

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING

December 3, 2024

St. Johns, Arizona

Present were, Chairman Joe Shirley, Jr., Vice Chairman Alton Joe Shepherd and Supervisor Nelson Davis. Also present was Clerk of the Board/County Manager Ryan N. Patterson. and legal representative Emily Craiger.

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.

Matt Fish gave the invocation.

Stephanie McCarthy led the Pledge of Allegiance.

Mr. Patterson presented the item for the Board to sit as the Board of Equalization to accept the following Petitions for Notice of Change Valuation determinations heard by Hearing Officer Charles Johnson:

Acceptance of hearing determination for Steve & Carol Coombs, Parcel 106-70-2024.

Acceptance of hearing determination for William and Valerie Maketta, Parcel 106-68-009G.

Acceptance of hearing determination Amanda Kitchens, Parcel 104-03-010J.

Acceptance of hearing determination for Sergio & Heather Rivera, Parcel 101-48-047A.

Acceptance of hearing determination for Steve Clonts, Parcel 104-30-004C & 104-30-004D.

**Mr. Davis moved to approve the determinations, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson presented the Consent Agenda items A-E and recommended approval. **Mr. Shepherd moved approval, seconded by Mr. Davis.** County Manager/Clerk of the Board:  
A. Request approval of demands as distributed to the Apache County Board of Supervisors between November 12, 2024 to December 3, 2024. Demands are payments made, or to be made, by the County. Payee Amount NATIONAL BANK \$30291.72 NATIONAL BANK OF ARIZONA 2901 \$1433.92 NATIONAL BANK OF ARIZONA 3040 \$2721.32 APACHE COUNTY FSA \$1577.90 APACHE COUNTY HSA \$7412.72 APACHE COUNTY MEDICAL \$212678.68 APACHE COUNTY TAX WITHHOLDING \$197387.72 ASRS LEGACY EORP \$8305.52 AZ STATE RETIREMENT SYSTEM \$141707.03 COLONIAL LIFE AND ACCIDENT INS \$1024.37 CORRECTIONS OFFICER RET PLAN \$13967.06 CORRECTIONS OFFICER RETIREMENT PLAN 520 \$1030.38 EORP LEGACY \$2009.93NATIONWIDE \$3803.74 NATIONWIDE TRUST FSB \$3635.34 PUBLIC SAFETY PERSONNEL 401 \$10600.20 PUBLIC SAFETY SHERIFF RET \$14364.65 SUPPORT PAYMENT CLEARINGHOUSE \$1751.88 DONALD KEVIN DAVIS \$1512.41DOUGLAS LANCE PEARCE \$1409.01ADVANCED CORRECTIONAL HEALTHCARE INC \$45355.58 ALL COPY PRODUCTS \$1726.45AMAZON CAPITAL SERVICES INC \$7058.42 AMIGO CHEVROLET \$2427.26 BOB BARKER COMPANY INC \$1248.54 CANVA US INC \$3000.00 CENTER FOR RURAL ARIZONA JUSTICE \$50000.00 COMMNET WIRELESS

