

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
September 6, 2022  
St. Johns, Arizona

Present were: Chairman Nelson Davis, Vice Chairman Joe Shirley, Jr. and Supervisor Alton Joe Shepherd. Also present, was County Manager/Clerk of the Board Ryan Patterson and County Attorney Michael Whiting.

Chairman Davis called to order the Board of Supervisors meeting 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.

Joe Jarvis gave the invocation.

Stephanie McCarthy led the Pledge of Allegiance.

Chairman Davis called for the Health District item.

Kimberly Cole, Assistant Health Director, requested approval of Intergovernmental Agreement #CTR041404, Amendment #5, Women Infant, Children and Breastfeeding Peer Counseling Services, effective October 1, 2022, to September 30, 2023, in the amount of \$87,764.00. This amount has been budgeted for FY23. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

Chairman Davis called for the regular agenda items.

The Board sat as the Board of Equalization to accept the following Petitions for Review of Real Property Valuation determinations heard by Hearing Officer Charles Johnson on August 29, 2022. Acceptance of hearing determination of Petition for Review of Real Property Valuation for Karen Hermerath, parcel #103-07-008Q.

Acceptance of hearing determination of Petition for Review of Real Property Valuation for George Richerson parcel #106-27-065.

**Mr. Shirley moved to accept the determinations, seconded by Mr. Shepherd.** Vote was unanimous.

Craig Sullivan, Executive Director, County Supervisors Association, provided a Powerpoint presentation on recent County Supervisors Association activities including discussion on the recent legislative session and budget.

Mr. Patterson presented the Consent Agenda items A-G and recommended approval. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** A. Request approval of demands as

distributed to the Apache County Board of Supervisors between August 15, 2022, to September 6, 2022. Demands are payments made, or to be made, by the County. Payee amount

