

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING

October 6, 2020  
St. Johns, Arizona

Present were: Chairman Alton Joe Shepherd, Supervisor Travis Simshauser, County Manager/Clerk of the Board Ryan Patterson and Chief Deputy Attorney Joseph Young. Vice Chairman Joe Shirley, Jr. and County Attorney Michael Whiting participated via the telephone.

Chairman Shepherd 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.

Jason Moore led the Pledge of Allegiance.

Jack Ingram gave the invocation.

Chairman Shepherd called for the Health District items.

Preston Raban, Health Director, requested approval of Intergovernmental Amendment #4 Immunization Service Contract No. ADHS 18-177674 in the amount of \$50,000 that will assist the Health Department to increase flu vaccination rates for adults within the county. Mr. Raban stated this has been budgeted for in FY21. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Preston Raban, Health Director, requested approval of the Governor's Office of Highway Safety Grant in the amount of \$7,458, effective October 1, 2020 through September 30, 2021. Mr. Raban stated this grant will assist with the purchase of child car seats and installation education. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

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

Chairman Shepherd called for the Library District items.

SueAn Stradling-Collins, Library Director, requested ratification of acceptance of eContent credit in the amount of \$1,863.76. The eContent consists of eBooks and/or eAudios dealing with issues of inclusive communities. Mrs. Stradling-Collins stated the topics include resources that allow libraries to engage with their communities, develop workforce skills, and learn life literacies such as parenting, health and finance regardless of cultural and socioeconomic backgrounds. Mrs. Stradling-Collins stated there are no matching funds and is supported by the Arizona State Library, Archives & Public Records, a division of the Secretary of State, with federal funds from the Institute of Museum and Library Services. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Stradling-Collins, Library Director, requested approval to accept a donation for the Alpine Public Library from the Alpine Parade Committee in the amount of \$1,427.63. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

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

Chairman Shepherd called for the regular agenda items.

**Mr. Simshauser made the motion to sit as the Board of Equalization, seconded by Mr. Shirley.** Vote was unanimous. The Board sat as the Board of Equalization to accept the following Petitions for Review of Real Property determinations heard by Hearing Officer Charles Johnson on September 23, 2020.

Acceptance of hearing determination of Petition for Review of Real Property valuation for Scott Schedell, parcel 201-30-060B.

Acceptance of hearing determination of Petition for Review of Real Property valuation for B & D Dolan Revocable Living Trust, parcel 102-62-010

Acceptance of hearing determination of Petition for Review of Real Property valuation for Brower Family LTD Partnership, parcel 106-36-039G

Acceptance of hearing determination of Petition for Review of Real Property valuation for Dale Adams. parcel 101-60-045

Acceptance of hearing determination of Petition for Review of Real Property valuation for David Lucas, parcel 203-25-012

Acceptance of hearing determination of Petition for Review of Real Property valuation for J. Albert Brown Ranches, Inc., parcel 203-39-020N.

Acceptance of hearing determination of Petition for Review of Real Property valuation for J. Albert Brown Ranches, Inc., parcel 203-39-001B.

**Mr. Simshauser moved to accept the decisions, seconded by Mr. Shirley.** Vote was unanimous.

**Mr. Simshauser moved to close the Board of Equalization meeting and resume the remainder of the meeting as the Board of Supervisors, seconded by Mr. Shirley.** Vote was unanimous.

Mr. Patterson presented the item following a public hearing, discussion and possible approval of a Bingo License Application recommendation for the American Legion Cpl. Joe McCarthy Post #130 to hold bingo on the second Wednesday of each month at the American Legion Hall, #25 Apache County Road 5041, in Concho Arizona. **Mr. Shirley moved to open the public**

