRIC COOPERATIVE 5,098.02 PACIFIC PONDEROSA CO INC 2,773.37 PATTERSON, DANA BRYCE 8,500.00 QUILL CORP 3,396.01 RDO EQUIPMENT CO 1,103.06 EDW LLC 7,250.00 REST UR RUMP 1,178.28 RIGG LAW FIRM PLLC 1,842.50 SALINE LAW GROUP PLLC 3,373.90 SCHIFF, LAURENCE 1,100.00 SCOTT HAMBLIN MD PC 1,900.00 SECURUS TECHNOLOGIES INC 2,141.27 ST JOHNS CITY 2,370.12 WAL-MART COMMUNITY 1,294.84 YELLOWHORSE, JAY 1,078.53 AZ DEPT OF REVENUE 1,278.90 YELLOWHORSE, JAY 1,036.72

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. Request approval of the termination of Special Land Use Permit No. 23-112639-03 for lease of property near the Round Valley Rodeo Grounds. Termination of this Special Land Use Permit will save the County thirteen thousand dollars (\$13,000) per year. Superior Court: C. Request approval for the FY2018 Fill the Gap Grant Application in the amount of two hundred twenty-seven thousand, seven hundred sixty-three dollars and 80 cents (\$227,763.80). These funds are generated from court fines and fees and set aside for necessary court operations within Apache County. Personnel Items: D. Probation Services: Request approval to convert a Juvenile Detention Manager position (Range 44) to a Legacy Teen Center Regional Coordinator position (Range 44). This change will not affect the budget nor cost the County or Probation additional funds. E. District I: Request approval to convert a currently vacant Road Maintenance Worker I position (Range 24) to a Road Maintenance Worker II position (Range 30). Vote was unanimous. Angela Romeo, Election Director, requested approval of the Canvass of the November 7, 2017 Special Election. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Angela Romero, Election Director, requested approval to dispose of 234 unusable voting booths by donating them to the Ft. Defiance Agency Election Office/Navajo Nation Election Administration. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Mr. Shepherd, on behalf of District II, requested approval to trade a 2001 Caterpillar 140H, VIN 22K06577 to the Ganado Chapter House in exchange for an additional 2.36-acres of land to be added to the lease between Apache County and the Navajo Nation for the expansion of the Ganado Road Yard site to allow for more room for road material and equipment. Mr. Shepherd stated the exchange will help the constituents. County Attorney Whiting stated he worked with Mr. Shepherd and his staff on the item and this is an exchange to add the additional 2.36 acres of land to the existing lease and the resolution needed to be changed to reflect the word lease, not purchase. Mr. Shamley moved to approve with the change in language be corrected on the resolution as stated by Mr. Whiting, seconded by Mr. Shepherd. Vote was unanimous.

Chairman Shirley opened the floor for call to the public. Art Modica thanked Ferrin Crosby and the Road workers for the work done to County Road by the Chairman. At the close of the call to the public, Board members may not respond to any comments but may respond to criticism, ask staff to review a matter, or ask that a matter be placed on a future agenda. Mr. Shepherd moved to adjourn the meeting, seconded by Mr. Shamley. Vote was unanimous.

Approved this 19th day of December 2017.

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

/s/ Ryan Patterson
Interim Clerk of the Board