

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

October 2, 2012
St. Johns, Arizona

Participating via the telephone was Chairman Jim Claw, Vice Chairman Tom M. White, Jr., Supervisor R. John Lee and County Manager/Clerk of the Board Delwin Wengert. County Attorney Michael Whiting as present.

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

Ferrin Crosby led the Pledge of Allegiance.

Chairman Claw called for the Health District items.

Chris Sexton, Health Director, requested approval to convert the currently vacant full-time Health Educator I position to a permanent part-time position, 19 hours per week, range 19 at \$9.75 per hour and create a full-time Health Educator II position, range 24, at the annual salary of 22,940.00. Mr. Sexton stated that these positions are funded by the Teen Pregnancy Program grant. **Mr. White moved approval, seconded by Mr. Lee.** Mr. White asked how long these positions will last. Mr. Sexton stated that the grant is for a year and the positions go with the grant so as long as there is funding, the positions will remain and renewed on an annual basis. Vote was unanimous.

Chris Sexton, Health Director, requested approval of the Medical Consultant Agreement renewal with North Country Healthcare. **Mr. Lee moved approval, seconded by Mr. White.** Vote was unanimous.

Mr. Lee moved to adjourn, seconded Mr. White. Vote was unanimous.

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

The Board sat as the Board of Equalization to consider and possibly approve Hearing Officer Charles Johnson's determinations of the Petitions for Review of Property Valuation appeals that were held on September 27, 2012. **Mr. Lee moved approval seconded by Mr. White.** Mr. Lee stated that he is proud of the job done by Mr. Johnson and that he is fair and decisive and proud to move to support his determinations. Vote was unanimous.

Mr. Wengert presented the Consent Items A-E and recommended approval. **Mr. White moved approval, seconded by Mr. Lee.** County Manager/Clerk of the Board: A. Approval of Minutes dated September 18, 2012. B. Request approval of the demands. BARNES, PARTICIA M 2,060.00 BRIMHALL SAND & ROCK 10,535.04 COURTESY CHEVROLET 39,722.98 DELL COMPUTER CORPORATION 2,300.83 FRONTIER 9,946.23 KATHLEEN

M MCGUIRE PSY D 2,547.50 LEGO EDUCATION 8,085.00 MO MONEY ASSOCIATES LLC 2,673.57 MOUNTAIN COMFORT HEATING AND COOLING 2,319.93 NAVAJO COUNTY 7,500.00 NAVOPACHE ELECTRIC COOPERATIVE 11,927.63 NEW CENTURY EDUCATION FOUNDATION 1,021.00 NEW WORLD SYSTEMS CORPORATION 2,422.83 NEXTRAQ 3,300.80 PATTERSON, DANA BRYCE 6,650.00 PRO PETROLEUM 25,974.82 QUILL CORP 1,652.09 ROGERS, STEPHEN K 1,198.00 SPIVEY, LANCE 3,000.00 ST JOHNS CITY 2,090.64 TECHNICAL RESOURCE MGMT INC 1,473.84 U-HAUL INTERNATIONAL 2,003.06 VERIZON WIRELESS 1,955.07 WHITE MOUNTAIN PUBLISHING 3,770.36 WILLIAMS LAW GROUP PLLC 6,650.00 AZ DEPT OF REVENUE 3,168.27 AMIGO CHEVROLET 1,068.87 AMIGOS LIBRARY SERVICES 2,618.70 AVAYA COMMUNICATIONS 1,381.19 AZ BRAKE & CLUTCH SUPPLY 1,037.59 AZLGEBT 276,576.96 BAUMAN HOME AND AUTO INC 1,085.73 BILLS DISCOUNT AUTO PARTS 1,003.00 BLUE HILLS ENVIRONMENTAL 1,077.12 BRADCO 4,762.87 BURNHAM MORTUARY 1,147.64 BUTLER'S OFFICE EQUIPMENT & SUPPLY INC 1,870.78 CANNON CONSULTANTS LLC 4,186.12 CANYON PIPE AND SUPPLY 2,454.75 CDW GOVERNMENT LLC 1,045.00 DESERT MOUNTAIN CORPORATION 16,835.04 DIAMOND DRUGS INC 1,228.14 EMPIRE MACHINERY 1,633.24 FLAGSTAFF SECURITY SERVICES LLC 2,400.00 FORBES, DAVID C 1,010.00 FRONTIER 3,228.85 GALLUP LUMBER & SUPPLY 1,689.96 GEXPRO 1,328.73 GOLIGHTLY TIRE 5,784.69 HATCH CONSTRUCTION 1,961.84 HILLYARD INC 4,765.61 HOV SERVICE 1,260.00 JCG TECHNOLOGIES INC 2,885.40 KTN RADIO STATION 2,479.36 MARTIN, TONNA SHERWOOD 7,038.26 MERITAIN HEALTH INC. 1,206.00 MESA ENTERPRISES INC 3,164.22 NAVOPACHE ELECTRIC COOPERATIVE 5,205.80 OFFICE DEPOT 1,631.23 OVERDRIVE INC 1,750.28 PACIFIC PONDEROSA CO INC 4,795.36 PIMA COUNTY MEDICAL 4,400.00 PITNEY BOWES 3,910.61 QUILL CORP 3,387.51 REDWOOD TOXICOLOGY LABORATORY INC 1,214.05 SCHNEIDER, TABECA JANE 2,115.00 SECURUS TECHNOLOGIES INC 1,997.65 SHERWIN-WILLIAMS 1,077.96 SMITH, JOHN R 2,450.00 ST JOHNS EMERGENCY SERVICES 1,057.11 UNIVERSAL FLEET CARD 1,014.43 VEHICLE LIGHTING SOLUTIONS INC 8,896.81 VERIZON WIRELESS 2,446.81 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,463.01 C. District III: Request authorization for funds to purchase food and supplies in the amount of \$500.00 total for the St. Michaels, Nahata Dziil, and Lupton Senior Citizen Centers using District III funds. Human Resources: D. Community Development: Request approval to hire 2 part-time permanent Administrative Assistant I employees not to exceed 19 hours per week. E. District II: Request authorization to hire a temporary Administrative Assistant I, not to exceed 120 days. Vote was unanimous.