**hearing, seconded by Mr. Simshauser.** Vote was unanimous. Hope MacMonagle, a member of Post #130 requested approval of the recommendation. There was no one else wanting to speak during the public hearing. **Mr. Simshauser moved to close the public hearing, seconded by Mr. Shirley.** Vote was unanimous. **Mr. Simshauser moved approval of the bingo license recommendation, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson requested approval of Consent Agenda items A-D and recommended approval. **Mr. Simshauser 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 September 1, 2020 and October 6, 2020. Payee Amount APACHE COUNTY HSA4,665.24 APACHE COUNTY MEDICAL 171,957.27 APACHE COUNTY TAX WITHHOLDING134,399.80 ASRS LEGACY EORP 5,877.24 AZ STATE RETIREMENT SYSTEM 108,178.22 COLONIAL LIFE AND ACCIDENT INS1,509.76 CORRECTIONS OFFICER RET PLAN10,793.46 CORRECTIONS OFFICER RETIREMENT PLAN 5205,014.78 EORP LEGACY2,720.34 NATIONWIDE3,326.38 NATIONWIDE TRUST FSB 3,313.19 PUBLIC SAFETY PERSONNEL 40116,207.12 PUBLIC SAFETY SHERIFF RET 36,467.11 SUPPORT PAYMENT CLEARINGHOUSE1,486.14 AMAZON CAPITAL SERVICES INC (IT DEPT) 3,797.31 AMIGO CHEVROLET 3,306.25 AZ DEPT OF RISK MANAGEMENT 1,143.10 AZ EMERGENCY PRODUCTS5,478.02BILL LUKE CHRYSLER JEEP DODGE INC 27,502.22 BOB BARKER COMPANY INC 1,864.52 BURNHAM MORTUARY 1,000.00 CIVIC WEBMASTERS13,324.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS3,583.00 CRESCENT ELECTRIC SUPPLY CO 1,377.19 DELL COMPUTER CORPORATION1,381.79 KOS4,200.00 ELECTION SYSTEMS AND SOFTWARE 14,539.72 EMPIRE MACHINERY 3,513.10 FLEET PRIDE5,427.32 FUTURE TIRE 1,218.08 GLAXO SMITHKLINE PHARMACY1,512.60 GMCO CORPORATION 17,792.67 HILLYARD/ FLAGSTAFF2,348.81 HOME DEPOT3,030.91 INGRAM LIBRARY SERVICES2,727.24 NAVAJO TRIBAL UTILITY AUTHORITY 1,020.83 NICOLL CONSTRUCTION LLC 98,933.87 PITNEY BOWES RESERVE ACCOUNT5,000.00 QUILL CORP4,292.97 RHINEHART OIL CO 4,547.67 SAN DIEGO POLICE EQUIPMENT CO INC,511.69 SANOFI PASTEUR INC2,562.93 SEQIRUS USA INC6,560.24 SOUTHERN TIRE MART LLC6,285.30 TORRISON CONSULTING LLC4,859.00 TRINITY SERVICES GROUP INC 15,026.47 VERIZON WIRELESS 5,510.29 WOODLAND BUILDING CENTER1,760.36 VERITAS RESEARCH CONSULTING3,400.00 HOLLY NICOLE SMITH 1,527.50 NATIONAL BANK18,627.00 4 RIVERS EQUIPMENT LLC1,741.97 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,526.13 AZ SUPREME COURT1,555.46 AZ SUPREME COURT 21,269.01 BLUE HILLS ENVIRONMENTAL 2,350.86 BOB BARKER COMPANY INC 2,615.46 CATERPILLAR FINANCIAL SERVICES CORPORATION131,599.17 CONSOLIDATED ELECTRICAL DISTRIBUTORS 2,242.07 CONTRACT PHARMACY SERVICES INC4,093.92DELL COMPUTER CORPORATION14,371.99 EATON SALES & SERVICE 78,065.24 EMPIRE MACHINERY 12,632.43 FLEET PRIDE1,635.84 FOUNDATION FOR LITTLE COLORADO REVITALIZATION 2,500.00 GOVERLAN INC1,518.00 Apache County - Cler the GROVER HILLS CONSTRUCTION LLC23,360.00 KLINT HEAP1,365.01 HILLYARD/FLAGSTAFF 1,463.52 LEGATE, PENROD & ASSOCIATES2,024.00 NAVAJO TIMES PUBLISHING COMPANY INC1,022.37 NAVAJO TRIBAL UTILITY AUTHORITY 4,597.07 QUILL CORP 6,472.50 RHINEHART OIL CO22,324.16 SECURUS TECHNOLOGIES INC1,332.00 SIMPLEXGRINNELL LP2,294.56 ST JOHNS CITY3,075.00

