

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
September 17, 2013
St. Johns, Arizona**

Present were: Chairman Tom M. White, Jr., Vice Chairman Barry Weller, Supervisor Joe Shirley, Jr. and County Manager/Clerk of the Board Delwin Wengert. County Attorney Michael Whiting and Attorney Joe Young participated via the telephone.

Chairman White called to order the Apache County Board of Supervisors meeting, the Public Health Services District meeting, the Library District meeting and the Apache County Jail District meeting at 8:33 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance

Chairman White gave the invocation.

Mr. Wengert led the Pledge of Allegiance.

Chairman White called for the Health District items.

Chris Sexton, Health Director, requested approval of the Apache County Public Health Services District policy for establishing fees for immunizations. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Chris Sexton, Health Director, requested approval to reclassify Stephanie Hannah, Administrative Assistant I (range 22) from part time to full time (24 hours per week) with benefits, effective September 8, 2013. Mr. Sexton stated that the reclassification was budgeted for in this fiscal year. Mr. Weller moved to approve, seconded by Mr. Shirley. Vote was unanimous.

Chris Sexton, Health Director, requested approval of reduction of work hours for Kimberly Penrod, Executive Assistant from 40 hours to 32 hours per week, effective September 8, 2013. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Chris Sexton, Health Director, requested approval to reclassify Elizabeth Castillo from an Administrative Assistant, (range 22) to an Executive Assistant (range 33) effective September 8, 2013. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Chris Sexton, Health Director, requested approval to convert the currently vacant grant funded Program Coordinator I position (range 26) to a Program Coordinator II (range 31) and fill the vacancy. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Chris Sexton, Health Director, requested approval of Intergovernmental Agreement ADHS12-007883 Emergency Preparedness Program Amendment #5 that replaces the Price Sheet and Attachment A. Mr. Weller moved approval, seconded by Mr. Shirley. A discussion was held regarding the changes. Vote was unanimous.

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

Chairman White called for the Library District Items.

Judith Pepple, Library Director, requested approval of community representatives, proposed budget, and strategic planning process for the Sanders Public Library. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Judith Pepple, Library Director, requested approval to accept the donation of an Automatic Electronic Defibrillator unit valued at \$1,239 for the Alpine Public Library from the Alpine Area Library Friends Group. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Judith Pepple, Library Director, requested approval to remove Carmen Oakes from probation with the 2.5% end of probation increase, effective August 25, 2013. Mr. Shirley moved approval, seconded by Mr. Weller. 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 items.

Commander Michael Cirivello Discussion and possible approval of a request to increase the salary of Cheryl Stradling, Dispatch Supervisor, from 43,380.66 to \$46,380.66 per year. This request is made due to Mrs. Stradling taking on the duties of her new Dispatch Supervisor position and continuing to perform her duties from her previous position as Administrative Coordinator in the Jail. Mrs. Stradling' Administrative Coordinator position will remain vacant which will allow for a savings to the Jail District of \$60,000.00 per year. Mr. Weller moved approval, seconded by Mr. Shirley. Mr. Weller asked how long the position would remain vacant. Commander Cirivello stated that the only reason the position would be filled was if another position was vacated to ensure the \$60,000 savings. Vote was unanimous.

Commander Michael Cirivello requested approval of an Intergovernmental Agreement with the White Mountain Apache Tribe to house their inmates. Mr. Shirley moved approval, seconded by Mr. Weller. A discussion was held regarding the daily rate that they will pay the County. Vote was unanimous.

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

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

Mr. Wengert presented the **Consent Items A-C** and requested Item C be removed from the agenda. Mr. Shirley moved to approve Items A & B only, seconded by Mr. Weller. **County Manager/Clerk of the Board: A.** Request approval of minutes dated August 27, 2013 and September 3, 2013. **B.** Request approval of demands dated September 3, 2013 to September 17, 2013. Demands are payments made by the County. Specific details of the demands may be requested through the County public record request process. CRESCENT ELECTRIC SUPPLY CO 1,018.27 Jaramillo, Lori Jo 1,041.80 Strang, Jacob 1,047.34 MCDANIEL, RONALD D 1,051.74 BOB BARKER COMPANY INC 1,089.27 Jim, Jack W 1,093.45 Rogers, Kent 1,096.35 Burbank, Lorenzo 1,122.98 Patterson, Marcellus 1,125.07 VALLEY AUTO PARTS 1,131.82 King, Walter Scott 1,151.16 TJP COMMUNICATIONS 1,157.40 FRONTIER 1,159.29 MUTUAL OF OMAHA 1,165.06 NATIONAL