\$1900.00 John Lucas COMMUNITY BROADBAND ADVOCATES LLC \$10837.50 EMPIRE MACHINERY \$1465.76 EMPIRE POWER SYSTEMS AND EMPIRE SOUTHWEST LLC \$1589.94 FLEET PRIDE \$1132.42 GLAXO SMITHKLINE PHARMACY \$1954.35 HANCOCK COMPREHENSIVE DENTISTRY \$1302.00 HILLYARD/FLAGSTAFF \$2356.93 HOME DEPOT ACCT 7600 \$1054.23 INGRAM LIBRARY SERVICES \$6699.01 JURY SYSTEMS INCORPORATED \$1034.00 LAW OFFICE OF MICHAEL S PENROD PLC \$7448.00 MH CONSULTING & PROJECT MANAGEMENT LLC \$1350.00 NORTH COUNTRY COMMUNITY HEALTH \$2940.00 QUILL CORP \$2086.20 REDW LLC \$19169.50 RELIABLE BACKGROUND SCREENING 1198.10 SAFELITE AUTO GLASS \$1582.08 SECURUS TECHNOLOGIES INC \$1314.86 SKAGGS PUBLIC SAFETY UNIFORMS & EQUIPMENT \$2030.44 SOUTHERN TIRE MART LLC \$7338.69 STANTEC CONSULTING SERVICES \$4086.75 THE AARONS COMPANY LLC \$3000.00 TRINITY SERVICES GROUP INC \$24516.76 US POSTMASTER \$5000.00 AMAZON CAPITAL SERVICES INC \$7643.06 AZ COUNTIES INSURANCE POOL \$9927.50 BAUMAN HOME AND AUTO INC (CARQUEST) \$1031.64 BOB BARKER COMPANY INC \$1305.93 BRAD HALL & ASSOCIATES INC \$18856.19 BREWER LAW OFFICE PLLC \$10500.00 BROADBENT INSURANCE \$2650.00 COURTESY CHEVROLET \$91863.94 DESERT MOUNTAIN CORPORATION \$16251.84 EBSCO SUBSCRIPTIONSERVICES/ KWIKBOOST LLC \$2548.27 GREER COMMUNITY FACILITIES \$1015.72 HAMBLIN LAW OFFICE PLC \$10500.00 KLINT HEAP \$1383.34 LAW OFFICE OF MICHAEL S PENROD PLC \$9664.00 QUILL CORP \$1247.97 R JOHN R JOHN LEE ATTORNEY AT LAW \$10500.00 REDW LLC \$36693.86 RELIABLE BACKGROUND SCREENING \$1630.30 RHINEHART OIL CO \$3636.30 ROBERTS TIRE SALES INC \$1070.61 ST JOHNS CITY \$133624.60 ST JOHNS EMERGENCY SERVICES \$1234.12 SUMMIT HEALTHCARE ASSOCIATION INC \$5479.55 THOMSON REUTERS WEST \$3623.34 TRAVEL LEADERS \$1006.45 WHITE MOUNTAIN REGIONAL MEDICAL CENTER \$2564.93 APACHE COUNTY TAX WITHHOLDING \$1017.42 MONICA GARCIA \$1124.75 JACOB KEMPTON HAWKINS \$1124.75 AMANDA LORENE WYNN-CROWLEY \$1124.75 JAY YELLOWHORSE \$1875.11 4 RIVERS EQUIPMENT LLC \$5810.11 AMAZON CAPITAL SERVICES INC \$14102.98 AMIGO CHRYSLER DODGE JEEP RAM \$3323.66 AT&T MOBILITY LLC (FIRSTNET) \$3520.49 AZ DEPT OF HEALTH SERVICES \$1898.64 AZLGEBT \$422923.74 BLUE HILLS ENVIRONMENTAL \$2372.87 BRAD HALL & ASSOCIATES INC \$53483.93 BROWN & SONS CONCRETE \$1810.00 BURGESS LAW LLC \$14705.00 BURGESS LAW LLC \$11835.00 BURGESS LAW LLC \$10847.50 BURNHAM - IFP LLC \$1459.00 CONTINUANT INC \$1385.22 CORDANT HEALTH SOLUTIONS \$1143.32 CORNERSTONE DETENTION PRODUCTS \$1858.74 DELL COMPUTER CORPORATION \$9770.42 LAYTON A DICKERSON \$1762.50 EMPIRE MACHINERY \$12435.62 FLEET PRIDE \$1746.79 FUTURE TIRE \$1700.82 HOME DEPOT ACCT 4118 \$1266.07 LSQ GROUP HOLDINGS LLC \$8603.41 MYERS TIRE SUPPLY COMPANY \$30507.84 NACO \$1320.00 NAVAJO TRIBAL UTILITY AUTHORITY \$3507.47 NAVOPACHE ELECTRIC COOPERATIVE \$9435.96 O'REILLY AUTO PARTS \$6830.84 PINAL COUNTY ARIZONA \$1388.00 POLARIS PHARMACY SERVICES OF WARRINGTON LLC \$6144.37 PREMIUM PROPANE LLC \$9741.33 PROPELLER AERO INC \$24750.00 QUILL CORP \$3663.93 REFLEX PROTECT INC \$1253.80 RHINEHART OIL CO \$6601.16 SECURUS TECHNOLOGIES INC \$2293.65 SENERGY PETROLEUM LLC \$21255.81 SOUTHWEST AG INC \$2355.90 ST JOHNS EMERGENCY SERVICES \$1255.07