ST JOHNS EMERGENCY SERVICES1,029.69 STEVEN J SERBALIK PLC12,196.50 THE  
AARONS COMPANY LLC3,000.00 TRUCK PRO DBA AZ BRAKE & CLUTCH SUPPLY  
1,106.57 TYLER TECHNOLOGIES INC3,699.46 WRIGHT EXPRESS FSC1,723.66  
YAZZIE'S AUTO PARTS INC 2,403.25 AMERICAN SECURITY CABINETS LLC 2,610.00  
ROBERT B GREENWADE5,940.00 MHC KENWORTH171,977.92 VERITAS RESEARCH  
CONSULTING3,400.00 APACHE COUNTY HSA 4,665.24 APACHE COUNTY MEDICAL  
171,934.89 APACHE COUNTY TAX WITHHOLDING136,908.93 ASRS LEGACY EORP  
5,877.24 AZ STATE RETIREMENT SYSTEM108,134.12 COLONIAL LIFE AND  
ACCIDENT INS1,509.76 CORRECTIONS OFFICER RET PLAN10,817.42 CORRECTIONS  
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3,324.75 NATIONWIDE TRUST FSB3,364.98 UBLIC SAFETY PERSONNEL 401 16,207.12  
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(IT DEPT)3,008.45 ARIZONA MOTORS SNOWFLAKE 1,378.58 ARIZONA SHERIFF'S  
ASSOCIATION2,629.00 ASHTONS REPAIR INC 2,309.01 AZ COUNTIES INSURANCE  
POOL26,316.00 AZ DEPT OF HEALTH SERVICES1,240.00 AZ SUPREME COURT  
2,690.66 BREWER LAW OFFICE PLLC 8,500.00 BROADBENT INSURANCE2,650.00  
FUTURE TIRE10,757.88 GALL'S INC5,132.28 HAMBLIN LAW OFFICE PLC 8,500.00  
NAVAJO TRIBAL UTILITY AUTHORITY1,766.16 NAVOPACHE ELECTRIC  
COOPERATIVE 6,476.81 OFFICE DEPOT 1,738.49 DANA BRYCE PATTERSON8,500.00  
PITNEY BOWES3,762.29 PRO PETROLEUM12,909.37 QUALITY READY MIX INC  
3,851.70 QUILL CORP 5,361.43 R JOHN R JOHN LEE ATTORNEY AT LAW8,500.00  
RHINEHART OIL CO14,764.76 ROGER THE PLUMBER 1,006.24 RUSH TRUCK CENTER  
1,869.32 LAURENCE SCHIFF 2,200.00 US POSTMASTER 1,500.00 VALLEY AUTO  
PARTS1,962.10 VERIZON WIRELESS 1,287.39 AZ DEPT OF REVENUE 1,094.99  
NAVAJO TRIBAL UTILITY AUTHORITY1,078.84 A-1 GLASS AND MIRROR INC5,228.41  
AMAZON CAPITAL SERVICES INC (IT DEPT) 1,809.13 ARIZONA ELEVATOR  
SOLUTIONS INC4,658.93 BARCO PRODUCTS CO 1,885.09 CONTINUANT INC1,178.20  
FRONTIER 1,351.24 FRONTIER 4,547.18 FRONTIER 1,859.88 GILA COUNTY1,454.81  
GLAXO SMITHKLINE PHARMACY4,945.46 HAMBLIN & ASSOCIATES LLC2,650.00  
HIGH COUNTRY SIGNS LLC1,188.00 HOME DEPOT2,923.49 INFOGROUP LIBRARY  
DIVISION1,305.49 MHC KENWORTH1,375.00 NAVOPACHE ELECTRIC COOPERATIVE  
17,419.37 NORTH COUNTRY COMMUNITY HEALTH 1,250.00 PIMA COUNTY  
MEDICAL 2,300.00 QUILL CORP8,344.16 SECURUS TECHNOLOGIES INC 2,074.12  
SOUTHERN TIRE MART LLC2,538.95 TRUCK WORKS HOLDINGS LLC5,814.25  
US INSULATION INC14,489.79 VERITAS RESEARCH CONSULTING1,750.00  
VERIZON WIRELESS1,321.89 WHITE MOUNTAIN REGIONAL MEDICAL CENTER  
1,523.87 YAZZIE'S AUTO PARTS INC 4,483.49 JOSEPH YOUNG 1,800.00  
APACHE COUNTY PROBATION DEPARTMENT10,000.00 APACHE COUNTY  
HSA4,540.24 APACHE COUNTY MEDICAL165,432.32 APACHE COUNTY TAX  
WITHHOLDING133,272.10 ASRS LEGACY EORP5,877.24 AZ STATE RETIREMENT  
SYSTEM106,499.54 COLONIAL LIFE AND ACCIDENT INS1,509.76 CORRECTIONS  
OFFICER RET PLAN10,793.46 CORRECTIONS OFFICER RETIREMENT PLAN  
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FSB3,325.98 PUBLIC SAFETY PERSONNEL 401 16,207.12 PUBLIC SAFETY SHERIFF  
RET33,740.58 SUPPORT PAYMENT CLEARINGHOUSE1,455.64 NATIONAL BUSINESS

