

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING

July 2, 2024
St. Johns, Arizona

Present were, Chairman Joe Shirley, Jr., Vice Chairman Alton Joe Shepherd and Supervisor Nelson Davis and Chief Deputy County Attorney Celeste Robertson. Clerk of the Board/County Manager Ryan N. Patterson and County Attorney Michael Whiting participated via the Telephone.

Chairman Shirley 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.

Ferrin Crosby gave the invocation.

Chief Deputy Sheriff Roscoe Hererra led the Pledge of Allegiance.

Chairman Shirley called for the Health District items.

Kimberly Cole, Health Director, requested approval of Intergovernmental Agreement CTR067942, Amendment #1 Women, Infant, Children and Breastfeeding Peer Counseling which increases the grant amount of \$108,152. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Kimberly Cole, Health Director, requested approval of a contract with Alena Thompson, FNP, to provide reproductive health services at the St. Johns and Round Valley clinics Ms. Cole stated this expense has been budgeted for in FY25. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Kimberly Cole, Health Director, presented the submission of the Apache County Health District Quality Management Plan for 2024. Ms. Cole stated this is required per Arizona Administration Code for outpatient treatment centers for perpetual clinical licensing. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

Chairman Shirley called for the Library District items.

Kiersten Nielsen, Assistant Library Manager, requested approval for Fiscal Year 2024-2025 to dispose of materials that have been donated to or withdrawn from our library collections, by offering them for sale at each of our library facilities. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Kiersten Nielsen, Assistant Library Manager, requested possible approval for Fiscal Year 2024-2025 to make discarded library materials and gift materials which are out of scope for our collections, available to charitable and non-profit organizations within Apache County. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Kiersten Nielsen, Assistant Library Manager, requested approval of a lease agreement between the Sanders Unified School District #18 and the Apache County Library District effective July 1, 2024, through June 30, 2025, in the amount of \$325.00 per month. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Kiersten Nielsen, Assistant Library Manager requested approval of a lease agreement between the Apache County Library District and the Vernon Domestic Water Improvement District effective July 1, 2024, though June 30, 2025, at the rate of \$25.00 per month. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Kiersten Nielsen, Assistant Library Manager requested approval of a lease agreement between the Greer Community Facilities Association and the Apache County Library District effective July 1, 2024, through June 30, 2025, at the rate of \$1,015.72 per month. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Kiersten Nielsen, Assistant Library Manager requested approval of a lease agreement between the Apache County Library District and The Vernon Community Park Committee effective July 1, 2024, through June 30, 2025, at the rate of \$25.00 per month. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

Chairman Shirley called for the Jail District item.

Commander Chris McCarthy requested approval of a Memorandum of Understanding with CareAZ to provide life skill programs to inmates. **Mr. Shephard moved approval, seconded by Mr. Davis.** Vote was unanimous.

Mr. Shepherd moved to adjourn the Jail District meeting, seconded by Mr. Davis. Vote was unanimous.

Chairman Shirley called for the regular agenda items.

Mr. Patterson presented the Consent Agenda items and recommended approval of items A-K except for Item H, which he requested be removed. **Mr. Shepherd moved to approve the Consent Agenda items A-K with the exception of Item H., 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 June 4, 2024, to July 2, 2024. Demands are payments made, or to be made, by the County. Payee Amount STEPHANIE MCCARTHY \$7712.33