NATIONAL BANK 34,745.25 NATIONAL BANK OF ARIZONA 0285 5,589.65  
ARDEN FORENSICS, PC 2,250.00 FUTURE TIRE 16,578.09 A WORLD OF TRAVEL  
1,286.32 ALL TRAFFIC SOLUTIONS INC 2,850.00 ALSICO INC 1,375.62 AMAZON  
CAPITAL SERVICES INC 4,832.75 AZ DEPT OF RISK MANAGEMENT 1,529.98  
AZLGEBT 352,052.99 B&R TRUCKING 36,928.07 BASHAS' CORPORATE OFFICE  
1,357.24 BAUMAN HOME AND AUTO INC 1,547.85 BLUE HILLS ENVIRONMENTAL  
1,646.64 BRAD HALL & ASSOCIATES INC 63,800.43 CDW GOVERNMENT LLC 1,121.94  
CONTRACT PHARMACY SERVICES INC 4,657.26 DESERT MOUNTAIN  
CORPORATION 15,275.09 DRONEDEPLOY, INC 7,188.00 EMPIRE MACHINERY  
2,614.58 FLEET PRIDE 3,477.65 KLINT HEAP 1,550.12 HILLYARD/FLAGSTAFF 1,851.95  
INLAND KENWORTH INC (FARMINGTON) 1,434.96 KARPEL COMPUTER SYSTEMS  
INC 1,527.40 LAW OFFICE OF MICHAEL S PENROD PLC 5,904.00 NAVAJO TRIBAL  
UTILITY AUTHORITY 2,635.27 PERFORMANCE REPORTERS INC 1,192.16 PERKINS  
CINDERS INC 1,250.13 PROQUEST LLC 1,478.43 PUBLIC SAFETY CANCER  
INSURANCE 1,050.00 QUALITY CARQUEST 1,638.52 QUILL CORP 5,648.29  
SAFELITE AUTO GLASS 1,278.57 SECURUS TECHNOLOGIES INC 1,934.00 SKY BLUE  
HVAC LLC 1,049.00 SOUTHERN TIRE MART LLC 1,031.85 ST JOHNS CITY 2,441.09  
SUN RIDGE SYSTEMS, INC 4,700.00 THE AARONS COMPANY LLC 3,000.00 CRAIG  
TSOSIE 1,721.55 KASANDRA LEE TUMA 1,024.00 VALLEY AUTO PARTS 2,943.24  
WOODSON ENGINEERING & SURVEYING INC 10,354.50 FAYE WURSTNER-REAGAN  
1,024.00 YAZZIE'S AUTO PARTS INC 3,214.31 APACHE COUNTY HSA 5,329.82  
APACHE COUNTY MEDICAL 175,648.30 APACHE COUNTY TAX WITHHOLDING  
177,629.21 ASRS LEGACY EORP 9,813.79 AZ STATE RETIREMENT SYSTEM 134,618.59  
COLONIAL LIFE AND ACCIDENT INS 1,306.20 CORRECTIONS OFFICER RET PLAN  
11,589.89 CORRECTIONS OFFICER RETIREMENT PLAN 5201,759.99 EORP LEGACY  
1,580.77 NATIONWIDE 3,976.74 NATIONWIDE TRUST FSB 3,275.24 PUBLIC SAFETY  
PERSONNEL 401 16,351.45 PUBLIC SAFETY SHERIFF RET 8,395.80 SUPPORT  
PAYMENT CLEARINGHOUSE 1,125.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS  
4,880.39 CONTINUANT INC 6,185.80 ROBERT JAMES HIGGINS 1,463.53 THE  
GUIDANCE CENTER 1,000.00 ADHS AZ HEALTH CARE COST 22,400.00 ALLEGRA  
1,940.90 AMAZON CAPITAL SERVICES INC 5,935.68 ANDERSON RESOURCE GROUP  
INC 2,387.72 AZ COUNTIES INSURANCE POOL 6,145.50 AZ SUPREME COURT 2,630.00  
BAUMAN HOME AND AUTO INC 1,736.89 BEST WESTERN - CANYON DECHELLY  
MOTEL INC 1,151.76 BLUE KNIGHT SECURITY LLC 3,425.00 BREWER LAW OFFICE  
PLLC 8,500.00 CONSOLIDATED ELECTRICAL DISTRIBUTORS 2,183.27 CONTINUANT  
INC 1,237.16 CORDANT HEALTH SOLUTIONS 1,136.44 DELL COMPUTER  
CORPORATION 2,053.17 DESERT MOUNTAIN CORPORATION 10,392.55 ELECTION  
SYSTEMS AND SOFTWARE 2,968.40 EMPIRE MACHINERY 3,106.23 FIELDS  
OUTDOOR ADVENTURES, LLP 3,130.00 FRONTIER 1,887.60 FRONTIER 4,675.32  
HAMBLIN LAW OFFICE PLC 8,500.00 ROBERT JAMES HIGGINS 2,328.54 HORNE  
AUTO CENTER INC 1,002.59 INGRAM LIBRARY SERVICES 5,071.18 JOHNSON  
CONTROLS FIRE PROTECTION LP 12,640.84 MH CONSULTING & PROJECT  
MANAGEMENT LLC 3,235.63 NAVAJO TIMES PUBLISHING COMPANY INC 1,645.12  
NAVOPACHE ELECTRIC COOPERATIVE 22,305.43 NORTHLAND PIONEER COLLEGE