FURNITURE 1,606.32 PROFORCE LAW ENFORCEMENT1,938.93 QUILL CORP6,961.76  
RHINEHART OIL CO5,992.38 RODEO FENCE & SEPTIC3,126.42 SECURUS  
TECHNOLOGIES INC1,064.98 TEMPARMOUR REFRIGERATION 3,156.00 THOMSON  
REUTERS WEST1,308.00 Spartan Body Armor TK Armor Systems, LLC9,254.16  
TORRISON CONSULTING LLC4,859.00 US GEOLOGICAL SURVEY 3,100.00  
VALLEY AUTO PARTS2,238.40 VERITAS RESEARCH CONSULTING1,000.00  
VERIZON WIRELESS2,344.03 WILLIAMS SCOTSMAN INC (WILLSCOT) 1,360.20  
YAZZIE'S AUTO PARTS INC1,387.96 4 RIVERS EQUIPMENT LLC1,365.88 AMAZON  
CAPITAL SERVICES INC (IT DEPT) 6,776.58 APACHE COUNTY1,616.77 APACHE  
COUNTY YOUTH COUNCIL1,638.81 ASHTONS REPAIR INC 2,116.45 AZLGEBT  
340,515.29 CDW GOVERNMENT LLC5,264.99 DELL COMPUTER CORPORATION  
3,612.46 EASI FILE24,259.16 ELECTION SYSTEMS AND SOFTWARE5,710.42  
EMPIRE MACHINERY3,863.24 GMCO CORPORATION26,013.43 KLINT HEAP1,585.00  
HILLYARD/FLAGSTAFF 1,160.49 HISTORICSTREETSCAPES PLLC 11,663.75  
HOME DEPOT 2,216.99 IDEMIA IDENTITY & SECURITY USA LLC 3,996.06  
INGRAM LIBRARY SERVICES 5,011.60 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 September 1, 2020. Election Department:  
C. Request approval of the designated polling places for the upcoming November 3, 2020  
General Election. D. Request approval of all Election Board Workers, Poll Workers, Equipment  
Management and Election Day Technicians for the upcoming November 3, 2020 General  
Election. Vote was unanimous.