BUSINESS FURNITURE 1,189.68 Jones, Calvin 1,223.89 WOODLAND BUILDING CENTER 1,234.01 Begay, Peter Junior 1,239.17 QUILL CORP 1,253.69 OFFICE DEPOT 1,259.03 HOV SERVICES 1,265.00 POSITIVE PROMOTIONS 1,268.13 Begay, Teddy 1,272.74 AZ BRAKE & CLUTCH SUPPLY 1,289.46 COLONIAL LIFE AND ACCIDENT INS 1,291.45 MERITAIN HEALTH FLEXIBLE SPENDING 1,299.13 INTERNATIONAL ASSOCIATION OF EMERGENCY MANAGERS 1,320.00 NATIONWIDE 1,355.00 YOUNGS FUTURE TIRE 1,363.45 Nicholson, Julie 1,377.27 EMPIRE MACHINERY 1,392.48 VERIZON WIRELESS 1,395.37 SCHIFF, LAURENCE 1,400.00 EMILY L DANIES ATTORNEY AT LAW 1,402.50 Stradling, Reed 1,409.11 AALADIN SOUTHWEST INC 1,435.73 GALLUP LUMBER & SUPPLY 1,455.79 QUALITY INN & SUITES – GALLUP NM 1,495.56 MGM ASSOCIATES INC 1,496.00 SUN DEVIL FIRE EQUIPMENT INC 1,500.00 VERITAS RESEARCH CONSULTING 1,575.00 Bia, Johnnie Senior 1,628.34 FRONTIER 1,636.49 FRONTIER 1,647.29 GALL'S INC 1,656.75 FRONTIER 1,662.76 SECURITY BENEFIT GROUP 1,796.00 ALPINE EXCAVATION & CONST CO 1,812.00 GLOBAL EQUIPMENT 1,818.26 DISH NETWORK 1,892.58 LAW OFFICE OF MICHAEL S PENROD PLC 1,897.50 Shirley, Joe Junior 1,996.07 RICK E JONES 2,115.00 VERITAS RESEARCH CONSULTING 2,160.00 ST JOHNS EMERGENCY SERVICES 2,174.87 CS&S COMPUTER SYSTEMS 2,183.33 CRESCENT ELECTRIC SUPPLY CO 2,225.11 BILLS DISCOUNT AUTO PARTS (NAPA) 2,232.69 TRX FITNESS ANYWHERE LLC 2,358.73 SECURUS TECHNOLOGIES INC 2,365.38 NEW WORLD SYSTEMS CORPORATION 2,490.00 HILLYARD INC 2,505.22 BUDGET BLINDS 2,613.63 SUPPORT PAYMENT LEARNINGHOUSE 2,671.68 ESRI INC 2,809.88 FRONTIER 2,822.05 GMCO CORPORATION 2,930.50 AZ DEPT OF REVENUE 2,939.22 CLIFF CASTLE CASINO HOTEL 2,978.00 THE AARONS COMPANY LLC 3,000.00 KATHLEEN M MCGUIRE PSY D LLC 3,437.50 NORCHEM DRUG TESTING LABORATORY 3,458.41 AZ DEPT OF RISK MANAGEMENT 3,478.65 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 3,512.30 QUILL CORP 3,721.19 4IMPRINT 3,856.23 AMAZON COM INC 4,117.61 CORRECTIONS OFFICER RETIREMENT PLAN 520 4,487.33 HATCH MOTOR COMPANY INC 4,974.72 WATCHGUARD VIDEO 4,997.70 RESERVE ACCOUNT 5,000.00 RUSH TRUCK CENTER 5,456.09 SYMBOL ARTS 5,680.00 GOLIGHTLY TIRE 5,702.36 MOHAVE COUNTY AZ 6,332.41 TOWN OF EAGAR 6,836.67 PLATT, MARCOR B 7,630.00 CORRECTIONS OFFICER RET PLAN 9,247.98 REED (REED LOGGING), GEORGE E 9,999.45 SALINE, KENNETH R 11,070.00 PUBLIC SAFETY PERSONNEL 401 14,631.77 APACHE COUNTY FAIR 15,000.00 GILA COUNTY 15,802.76 TRINITY SERVICES GROUP INC 19,127.42 HATCH CONSTRUCTION 19,192.60 BRADCO 24,761.58 SOUTHERN COUNTIES OIL COMPANY 26,604.69 PUBLIC SAFETY SHERIFF RET 30,644.68 BRADCO 32,597.67 AZ STATE RETIREMENT SYSTEM 87,141.28 APACHE COUNTY TAX WITHHOLDING 133,222.71 APACHE COUNTY MEDICAL 142,128.00 AZLGEBT 286,566.98 **Personnel**

Items: C. District III, St. Johns, Road Yard: Request approval to remove Bonifacio Morales from probationary status, with the 2.5% end of probation increase, effective August 26, 2013. Vote was unanimous to approve A & B and removed item C.

Mr. Wengert, on behalf of the Election Department, requested approval to increase the Vernon Fire District Board from a 3 member Board to a 5 member Board. Mr. Weller moved approval, seconded by Mr. Shirley. Mr. Weller stated that he received input from the community of Vernon wanting a 5 member Board and he would also like to see it go to 5 members as well. Vote was unanimous.