36,524.02 DANA BRYCE PATTERSON 8,500.00 PERFORMANCE REPORTERS INC  
1,535.00 PINAL COUNTY ARIZONA 15,268.00 QUILL CORP 2,064.65 PRESTON  
MAURICE RABAN 4,675.00 RHINEHART OIL CO 23,709.35 RIGG LAW FIRM PLLC  
2,344.00 SALT RIVER PROJECT - SRP – MARS 2,182.00 SCHOOL WEBMASTERS LLC &  
CIVIC WEBMASTERS 2,574.00 SECURUS TECHNOLOGIES INC 1,359.82 SHI  
INTERNATIONAL CORP 2,580.35 SOUTHERN TIRE MART LLC 2,330.64 ST JOHNS  
EMERGENCY SERVICES 1,312.62 SWDC BUSINESS DEVELOPMENT LLC 6,014.33 HE  
GUIDANCE CENTER 1,000.00 THOMSON REUTERS WEST 1,193.56 TRINITY SERVICES  
GROUP INC 21,408.80 VALLEY AUTO PARTS 1,833.50 VERIZON WIRELESS  
1,205.72 WHITE MOUNTAIN PUBLISHING CO 1,617.16 WOODLAND BUILDING  
CENTER C/O NATIONS BEST 5,635.18 OKANOGAN TRAIL CONSTRUCTION 6,194.00  
EQUIPMENTSHARE.COM INC 1,739.43 NAVOPACHE ELECTRIC COOPERATIVE  
1,934.54 NILES RADIO 33,422.44 AMAZON CAPITAL SERVICES INC 29,607.86  
ASPHALT ZIPPER INC 1,980.95 AZLGEBT 352,849.61 BAUMAN HOME AND AUTO INC  
1,069.07 BILTMORE PRO PRINT 2,117.70 DESERT MOUNTAIN CORPORATION 9,623.59  
DISCOUNTCELL INC 1,301.03 EMPIRE MACHINERY 2,015.95 ENVIRONMENTAL  
TECHNOLOGY INC (ENTECH) 24,723.72 FRONTIER 1,308.40 FRONTIER 4,679.56 PAUL  
HANCOCK 1,634.21 HATCH CONCRETE INC 1,626.45 HILLYARD/FLAGSTAFF 1,292.14  
HORNE AUTO CENTER INC 2,092.46 GENEVA L JACKSON 1,820.87 JASON WAYNE  
MOORE 5,265.00 NAVAJO COUNTY 5,000.00 NAVAJO TRIBAL UTILITY AUTHORITY  
3,170.54 NAVOPACHE ELECTRIC COOPERATIVE 5,200.16 PACIFIC PONDEROSA CO  
INC 8,731.80 PERFORMANCE REPORTERS INC 4,982.50 PITNEY BOWES RESERVE  
ACCOUNT 5,000.00 QUILL CORP 3,037.30 RDO EQUIPMENT CO 3,747.09 RHINEHART  
OIL CO 30,796.96 RUSH TRUCK CENTER 1,255.58 SECURUS TECHNOLOGIES INC  
2,684.87 SHI INTERNATIONAL CORP 2,327.33 ST JOHNS EMERGENCY SERVICES  
1,063.26 TESAB PARTS CENTER INC 4,403.74 TRACTOR SUPPLY CO 2,205.35  
VERIZON WIRELESS 1,467.80 WEBGROUP MEDIA LLC 3,264.00 WHITE MOUNTAIN  
AMBULANCE SERVICE INC 1,432.22 OKANOGAN TRAIL CONSTRUCTION 6,194.00  
B&R TRUCKING 10,981.70 ATCH TOYOTA 34,565.94 BRETT ELMER 1,190.63 KENJI  
LEE MCCOO 1,082.50 Specific details of the demands may be requested through the County  
public record request process. B. Request approval of minutes dated August 15, 2022, and  
August 18, 2022. C. Request approval of a resolution declaring recognition of fallen firefighters  
and emergency services personnel.

## **A RESOLUTION DECLARING RECOGNITION OF FALLEN FIREFIGHTERS AND EMERGENCY SERVICES PERSONNEL**

**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 90 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, Cedar Creek, Rattlesnake, and Whiting Knoll 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 are at a higher risk for chronic heart problems and respiratory issues. Today they are in a higher risk group during this terrible Covid-19 pandemic, several emergency responders have paid the ultimate sacrifice this year with our health pandemic; 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 2, 2021, 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 of 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 6th day of September 2022

/s/ Nelson Davis

Chairman of the Board

ATTEST:

/s/ Ryan N. Patterson

Clerk of the Board

Recorder's Office: D. Request approval of the Early Voting Sites, Drop Box locations and Emergency Early Voting locations for the November 8, 2022, General Election. Emergency Management: E. Request approval of an Amendment to the 2021-2022 Public Health Emergency Preparedness (PHEP) Grant to June 30, 2023. This was budgeted for in 2023. Community Development: F. Request approval to re-appoint Oscar Miranda from Alpine to serve on the Planning & Zoning Commission for a 4-year term. School Superintendent's Office: G. Pursuant to A.R.S. 15-424(E), request approval to cancel the school district elections and appoint persons pursuant to A.R.S. 15-302(A)(3) to fill vacancies for the following districts: Concho Elementary School District #6, two 4-year terms and McNary Elementary School District #23, two 4-year terms. Vote was unanimous of Consent Agenda items A-G.

