

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
September 19, 2017
St. Johns, Arizona**

Present were: Chairman Joe Shirley, Jr., Vice Chairman Doyel Shamley and Supervisor Alton Joe Shepherd. Also present were County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting.

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.

Angela Romero the Pledge of Allegiance.

Chris Sexton gave the invocation.

Supervisor Shamley introduced Ms. Johns and Delegate Smith from the Sanders and Lupton areas of District III and thanked them for their attendance.

Chairman Shirley called for the Apache County Public Health Services District items.

Chris Sexton, Health Director, requested approval Intergovernmental Agreement #ADHS18-177674 Immunization Services that provide immunization related services for Apache County in the amount of fifty thousand dollars (\$50,000). This grant has been budgeted for in FY18 and requires no matching funds. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Chris Sexton, Health Director, requested approval of the Agreement between Apache County Public Health Services District, the Arizona Local Government Employee Benefit Trust (AZLGEBT) and the Rural Arizona Health Group Trust (RAHGT) to provide flu and pneumonia vaccines and services. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

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

Chairman Shirley called for the Library District items.

SueAn Collins-Stradling requested approval to renew the agreement between the Arizona State Library, Archives and Public Records and Apache County Library District to specify the role each institution will play in supporting the statewide database package from July 1, 2017 through June 30, 2018. Our cost, based on county population, is eight thousand, three hundred sixty-two dollars and two cents (\$8,362.02). The Arizona State Library, Archives and Public Records contribution is four hundred five thousand, twelve dollars (\$405,012.00) towards these databases. Mrs. Collins-Stradling stated the assessed cost to the Library District has been planned for in our budget. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Mr. Shamley moved to adjourn the Library District meeting, seconded by Mr. Shepherd. Vote was unanimous.

Chairman Shirley called for the regular agenda items.

Devon Brown, Community Development Director, presented the items following a public hearing, discussion and possible approval of a division plat amendment allowing Karyl Carter to amend the Wilderness Subdivision Plat converting 10 lots into two lots. Lots 32, 33, 40, and 41 will become combined into one lot, and lots 34-39 will be combined into another lot. Property is located near Vernon, Arizona, A.P.N. 106-670-032 through 041 and the Planning and Zoning Commission unanimously approved the application on August 3, 2017 with the following condition: that this application be approved at the same time as the approval of the utility easement abandonment involving the same 10 lots. Mr. Shamley moved to go into a public hearing, seconded by Mr. Shepherd. Vote was unanimous. Ferrin Crosby stated the only easement inside the lots would be the greenbelt easements and the applicant may choose to abandon the greenbelt easements as well.

Dan Muth, a surveyor that caused the plat to be created for Mrs. Carter, stated the greenbelt easements were created as part of the plat, and the plat mentions them as easements but the CC&R's call them greenbelt areas and were set aside as building setbacks so property owners wouldn't build next to the property lines. Mr. Muth stated with the combination, that provisions were made with new adjusted lot lines along the street. Mr. Muth requested the interior individual greenbelts on the lots to be combined be dissolved so the new greenbelt along the road and interior lot line could be created for the plat.

There was no one else wanting to address the Board during call to the public. Mr. Shepherd moved to close the public hearing, seconded by Mr. Shamley. Vote was unanimous.

Ferrin Crosby, County Engineer, requested both the lot combination for Karyl Carter and the approval of an abandonment of 20 feet utility easement running south between utility easement on lots 32 through 41 of the Wilderness Subdivision. Mr. Crosby stated these 10 lots are too small for homes to be built on them, so the owner, Karyl Carter, is requesting to combine the 10 lots into 2 larger lots but the utility easement runs through the center of these combined lots, making it difficult to put a house anywhere on the property. There are no utilities built in the easement, and utility companies were notified of the proposed abandonment and have no objections and abandoning this easement will have no impact on other property owners. Property is located near Vernon, A.P.N 106-70-032 thru 041 in the Wilderness Subdivision. Mr. Crosby requested the approve the lot combination, the amended plat and the abandonment of the 20 foot utility easement and the interior lot line greenbelt easements and the greenbelt that splits the two resulting parcels would remain. Mr. Shamley moved to approve both item 1 for the Engineering Department and item 2 for Community Development as stated by Mr. Crosby. Mr. Shepherd seconded the motion. Vote was unanimous.