Mr. Whiting requested authorization to enter into a Professional Services Contract with their current Chief of Staff, Marcor Platt and hire him as an independent contractor to perform financial and other requested duties at an hourly rate of \$70.00 per hour, in an amount not to exceed \$40,000 per year which will save the County Attorney's Office approximately \$30,000 and that is one of the ways to deal with the 11% budget cut. Mr. Whiting stated that Mr. Platt has military obligations and leaving the county and want to keep him as an independent contractor.

Mr. Lee moved to table to matter so a contract could be prepared to look at as well as get a little more information before he moves forward. Mr. White seconded Mr. Lee's motion to

table. Mr. Whiting stated that a contract has been prepared and was given to Mr. Lee weeks ago as well as contained in the Board's packets so he is not sure why Mr. Lee has not seen it. **Mr. Lee withdrew his motion to table the item and Mr. White agreed to withdraw his second.** Mr. Wengert stated that he believes that there are still some discussions that he and Mr. Whiting could have about this issue and some other options as an alternative to what is being proposed and if the Board would like and Mr. Whiting would agree, maybe the two could meet and come up with something agreeable for all parties. Mr. Whiting responded that he doesn't know what else there is to discuss unless Mr. Wengert came up with something new this morning, but they have been emailing back and forth for several weeks. Mr. Whiting stated that Mr. Platt will be leaving this week and there will be no one to manage the grants and he had asked to have this on the agenda for the last Board meeting and Mr. Wengert asked him to remove it so they could continue to have discussions. Mr. Wengert stated that in his opinion, the need to hire a CPA to handle grants and financial issues is not necessary for any of the departments and by hiring a CPA at \$70.00 per hour it sets a precedent throughout the county because not only does the County Attorney's Office handle grants, but many others do as well. Mr. Wengert stated that the County has never gone down the road of hiring a CPA to do this kind of work and his opinion that if there is a need, that's what the Finance Department is for. Mr. Wengert stated that the agenda item says this will be a cost savings of \$30,000 but he is concerned that if we start hiring CPAs, in the long run, the County will spend more in the long run than what is saved on this one particular item and prior to Mr. Platt there, were employees who were capable of handling these grants who were not CPAs. Mr. Lee asked if those resources needed are available to the County Attorney's office already. Mr. Wengert stated yes, not only for the County Attorney's Office but any office that has grants; that the Health and Sheriff's Office have numerous grants and that is why there are CPAs working in the Finance Department. Mr. Lee stated that if these resources are available, not only can we save the \$30,000 but also the \$70.00 per hour. Mr. Wengert stated that was correct, and if this is approved, we set a precedent of hiring CPAs and in the past, this has not been necessary and he does not see it necessary now. Mr. Wengert stated that Mr. Platt is highly qualified and does a great job but in his opinion, there is no reason to pay \$70.00 per hour for the kind of work that can be done another way. Mr. Whiting stated that he does to subscribe to the management theory of get the least qualified person we can and pay them as little as you can, that's probably why Mr. Wengert had an interview with CBS News last week, because our Public Fiduciary apparently without a family's consent, authorized the cremation of a grandmother. Mr. Wengert interrupted Mr. Whiting and stated that issue is not on the agenda. Mr. Whiting continued, stating that is why he wants a CPA in his office, that before he took office, there were numerous problems with the grants not being done properly. Mr. Whiting stated that he does not want to get into a situation where he is on the news explaining why something has happened when he has tried to manage this is a fiscally sound way. Mr. Whiting stated that if Mr. Wengert doesn't want this done, he will just keep Mr. Platt on as a full time employee; he won't work full time but will continue to pay him for full time and that will result in a financial strain on his office. A discussion was held regarding Mr. Platt's salary. Mr. Wengert stated that Mr. Platt could work as a part time employee and that would cover the work needed and would result in getting away from the contract issue of hiring a CPA. Mr. Wengert stated that he has never suggested that the county hire the least qualified person available and for Mr. Whiting to say that is a total fabrication; he always tries to hire the best people with the money available. Mr. Wengert continued, stating that in this case, Mr. Whiting is suggesting to pay Mr. Platt double what he is making right now and in his mind, that does not seem wise. Mr.