Roscoe Herrera, Chief Deputy Sheriff, requested approval of the contract with Off Duty Management for support and administrative services specific to off-duty, outside employment requests and assignments for deputies, including scheduling, billing, payroll, and reporting at no cost to the County. **Mr. Shirley moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award Bid #2022-06 for the purchase of a used crusher for the Limestone Pit, using HURF funds to Power screen, the low bidder.

Empire Machinery \$893,926.52

Powerscreen Southwest \$450,925.00

**Mr. Shepherd moved approval to award the bid to Powerscreen Southwest, seconded by Mr. Shirley.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to award Bid #2022-07 for a used incline screen for the Limestone Pit, using HURF funds to Powerscreen Southwest, the low bidder.

Empire Machinery \$382,362.95

Powerscreen Southwest \$212,200.00

**Mr. Shirley moved approval to award the bid to Powerscreen Southwest, seconded by Mr. Shepherd.** Vote was unanimous.

Ferrin Crosby, County Engineer requested approval of a lease/purchase agreement with RDO Equipment Co. for a 2022 John Deere 644P Loader, using Sourcewell Contract #032119-JDC in the amount of \$348,408.66, to be paid in three annual increments of 109,037.35 each, utilizing District II funds. **Mr. Shirley moved approval seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson requested approval of a resolution to issue tax exempt and/or taxable health care institution bonds for the Industrial Development Authority of Apache County for the White Mountain Regional Medical Center Project, Series 2022. **Mr. Shepherd moved approval, seconded by Mr. Shirley.** Vote was unanimous.

**APACHE COUNTY BOARD OF SUPERVISORS  
RESOLUTION 2022-08**

**A RESOLUTION OF THE BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA, APPROVING THE ISSUANCE BY THE INDUSTRIAL DEVELOPMENT AUTHORITY OF THE COUNTY OF APACHE OF ONE OR MORE SERIES OF ITS TAX-EXEMPT AND/OR TAXABLE HEALTH CARE INSTITUTION REVENUE BONDS (WHITE MOUNTAIN REGIONAL MEDICAL CENTER PROJECT), SERIES 2022 (THE “BONDS”) IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$9,500,000.**

WHEREAS, The Industrial Development Authority of the County of Apache (the “Issuer”), is an Arizona nonprofit corporation designated as a political subdivision of the State of Arizona empowered under the Industrial Development Financing Act, Title 35, Chapter 5, Arizona Revised Statutes, as amended (the “Act”), to issue revenue bonds for the purposes set forth in the Act, including the making of secured or unsecured loans for the purpose of financing the acquisition, construction, improvement or equipping of a “project” whenever the Board of Directors of the Issuer finds such loans to be in furtherance of the purposes of the Authority or in the public interest and to refund outstanding obligations incurred by an enterprise to finance the cost of a project when the Board of Directors of the Issuer finds that the refinancing is in the public interest;

WHEREAS, the Issuer intends to issue and sell the Series 2022 Bonds in an aggregate amount not to exceed \$9,500,000, the proceeds of which will be lent by the Issuer to White Mountain Communities Hospital, Inc., d/b/a White Mountain Regional Medical Center, an Arizona nonprofit corporation (the “Borrower”), to assist the Borrower in (a) financing the costs of acquiring, constructing, improving, installing and equipping an expansion of its emergency room facilities and its magnetic resonance imaging facilities, all to be located at 118 S. Mountain Ave., Springerville, Arizona 85938 for use by the Borrower in connection with its health care operations; and (b) financing certain costs of issuance of the Series 2022 Bonds;

WHEREAS, on August 19, 2022, the Issuer resolved to issue the Series 2022 Bonds, such Resolution being conditioned upon, among other things, the granting of approval to the issuance of the Series 2022 Bonds by the Apache County Board of Supervisors;