Mr. Wengert requested implementation of the Apache County Salary Study effective October 1, 2017. Mr. Wengert stated as directed by the Board of Supervisors, staff worked with Public Sector Consultants this past spring to come up with a salary study for the 397 county employees. Mr. Wengert stated the last salary study conducted was in 2002 and as part of this new study, the consultant looked at Gila, Graham, Greenlee, La Paz, Navajo and Santa Cruz Counties, the City of Eagar, the City of Pinetop-Lakeside, the City of Show Low and Town of Springerville and compared those employees to ours. Mr. Wengert stated due to the comparison of those towns and counties, he recommended raising employees into the new ranges. Mr. Shamley moved approval, seconded by Mr. Shepherd. Michael Whiting stated he repeatedly has asked Glenn Joy, with Human Resources to eliminate the position of Director of Victim Services which was removed by the Board of Supervisors in 2009 due to a federal lawsuit and has not been eliminated from the study. Mr. Whiting stated if the Board moves forward with the salary study, the Board needs to instruct Mr. Joy to

remove the position from the county roles completely. Mr. Shepherd stated the Board had planned to hold a work session on this issue and one of the elements he is concerned with is the job descriptions as well as the Human Resources policy needs to be revamped. Mr. Shepherd stated if the salaries and funding are approved without addressing any changes to the job descriptions, or amending the Human Resources policy, that may cause problems. Mr. Shepherd stated he did meet with the consultant that did the salary study and they were only contracted to do the one part. Mr. Shepherd asked Mr. Wengert if this is approved for October 1, 2017, does everyone move into the recommended range and when will the other components he outlined be addressed. Mr. Wengert responded the proposal by the consultant is to raise the ranges of just about everyone in the county using the other agency comparisons and using the time and position factor to provide raises for many people. Mr. Wengert stated if the Board directed staff to look at all descriptions for every position in the county it would take the consultant about six months to review all the jobs in the county with additional costs involved. Mr. Wengert stated he is not sure how the future job descriptions would affect the current salary study; it would depend on if the job description changed significantly for a specific job, then it could change the pay. Mr. Wengert stated this would be another step in the salary study and would require about six months and cost considerably more cost to the consultant. Sheriff Dedman stated he would have liked to speak with the consultant because he has deputies that need their salaries evaluated. Michael Whiting, County Attorney, stated he would like a response from someone regarding how the salary increases would be funded. Mr. Wengert stated all departments have been reviewed and there are some departments that have enough room to handle the increases, and will use the general fund to accommodate those departments that do not have enough in their budgets to handle the increases. Mr. Whiting stated his and the sheriff's budgets are two of the largest and asked if the increases would come out of his budget for his staff. Mr. Shirley stated the increases would come from departments budgets if they can accommodate the increases and if not, the general fund would be used. Mr. Wengert stated the Sheriff's Office will need assistance to implement the salary study and Mr. Whiting's budget went up this year and will work with him directly. Mr. Wengert stated he will not allow this to hurt a department where they cannot operate; there is money set aside for these increases and if the Board would like a final report he will do that as well. Mr. Shamley stated the concern he has, is this has been in the works since May and there are a lot of deputies and road workers that need some help and the longer this is drawn out, the longer they are not getting help and we risk losing good talent and skill to other agencies, but he does not want to go forward without addressing what Mr. Shepherd expressed, and pulled his motion. Mr. Shepherd stated we need to fine tune what was done, look at the Human Resources Policy Manual and accommodate and recognize time in position and those who have been here the longest. Mr. Shamley stated the version of the salary study has changed so many times he isn't comfortable with it, but we do need to put it on a fast track because employees are in need. Mr. Shepherd stated he supports the salary study and there are funds put aside to take the impact of the changes but he would like to see the other components addressed. Mr. Shepherd stated he isn't sure the consultant is needed for the job descriptions; each elected official or department head can review the job descriptions within their office and make those recommendations to the Board. Mr. Shirley stated he had hoped this salary study would be implemented today; the money is there, and the job descriptions can be taken on a case by case basis if there are some jobs that are in need of review but he does not believe all of the positions within the county are in need of a new description. Mr. Shirley stated the employees need to be treated fair and square and that is what the salary study is about, and would like to see it implemented and asked Mr. Shamley and Mr. Shepherd to reconsider their decision. Mr. Shamley moved to approve the salary study with the position of Director of Victim Services removed. Glenn Joy, Human Resources Technician stated the position will be removed shortly after the meeting is over. Mr. Shepherd stated he hadn't withdrew his second, however the other components need to be put on the fast track to move forward with. Mr. Shepherd stated the time in position recommendation didn't come up as part of the recommendation by the consultant so to fine tune and go forward; he understands employees that will benefit from it, but holistically, he would request Mr. Wengert address that going forward. Mr. Shepherd stated his second to Mr. Shamley's motion stands. Mr.