Mr. Wengert on behalf of the Election Department requested approval to publish the Call of Election for the Vernon Fire District and would be scheduled for March 11, 2014. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Mr. Wengert, on behalf of the Election Department requested appointment of all tally board workers, replacements centers and drop boxes for the upcoming March 11, 2014 Special "All Mail" Election. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Chuck Moter, Probation Director, requested authorization to reduce the vacant Field Supervisor position, range 45 (\$38,530) to a Probation Officer III range 44 (\$37,590) which will result in a savings of \$940 and upgrade a vacant Probation Officer II position range 42 (\$35,778) to a Probation Officer III, range 44 (\$37,590) which will result in an increase of \$1,812. Mr. Moter stated that both positions are paid from state grants and will result in no increase to the general fund. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Malena Bazarro, Grant Manager, requested approval to enter into an Agreement with Northern Arizona Council of Governments (NACOG) for an Environmental Assessment of the Eagar Rodeo Grounds, as necessary to apply for Department of Housing Community Development Block Grant funding. Cost not to exceed \$5,000. Mr. Weller moved approval seconded by Mr. Shirley. A discussion was held regarding who would conduct the environmental assessment and that utilizing NAACOG it was a significant savings. Vote was unanimous.

Mr. Wengert requested approval of a lease agreement with American Tower to place a tower near Lyman Lake which will increase the cellular coverage between St. Johns and Round Valley. Mr. Wengert stated that American Tower will pay the county \$1,000 per month. Mr. Shirley moved approval, seconded by Mr. Weller. Mr. Weller and County Attorney Whiting held a discussion for clarification regarding a portion of the contract related to interference of the tower. Mr. Wengert stated that the County owns a significant portion of the property around the tower so interference should not be an issue. Vote was unanimous.

Commander Michael Cirivello requested acceptance of Emergency Management Performance Grant for FY2014 in the amount of \$125,185 and funds salary, operating expenses, travel, vehicle, computers and radios for the Emergency Management program. Matching funds are provided by \$40,000 from the general fund and the remainder from the Sheriff's Office and is an ongoing grant. Mr. Shirley moved approval, seconded by Mr. Weller. Vote was unanimous.

Ferrin Crosby, County Engineer requested approval to enter into an Intergovernmental Agreement with Tucson Electric Power for the purpose of repairing County Road 4162. Mr. Crosby provided an overview of the road and the upgrades that would be conducted and would be a benefit to the county. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Ferrin Crosby, County Engineer requested approval of extending the current Memorandum of Understanding between Apache County and the Navajo Nation Department of Transportation for a cooperative work agreement. Mr. Crosby provided an overview of the Memorandum. Mr. White and Mr. Crosby held a discussion regarding the memorandum. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

Mr. Wengert presented the item for approval of a proclamation recognizing September 17, 2013 as Constitution Day. Mr. Weller moved approval, seconded by Mr. Shirley. Vote was unanimous.

SEPTEMBER 17, 2013
"Constitution Day"

WHEREAS, the Constitution of the United States was signed on September 17, 1787 by the delegates of the Constitutional Convention in Philadelphia, Pennsylvania ; and

WHEREAS, the basic document contained just seven articles which described how the federal government was to operate; and

WHEREAS, until the constitution was ratified by the states did the Bill of Rights become codified into the Constitution as the first ten amendments to the Constitution; and

WHEREAS, no other government had ever operated by a constitution that enumerated its responsibilities to the governed; and

WHEREAS, in December, 2004 a federal law was enacted proclaiming September 17th as "Constitution Day and Citizenship Day"; and

WHEREAS, for the citizens of this nation to remain free, the Constitution as the Founders wrote it must be adhered to as it was intended. Far too many brave men and women over two plus centuries have paid the ultimate price for its preservation.

NOW, THEREFORE, BE IT RESOLVED that the Apache County Board of Supervisors, do hereby proclaim September 17 as Constitution Day and Citizenship Day and urge all residents of Apache County and the Apache County staff to celebrate the 226th anniversary of the signing of the Constitution.

PASSED, ADOPTED AND APPROVED by the Board of Supervisors on September 17, 2013.

/s/ Tom M. White, Jr., Chairman

Attest:

/s/ Delwin Wengert, Clerk of the Board

Mr. Wengert presented the request for approval to extend the Declaration of Emergency due to the continued rain and resulting mud conditions to October 15, 2013. Mr. Shirley moved approval, seconded by Mr. Weller. Mr. White stated that the flooding continues and the roads are being impacted. Vote was unanimous.

Mr. White presented notification of the Small Counties Forum meeting on September 18, 2013 at 6:00 p.m. at the County Supervisors Association (CSA) Conference Room, 1905 W. Washington Street, Phoenix Arizona and the County Supervisors Association meeting on September 19, 2013 at 10:00 a.m. at the CSA Office, 1905 W. Washington Street, Phoenix, Arizona where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed or taken.

Jack Husted, Consultant for the White Mountain Regional Transportation Committee provided an overview on the recent actions related to transportation issues. No action was needed or taken.

Craig Sullivan Executive Director of the County Supervisors Association updated the Board regarding activities of the County Supervisors Association including the recent legislative session. No action was needed or taken.

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

Approved this 1st day of October, 2013.

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

/s/ Delwin Wengert
Clerk of the Board