WHEREAS, the Resolution authorizes, among other things, the issuance and sale of the Series 2022 Bonds, the execution and delivery of an Indenture of Trust, a Loan Agreement and such other documents as required for the issuance of the Series 2022 Bonds;

WHEREAS, the terms, maturities, provisions for redemption, security, and sources of payment for the Series 2022 Bonds are set forth in the Indenture of Trust and the form of the Series 2022 Bonds;

WHEREAS, copies of said documents have been made available to the Apache County Board of Supervisors, together with the aforementioned Resolution of the Issuer;

WHEREAS, the Apache County Board of Supervisors have been informed that said documents have been reviewed by competent Bond Counsel, Greenberg Traurig, LLP, and said Bond Counsel has determined that said documents adequately meet the requirements of the Act and the Internal Revenue Code of 1986, as amended (the “Code”);

WHEREAS, as a result of the issuance and sale of the Series 2022 Bonds, certain bond proceeds will be made available to the Issuer, and the Issuer will use such funds to (a) to issue revenue bonds and use the proceeds thereof in accordance with the Act, (b) to contract with and employ others to provide for and to pay compensation for professional services and other services as the Issuer deems necessary for the financing of “projects” as defined in the Act, and (c) to pledge its property and revenues to secure the payment of the principal of and premium, if any, and interest on its revenue bonds;

WHEREAS, it is intended that this Resolution shall constitute approval by the Apache County Board of Supervisors with respect to the issuance of the Series 2022 Bonds pursuant to Section 35-721.B of the Act;

WHEREAS, pursuant to Section 35-721.B of the Act, the proceedings of the Issuer under which the Series 2022 Bonds are to be issued require the approval of the Apache County Board of Supervisors for the issuance of the Series 2022 Bonds;

WHEREAS, pursuant to Section 147(f) of the Code, the Apache County Board of Supervisors must approve the issuance of the Series 2022 Bonds after a public hearing following reasonable public notice;

WHEREAS, following publication of Notice of Public Hearing in the *White Mountain Independent* on August 9, 2022, a public hearing was held by the Issuer, pursuant to Section 147(f) of the Code, on August 19, 2022, as described in the Notice of Public Hearing, a copy of which is attached hereto and made a part of this Resolution.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA, as follows:

1. The issuance by the Issuer of the Series 2022 Bonds in the aggregate principal amount, not to exceed \$9,500,000 is approved for all purposes under the Act and the Code; and
2. The appropriate officers of the Apache County Board of Supervisors are hereby authorized and directed to do all such things to execute and deliver all such documents on behalf of the Apache County Board of Supervisors as may be necessary or desirable to effectuate the intent of this Resolution and the Resolutions of the Issuer in connection with the Series 2022 Bonds; and
3. It is intended that this Resolution shall constitute approval by the Apache County Board of Supervisors with respect to the issuance of the Series

2022 Bonds pursuant to (i) Section 35-721.B of the Act, and (ii) Section 147(f) of the Code.

PASSED, ADOPTED, AND APPROVED on September 6, 2022.

/s/ Nelson Davis  
Chairman

ATTEST:  
Ryan N. Patterson  
Clerk

Mr. Patterson presented notice of the following meetings where two or more members of the Apache County Board of Supervisors may be in attendance. No action was needed or taken.

- The Eastern Arizona Counties Organization meeting on September 14, 2022, at 2:00 p.m. held at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- Small Counties Forum meeting on September 14, 2022, at 5:00 p.m. held at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The County Supervisors Association (CSA) meeting on September 15, 2022 at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

Chairman Davis opened the floor for call to the public.

Joe Jarvis, a resident of the County addressed the Board regarding road repair and forest health issues within the county.

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

**Mr. Shirley moved to adjourn the meeting, seconded by Mr. Shepherd.** Vote was unanimous.

Approved this 4<sup>th</sup> day of October 2022.

/s/ Nelson Davis  
Chairman of the Board

/s/ Ryan N. Patterson  
Clerk of the Board