Shirley stated there is a motion and second to implement the salary study with the amendment to remove the position of Director of Victim's Services. Mr. Wengert stated there will be a work session coming up and we can clarify what exactly is needed for the individual positions that Mr. Shepherd has concerns with, and will then work with staff to make the needed changes. Vote was unanimous.

Chairman Shirley stated the Board needs to sit as the Board of Equalization. Mr. Shamley moved to sit as the Board of Equalization, seconded by Mr. Shepherd. Vote was unanimous. Mr. Wengert stated there were two Petitions for Review of Real Property heard by Hearing Officer Charles Johnson on August 23, 2017 and his determinations that were included tint eh backup material and recommended approval. Mr. Shirley asked if there was anyone who wanted to address the Board. There was no member of the public who wanted to address the Board. Mr. Shamley moved to close the Board of Equalization, seconded by Mr. Shepherd. Vote was unanimous. Mr. Shamley moved to approve the hearing determination of Petition for Review of Real Property Valuation for Roxanne Jetson, 106-68-008H and 106-68-008I. and determination of Petition for Review of real Property Valuation for Paul Smith, 205-31-004. Mr. Shepherd moved approval, seconded by Mr. Shamley. Vote was unanimous.

Mr. Wengert presented the consent agenda items **A-E**. Mr. Shepherd moved approval, seconded by Mr. Shamley. **County Manager/Clerk of the Board: A.** Request approval of demands as distributed to the Apache County Board of Supervisors between August 21, 2017 to September 5, 2017. Payee Amount AMAZON COM INC 4,526.95 APACHE COUNTY 4-H LEADERS COUNCIL 1,000.00 APACHE COUNTY SCHOOLS CONSORTIUM 58,920.00 ARIZONA ASSOCIATION OF CONSERVATION DISTRICTS 5,000.00 AZ DEPT OF HEALTH SERVICES 1,580.00 BOB BARKER COMPANY INC 2,243.39 BRADCO 2,705.49 CURTIS, ROGER STUART 1,167.78 ELECTIONS SYSTEMS AND SOFTWARE 2,560.39 FOUR CORNERS WELDING & GAS SUPPLY 4,565.57 GLAXO SMITHKLINE PHARMACY 1,182.80 GROWMAIL 1,577.85 HALL, STEVEN WAYNE 1,800.00 HOME DEPOT 1,491.45 JURY SYSTEMS INCORPORATED 1,500.00 KIMBALL EQUIPMENT COMPANY 2,208.27 MCKESSON MEDICAL SURGICAL 1,837.68 NATIONAL BANK OF ARIZONA 0127 1,476.95 NATIONAL BANK OF ARIZONA 0085 2,365.90 NATIONAL BANK OF ARIZONA 0186 2,582.78 NATIONAL BANK OF ARIZONA 0301 1,303.24 OVERDRIVE INC 1,446.72 QUILL CORP 2,848.97 SAFE RESTRAINTS INC 1,362.12 SECURUS TECHNOLOGIES INC 2,631.04 TJP COMMUNICATIONS 1,244.11 TRINITY SERVICES GROUP INC 15,176.65 YOUNGS FUTURE TIRE 11,082.20 AMERICAN FAMILY LIFE ASSURANCE 1,085.03 APACHE COUNTY HSA 3,246.67 APACHE COUNTY MEDICAL 161,941.15 APACHE COUNTY TAX WITHHOLDING 140,395.73 ASRS LEGACY EORP 1,089.96 AZ STATE RETIREMENT SYSTEM 96,019.87 COLONIAL LIFE AND ACCIDENT INS 1,281.28 CORRECTIONS OFFICER RET PLAN 7,273.19 CORRECTIONS OFFICER RETIREMENT PLAN 520 5,206.34 EORP LEGACY 1,288.26 NATIONWIDE 1,955.00 NATIONWIDE RETIREMENT SOL EODCRS 1,030.62 PUBLIC SAFETY PERSONNEL 401 7,699.10 PUBLIC SAFETY SHERIFF RET 45,049.62 SUPPORT PAYMENT CLEARINGHOUSE 2,279.89 BOWMAN, GLORIA 1,700.00 AMAZON CAPITAL SERVICES INC (IT DEPT) 1,474.74 AMIGO CHEVROLET 1,325.25 ARCHER MANUFACTURING 2,280.00 ASHTONS REPAIR INC 1,974.68 AZLGEBT 313,528.88 BENDER, JUDITH A 6,437.50 BLUE HILLS ENVIRONMENTAL 1,658.11 BOB BARKER COMPANY INC 1,712.87 BRADCO 19,815.39 BREWER LAW OFFICE PLLC 8,500.00 BURNHAM MORTUARY 1,200.00 EASTERN ARIZONA COUNTIES ORGANIZATION EAC 50,000.00 ESCUDILLA INTERIORS 1,200.00 FRONTIER 1,761.02 GALL'S INC 3,136.66 GOLIGHTLY TIRE 4,409.64 HIGH 5 DESIGN 3,521.90 HOME DEPOT 8,078.68 INGRAM LIBRARY SERVICES 1,838.10 KATHLEEN M MCGUIRE PSY D LLC 2,632.50 LAW OFFICE OF DIRK LEGATE PLLC 8,555.00 MOUNTAIN COMFORT HEATING AND COOLING 2,121.00 NAVOPACHE ELECTRIC COOPERATIVE 9,629.06 PACIFIC PONDEROSA CO INC 5,462.12 PATTERSON, DANA BRYCE 8,500.00 PITNEY BOWES 3,362.91 QUILL CORP 3,221.20 RB LASTING IMPRESSION 1,129.97 RICOH USA INC 1,375.98 ROCKWERX INC 5,975.00 SAN DIEGO POLICE EQUIPMENT 1,905.20 SCHIFF, LAURENCE 1,200.00