TREAD MASTERS TIRE & LUBE \$2368.48 WHITE MOUNTAIN REGIONAL MEDICAL CENTER \$1810.30 WRIGHT EXPRESS FSC WEX \$6705.64 YAVAPAI COUNTY GOVERNMENT \$7350.00 APACHE COUNTY FSA \$1577.90 APACHE COUNTY HSA \$6443.15 APACHE COUNTY MEDICAL \$208740.28 APACHE COUNTY TAX WITHHOLDING \$183890.16 ASRS LEGACY EORP \$8305.52 AZ STATE RETIREMENT SYSTEM \$139991.07 COLONIAL LIFE AND ACCIDENT INS \$1024.37 CORRECTIONS OFFICER RET PLAN \$13628.33 CORRECTIONS OFFICER RETIREMENT PLAN 520 \$1002.53 EORP LEGACY \$2009.93 NATIONWIDE \$4080.60 NATIONWIDE TRUST FSB \$3609.08 PUBLIC SAFETY PERSONNEL 401 \$10600.20 PUBLIC SAFETY SHERIFF RET \$15721.06 SUPPORT PAYMENT CLEARINGHOUSE \$1751.88 CATERPILLAR FINANCIAL SERVICES CORPORATION \$132074.09 Specific details of the demands may be requested through the County public record request process. B. Request approval of minutes dated October 31, 2024, November 12, 2024, and November 20, 2024. C. Request approval of the tax exemption for the Arden Road Baptist Church for parcels 209-17-001 and 209-17-002, pursuant to ARS §42-11153 and ARS-§42-11109. The exemption was filed late due to an administrative oversight within the organization. Community Development: D. Request for approval of the recommendation to grant a conditional use permit with conditions, allowing Dusty Fitzwater to place a Park Model Home, one RV, and to construct a future single-family cabin. The property is located in the Luna Lake Village subdivision at 4 County Road 2096, Alpine, AZ, parcel 101-28-029, Section 18, Township 5N, Range 31E. The Apache County Planning and Zoning Commission recommended approval with conditions on November 7, 2024. Human Resources Department: E. Request approval to adjust the salaries of the Justices of the Peace in accordance with A.R.S. §22-125. Vote was unanimous for the Consent Agenda items A-E.

Chief Roscoe Herrera, on behalf of the Sheriff's Office, requested approval of Amendment #1 to Agreement M23-0026 between Arizona Department of Military Affairs and Apache County Sheriff's Office for the prosecution and imprisonment of border related crimes. Chief Herrera stated the amendment allows the reallocation of funds due to the lack of manpower to fill the three (3) detective positions and will be used to purchase an additional ten (10) vehicles for the Sheriff's Office. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Chief Roscoe Herrera, on behalf of the Sheriff's Office, requested approval to re-hire Kole Soderquist as a full-time employee. Chief Herrera stated this request is due to Apache County Human Resources Policy Manual Section 1.68(A): Re-Employment. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval of a resolution supporting District III's AZ SMART grant application for design and engineering services. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

A RESOLUTION OF THE APACHE COUNTY BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA, AUTHORIZING AN APPLICATION TO THE ARIZONA SMART FUND FOR A GRANT FOR DESIGN AND OTHER ENGINEERING SERVICES/ PURSUANT TO TITLE 28, CHAPTER 2, ARTICLE 2, ARIZONA REVISED STATUTES.

WHEREAS, in Chapter 322 of the Laws of 2022 ("the Act"), the Arizona Legislature established the AZ SMART Fund and program, and authorized the State Transportation Board, among other things, to award grants to Eligible Applicants for design and other engineering services ("DOES"), grant development and submission ("GDS"), and Match for a surface transportation project for which the Applicant will submit a Federal Grant application;

WHEREAS, ARS §28-399.Q.1 as amended in Chapter 120 of the Laws of 2024 defines "Federal grant" to mean a federal discretionary grant program administered by any federal agency for surface transportation purposes;

WHEREAS, the AZ SMART Fund Request for Grant Applications and Agreement ("RFGAA") defines "surface transportation purposes to mean a road, bridge, transit or rail infrastructure project, study or plan document that is eligible for a Federal Grant;

WHEREAS, Applicants for AZ SMART Fund must apply in accordance with the requirements of the Act and the RFGAA;

WHEREAS, APACHE COUNTY has determined that it will apply to AZ SMART for Design and Othe Engineering Services for the CR 8235 Stanford Road Phase II Design Project;

WHEREAS, the APACHE COUNTY desires to submit the Project for the federal discretionary grant identified in the RFGAA;

WHEREAS, the RFGAA requires that applications include a resolution from the governing body of the Applicant stating the Project is in the best interests of the residents of the municipality or county in which the Project is or will be located and requires the resolution to state the commitment of Applicant funds, if applicable;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF SUPERVISORS OF APACHE COUNTY, ARIZONA, AS FOLLOWS:

Section 1: That the APACHE COUNTY Project described above is in the best interests of the residents of APACHE COUNTY .