Whiting responded that Mr. Platt is not willing to do that because he will have to pay his own health insurance, own transportation and costs associated with being an independent contractor, that is why they make more than an hourly government employee. Mr. Wengert stated that the County has hired numerous ex-employees after they retired because the county still needed their services on a part time basis and explained the rate of pay process used to pay those retired employees. Mr. Wengert and Mr. Whiting discussed the hourly rate that would be paid to Mr. Platt. Mr. Wengert stated that he just did not want to start down a road of hiring a CPA to do this kind of work, it has not been done in the past and all of the other departments have been able to handle their grant work without a CPA and to his knowledge it has worked fine. Mr. Whiting responded that it is not so much the CPA issue, but the fact that he is familiar with the programs and has spent four years getting them in compliance with federal and state requirements and is familiar with the boards and the people and done a great job taking those programs up north and building bridges with the people up there and he would like to continue that. Mr. Wengert stated that he agrees that Mr. Platt has done a great job and has been great employee. Mr. Wengert stated that when Mr. Whiting first approached him with this issue, he wanted to hire him at \$70.00 an hour because he is a CPA and that was how this whole issue started. Mr. Whiting stated that was one of the many reasons. Mr. Claw asked where Mr. Platt is relocating to. Mr. Whiting stated that he is going to Afghanistan and Iraq. Mr. Claw asked how he would perform his work from there. Mr. Whiting stated that Mr. Platt is a reserve Naval Officer and left the office for about 9 months a couple years ago on a tour and the IT department set up a way for him to get into our computer remotely and perform all the same duties so that was what he was going to do again. Mr. Wengert stated that he believed Mr. Platt has taken another job with a mining company in Morenci. Mr. Whiting stated that he believes he is doing some kind of consulting there. Mr. White stated that he had heard enough discussion on this issue. Mr. Claw called for a motion. Hearing none, the item died for lack of a motion.

Ferrin Crosby, County Engineer, requested authorization to enter into a Professional Services Agreement with Arcadis for the Tsaille multi-use trail construction project management and the contract is for approximately \$40,000. **Mr. White moved approval, seconded by Mr. Lee.** Vote was unanimous.

Ferrin Crosby, County Engineer, on behalf of District I requested authorization to purchase a 2013 ¾ ton crew cab 4x4 pickup using HURF monies and utilizing State Purchasing, at a not to exceed cost of \$39,000.00. Mr. Wengert stated that this pickup will be for the incoming District I Supervisor assuming the office on January 1, so this vehicle is being purchased so that he will have transportation when he comes into office. **Mr. Lee moved approval, seconded by Mr. Claw.** Motion passed 2-1 with Mr. White voting nay.

Angela Romero, Election Director, requested approval of precinct and tally board workers, and the polling places used for the November 6, 2012 General Election. **Mr. Lee moved approval, seconded by Mr. White.** Vote was unanimous.

Angela Romero, Election Director, presented notification of the Governor's Proclamation of the November 6, 2012 General Election. No action was needed or taken.

Mr. Wengert requested approval of the Intergovernmental Agreement renewal between Apache County and Northland Pioneer College to provide community college programs and services. **Mr. Lee moved approval, seconded by Mr. White.** Vote was unanimous.

Mr. Wengert requested approval to renew the Lease Agreement between Apache County and the Alpine Chamber of Commerce for the use of the county building. **Mr. Lee moved approval, seconded by Mr. White.** Mr. Lee stated that there have been some issues with the use of the building so this will clarify the use. Vote was unanimous.

Grant Coordinator, Malena Bazarro requested approval of the Chinle Safe Routes to School Project Contract between Arizona Department of Transportation and Apache County on behalf of the Chinle Unified School District. **Mr. White moved approval, seconded by Mr. Lee.** Mr. Whiting stated that this agreement has been approved by the County Attorney's Office. Vote was unanimous.

Mr. Wengert presented notification of the County Supervisors Association Legislative Summit held October 1-3, 2012 at the Windemere Hotel and Conference Center, 2047 S. Highway 92, Sierra Vista, Arizona. No action was needed or taken.

Mr. Lee moved to adjourn the meeting, seconded by Mr. White. Vote was unanimous.

Approved this 16th day of October, 2012.

/s/ Jim Claw
Chairman of the Board

/s/ Delwin Wengert
Clerk of the Board