SCHINDLER ELEVATOR CORPORATION 2,902.09 ST JOHNS CITY 2,971.92 SUN RIDGE SYSTEMS, INC 20,980.00 SYSTEM EXCHANGE CORPORATION 2,600.00 THE AARONS COMPANY LLC 3,000.00 TJP COMMUNICATIONS 4,694.33 TYLER TECHNOLOGIES INC 3,000.00 US GEOLOGICAL SURVEY 5,600.00 US POSTMASTER 3,624.00 VALLEY AUTO PARTS 1,324.13 VERIZON WIRELESS 1,506.79 WAGNER EQUIPMENT CO 1,006.25 WAUNIKA, DARREN 1,105.00 WOODLAND BUILDING CENTER 3,093.46 WRIGHT EXPRESS FSC 1,342.88 SANDOVAL, PATRICK J 3,300.00 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 August 21, 2017 and September 5, 2017. **C.** Request approval of a Special Event Liquor License for Wes Myers, American Legion Post 130 for Oktoberfest on October 7, 2017 at the Concho Valley Lions Club Park, Commercial Drive in Concho, Arizona. **D.** Request approval to sell two (2) pickups to the St. Johns Unified School District for a total of four thousand dollars (\$4,000). **E. District II:** Request approval to create a Public Works Foreman I (Range 36) position, effective September 18, 2017. Vote was unanimous. Mr. Shamley requested approval of a resolution recognizing fallen firefighters and emergency services personnel and observing October 7, 2017 (first Saturday in October) as Fallen Firefighter and Emergency Services Personnel Day. Oscar Miranda, a resident of Alpine read the resolution. Mr. Shepherd moved approval seconded by Mr. Shamley. Vote was unanimous.