Section 2: That the APACHE COUNTY requests \$1,204,451.84 for "DOES" from the AZ SMART Fund.

Section 3: That \$ 50,000.00 of cash monies of APACHE COUNTY are committed to the Project.

Section 4: That APACHE COUNTY will apply for the Federal Grant identified in the RFGAA within two years of the date an award is approved by the Board.

Section 5: That the Chairman of the Board of Supervisors is authorized to submit and sign the RFGAA.

Section 6: WHEREAS, the immediate operation of the provisions of this Resolution is necessary

for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, and this Resolution shall be in full force and effect from and after its passage by the APACHE COUNTY BOARD OF SUPERVISORS. PASSED AND ADOPTED by the APACHE COUNTY BOARD OF SUPERVISORS of the APACHE COUNTY, Arizona, this 3rd day of December 2024.

APPROVED: /s/ DR. JOE SHIRLEY, JR. – CHAIRMEN OF THE BOARD

ATTEST: /s/ RYAN PATTERSON – CLERK OF THE BOARD

APPROVED AS TO FORM: /s/ EMILY CRAIGER - APACHE COUNTY ATTORNEY

Mr. Patterson presented the item for the selection of the Board of Supervisors' Chairman for 2025. **Mr. Shepherd stated he likes the rotation process and nominated and motioned to select Supervisor Davis to rotate to serve as Chairman, seconded by Mr. Shirley.** A discussion was held regarding next year's selection of chairman and vice chairman be placed on the agenda to reflect the rotation for the vice chairman to move up to chairman and the remaining supervisor be rotated to vice chairman. Mr. Davis thanked the Board for the support and sharing their knowledge with him over the past years. Vote was unanimous.

Mr. Patterson presented the item for the selection of the Board of Supervisors' Vice Chairman for 2025. Mr. Shepherd stated with his appointment serving as the president elect next year for the County Supervisors Association, it is best if Mr. Shirley serves as **Vice Chairman and offered the motion to select Dr. Joe Shirley, Jr., to serve as Vice Chairman for 2025, seconded by Mr. Davis and to rotate moving up from the bottom next year.** Mr. Shirley thanked the Board members for their vote of confidence. Vote was unanimous.

Mr. Patterson presented the item for possible appointment of a member of the Board of Supervisors to serve on the County Supervisors Association Legislative Policy Committee (LPC) for 2025. **Mr. Davis nominated and motioned Supervisor Alton Shepherd to continue to serve on the LPC committee, seconded by Mr. Shirley.** Vote as unanimous.

Mr. Patterson presented the item for possible appointment of a member of the Board of Supervisors to serve on the Eastern Arizona Counties Organization (ECO) Committee for 2025. **Mr. Shepherd nominated and motioned for Supervisor Nelson Davis to continue to serve on ECO, seconded by Mr. Shirley.** Vote was unanimous.

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

- The Eastern Arizona Counties Organization meeting on December 11, 2024, at 2:00 p.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.
- The Small Counties Forum meeting on December 11, 2024, at 5:30 p.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix,

AZ.

- The County Supervisors Association (CSA) meeting on December 12, 2024, at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

Chairman Shirley opened the floor for the call to the public.

Monica Boehning, a resident of Springerville, expressed her opposition to any future the wind farms commenting on the Lava Run Projects industrial wind farms proposal, referencing health risks linked to wind turbines, including sound waves and environmental toxins.

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

Mr. Patterson presented the item for consideration of action to recess to executive session pursuant to A.R.S. §38-431.03(A)(3) legal advice: the Board of Supervisors authority and responsibilities concerning the office of County Attorney. **Mr. Shepherd moved to go into executive session, seconded by Mr. Davis.** Vote was unanimous.

Executive session was held.

**Mr. Shepherd moved to come out of executive session, seconded by Mr. Davis.** Vote was unanimous.

Chairman Shirley stated this concluded the regular meeting and called for adjournment. **Mr. Davis moved to adjourn the meeting, seconded by Mr. Shepherd.** Vote was unanimous.

Approved this 7<sup>th</sup> day of January, 2025.

/s/ Nelson Davis  
Chairman of the Board

/s/ Ryan N. Patterson  
Clerk of the Board