Malena Bazurto-Hannah, District III Manager, requested approval to accept the USDA Rural  
Business Development Grant award in the amount of \$50,000. **Mr. Simshauser moved  
approval, seconded by Mr. Shirley.** Vote was unanimous

Ferrin Crosby, County Engineer, requested action conveying a utility easement to Navopache  
Electric Cooperative Inc. for the purpose of constructing, operating and maintaining electric  
transmission lines and hardware onto Apache County property in Eagar, AZ. This is in  
conjunction with the construction of the Lodge Legacy Teen Center. **Mr. Simshauser moved  
approval, seconded by Mr. Shirley.** Vote was unanimous

Mr. Patterson, on behalf of the Recorder's Office, requested approval to accept a 2020 HAVA  
Voting Security Sub Grant in the amount of \$97,016.92 with no matching funds required. **Mr.  
Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous

Mr. Patterson, on behalf of Community Development, requested approval to eliminate an  
Administrative Specialist position (Range 30) and increase the hours for the Plan Reviewer  
position (Range 48) to 40 hours per week. This action will result in a savings of approximately  
\$7,000. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous

Levi Coffelt, Sheriff's Office, requested approval to enter into a "one call" agreement with  
Guardian Air. This agreement will streamline air ambulance dispatch during medical calls,  
reducing workload and increasing effectiveness for ACSO Public Safety Telecommunicators.  
This service is provided at no charge by Guardian Air and assures equal opportunity for all air

ambulance services in our region. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Troy Czarnyszka, Court Administrator, on behalf of Superior Court, requested approval of the Amendment to the Interagency Agreement between Arizona Department of Child Safety, the Arizona Supreme Court, the Administrative Office of the Courts and Apache County. The Amendment allows Apache County to use Title IV-E funds to cover the associated costs of independent legal representation for a qualified child in foster care. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Troy Czarnyszka, Court Administrator, requested approval to enter into an agreement with the Guidance Center to provide mental health evaluations as requested by Superior Court. This agreement would be effective through FY2025. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Paul Hancock, on behalf of Probation Services, requested approval of an Intergovernmental Agreement between Pinal County and Apache County for juvenile detention services. The cost per day is currently \$175.00. This will increase to \$300.00 per day effective January 1, 2021 and again to \$347.00 per day effective January 1, 2022. The increase is calculated based on cost of services rendered to the juveniles. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Jack Ingram, on behalf of the IT Department, requested approval to enter a Confidentiality and Non-Disclosure Agreement with Smith Bagley, Inc. for the purpose of broadband planning. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Jack Ingram, on behalf of the IT Department, and possible approval of a Memorandum of Agreement with the Center for Internet Security in order to accept federally funded Endpoint Detection and Response software. **Mr. Simshauser moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Ferrin Crosby, County Engineer, presented the item following a possible executive session for legal advice pursuant to A.R.S. §38-431.03 (A)(3), discussion and possible action regarding a settlement agreement between Apache County and Randy Mifflin for damage to his property. Mr. Simshauser asked if this settlement was reviewed by the county attorney. Mr. Crosby stated yes. **Mr. Simshauser moved approval of the settlement, seconded by Mr. Shirley.** Vote was unanimous.

Joe Young, Chief Deputy County Attorney, presented the item following a possible executive session for legal advice pursuant to A.R.S. 38-431.03(A)(3), discussion and possible approval of a settlement agreement with Transwestern Pipeline negotiated by the Arizona Attorney General's Office to resolve tax litigation (TX2019-001725) for centrally valued property in 2019 and multiple other years. Mr. Young stated this is related to pipelines that run through the entire state and have been valued by the Department of Revenue so we do not have any say in how they are valued and have been overvalued for about 10 years. Mr. Young stated litigation was done for tax years 2014 and 2015 in which the county had to payback money for those years and in the

revaluing done by the Department of Revenue, they again valued it too high, so we have been in litigation for tax years 2015-2020 and this is a settlement to hopefully resolve all those tax years. Mr. Young stated the Attorney General's Office have been the ones representing all the counties impacted and lost the appeal so this settlement would settle this suit but does require the payback of money. **Mr. Simshauser moved approval of the settlement, seconded by Mr. Shirley.** Vote was unanimous.

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

**Mr. Simshauser moved to adjourn the meeting, seconded by Mr. Shirley.** Vote was unanimous. Meeting concluded at 9:02 a.m.

Approved this 10<sup>th</sup> day of November, 2020.

/s/ Alton Shepherd  
Chairman of the Board

/s/ Ryan N. Patterson  
Clerk of the Board