A RESOLUTION DECLARING RECOGNITION OF FALLEN FIREFIGHTERS AND EMERGENCY SERVICES PERSONNEL

#2017-18

WHEREAS, the United States Congress and the President of the United States have designated the day of the annual National Fallen Firefighters Memorial Service as a day to honor firefighters and emergency services personnel who have sacrificed their lives to save others by lowering the American flag on all federal buildings to half-staff; and

WHEREAS, an average of 100 firefighters courageously make the ultimate sacrifice in the line of duty each year, including nineteen firefighters who lost their lives during the Yarnell Hill Fire in Arizona on June 30, 2013; and

WHEREAS, the events of September 11, 2001, brought national attention to the duties, responsibilities, hazards, and sacrifices faced by fire and emergency services personnel on a daily basis; and

WHEREAS, the Rodeo-Chediski, Wallow and Cedar Creek Fires brought awareness of the local sacrifices, hazards, duties, responsibilities that we as a community face and those faced by emergency responders; and

WHEREAS, firefighters and emergency services personnel play an essential role in the protection of lives and property in our local community; and

WHEREAS, the National Memorial Service marks the beginning of the annual Fire Prevention Week observance; and

WHEREAS, it is of major importance that we increase our efforts to reduce deaths, injuries, and property losses from fire;

BE IT THEREFORE RESOLVED, that the Board of Supervisors of Apache County, Arizona, now calls upon all citizens of Apache County and upon all patriotic, civic, and educational organizations in Apache County to observe the first Saturday in October, (October 7, 2017) in recognition of the patriotic service and dedicated efforts of our fire and emergency services personnel by lowering American flags on all buildings to half-staff. The Board encourages appropriate services and ceremonies in which all our citizens may participate to honor fire and emergency services personnel, past and present, who, by their faithful and loyal devotion to duties, have rendered invaluable service to our community and its citizens.

BE IT THEREFORE RESOLVED, that the Board of Supervisors of Apache County, further calls upon citizens of Apache County to remember all fire and emergency personnel who have made the ultimate sacrifice in service to their community and to pay respect to the survivors of our fallen heroes.

Adopted this 19th day of September 2017

/s/ Joe Shirley, Jr.
Chairman of the Board
/s/ Delwin Wengert
Clerk of the Board

ATTEST:

Angela Romero, Election Director, requested approval to combine precincts Puerco East and Puerco West into one precinct with the new name of "Puerco." Mr. Shamley moved approval, seconded by Mr. Shepherd. A discussion was held regarding the reason for the combined precincts. Mr. Romero stated both precincts currently vote at the same polling site, and vote of the same ballot and this will only affect 27 active voters. Mr. Shirley asked if there were any legal issues. Mrs. Romero stated no. Vote was unanimous.

Mr. Shepherd requested approval of the Whole and Retail Network Services Agreement between Apache County and the Navajo Tribal Utility Authority. Mr. Shepherd stated this will increase the speed at the internet at District II and will assist with implementing the digital library. Mr. Shamley moved approval, seconded by Mr. Shepherd. Vote was unanimous.

Mr. Wengert requested renewal of the Pioneer School Complex Lease Agreement between Northland Pioneer College and Apache County for the use of post-secondary education services. Mr. Shepherd moved approval, seconded by Mr. Shamley. Mr. Shamley stated he had questions regarding the maintenance of the property and wanted clarification because on the prior agreement the rental cost was \$15,000 per year to the current agreement of zero cost. Mr. Wengert stated it is the County's responsibility to maintain the building but the agreement is confusing on any remodel of the property. Mr. Wengert stated the intent of the zero cost is because the college would just charge the County back for the services provided out of the secondary taxing district. Vote was unanimous.

Craig Sullivan, Executive Director, County Supervisor's Association provided a power point report on recent County Supervisors Association activities including a discussion on the recent legislative session and budget. No action was needed or taken,

Mr. Wengert provided notification of the Eastern Arizona Counties meeting on September 20, 2017 at 3:00 p.m. at the County Supervisors Association (CSA) building, 1905 W. Washington Street, Phoenix, Arizona, Small Counties Association meeting at 5:30 p.m. at the CSA building, 1905 West Washington Street, Phoenix Arizona, the County Supervisors Association meeting on September 21, 2017 at 10:00 a.m. at the CSA building, 1905 West Washington Street, Phoenix, Arizona where two or more members of the Apache County Board of Supervisors may be in attendance.

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

Mr. Shepherd moved to adjourn, seconded by Mr. Shamley. Vote was unanimous.

Approved this 17th day of October 2017.

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

/s/ Ryan Patterson
Clerk of the Board