KTNN RADIO STATION \$1696.00 GARET D KARTCHNER \$1155.05 DOUGLAS LANCE PEARCE \$1254.91 NICHOLAS L SEYLER \$1054.85 AMAZON CAPITAL SERVICES INC \$9799.02 B&R TRUCKING \$6348.00 CDW GOVERNMENT LLC \$7750.61 EMPIRE MACHINERY \$4884.26 HAMBLIN LAW OFFICE PLC \$8000.00 HP2 INC \$2267.36 JACK BIANCO PLUMBING LLC \$7825.00 NATIONAL BUSINESS FURNITURE \$17992.34 NAVAJO TRIBAL UTILITY AUTHORITY \$2104.32 NAVOPACHE ELECTRIC COOPERATIVE \$2179.13 NEXUS HOLDINGS LLC \$1000.00 O'REILLY AUTO PARTS \$3457.57 PAGE STEEL \$1292.24 QUILL CORP \$1739.23 RIGG LAW FIRM PLLC \$5000.00 SOUTHERN TIRE MART LLC \$9532.76 DALE SHAWN TAYLOR \$8000.00 TRUCK PRO DBA AZ BRAKE & CLUTCH SUPPLY \$1330.03 WESTERN DETENTION PRODUCTS INC \$2728.50 WHITE MOUNTAIN COMMUNICATIONS \$2922.80 YAZZIE'S AUTO PARTS INC \$1074.96 APACHE COUNTY HSA \$6546.89 APACHE COUNTY MEDICAL \$201297.06 APACHE COUNTY TAX WITHHOLDING \$177913.46 ASRS LEGACY EORP \$11467.76 AZ STATE RETIREMENT SYSTEM \$139888.67 COLONIAL LIFE AND ACCIDENT INS \$1023.22 CORRECTIONS OFFICER RET PLAN \$14448.70 EORP LEGACY \$3039.91 NATIONWIDE \$5017.11 NATIONWIDE TRUST FSB \$4435.18 PUBLIC SAFETY PERSONNEL 401 \$15436.78 PUBLIC SAFETY SHERIFF RET \$11400.55 SUPPORT PAYMENT CLEARINGHOUSE \$1940.00 A-ALARM LOCK & KEY LLC \$1659.90 ADVANCED CORRECTIONAL HEALTHCARE INC \$45538.76 AMAZON CAPITAL SERVICES INC \$19355.02 AMIGO CHEVROLET \$1431.36 ARDURRA (FORMERLY WOODSON ENGINEERING & SURVEYING) \$62055.00 AZ ASSN OF COUNTIES \$15285.15 AZ SUPREME COURT \$1440.00 B&R TRUCKING \$4140.00 BAUMAN HOME AND AUTO INC (CARQUEST) \$1035.50 BEST TINTING AND AUTO GLASS \$1041.48 John Lucas COMMUNITY BROADBAND ADVOCATES LLC \$7162.50 CREATIVE MULTIMEDIA INC (CMI) \$9932.50 EMPIRE MACHINERY \$7560.42 FLEET PRIDE \$2893.65 FRONTIER \$1547.61 HAMBLIN LAW OFFICE PLC \$8000.00 HILLYARD/FLAGSTAFF \$1261.60 HOME DEPOT ACCT 7600 \$1801.97 INGRAM LIBRARY SERVICES \$4124.91 KAY SUPPLY INC \$4527.58 LAW OFFICE OF MICHAEL S PENROD PLC \$6152.00 O'REILLY AUTO PARTS \$2461.53 OKANOGAN TRAIL CONSTRUCTION \$30344.60 PITNEY BOWES \$2874.61 QUILL CORP \$1994.10 SECURUS TECHNOLOGIES INC \$3876.72 SOUTHERN TIRE MART LLC \$3637.52 ST JOHNS EMERGENCY SERVICES \$1246.53 THE AARONS COMPANY LLC \$3000.00 TRINITY SERVICES GROUP INC \$18017.79 VERIZON WIRELESS \$1258.07 WHITE MOUNTAIN COMMUNICATIONS \$4158.90 JESSE THOMAS \$1575.10 JAY YELLOWHORSE \$2037.91 NATIONAL BANK \$24186.41 NATIONAL BANK OF ARIZONA 2901 \$3424.24 NATIONAL BANK OF ARIZONA 3040 \$4512.19 AMAZON CAPITAL SERVICES INC \$4409.79 AZ COUNTIES INSURANCE POOL \$5927.42 AZ SUPREME COURT \$1362.00 AZ SUPREME COURT \$4882.00 AZ SUPREME COURT \$2968.00 B&R TRUCKING \$2760.00 BAUMAN HOME AND AUTO INC (CARQUEST) \$1631.20 BLUE LINE TOWING \$1125.00 BREWER LAW OFFICE PLLC \$10500.00 CDW GOVERNMENT LLC \$1004.72 CENTRAL ARIZONA SUPPLY \$1100.83 COURTESY AUTO OF MESA LLC \$64080.70 DESERT MOUNTAIN CORPORATION \$14006.22 EASTERN ARIZONA COUNTIES ORGANIZATION EAC \$6000.00 EVENFLO COMPANY INC \$1364.21 HAMBLIN LAW OFFICE PLC \$10500.00 HATCH CONSTRUCTION \$75794.80 KLINT HEAP \$1434.01 ROBERT JAMES HIGGINS \$2546.65 HIGH COUNTRY PROPANE \$1332.31 HIGH COUNTRY SIGNS LLC \$1070.00 HILLYARD/FLAGSTAFF

\$1039.72 LAW OFFICE OF MICHAEL S PENROD PLC \$5792.00 NAVOPACHE ELECTRIC COOPERATIVE \$1008.89 NTUA WIRELESS, LLC \$5220.02 OVERDRIVE INC \$1063.80 DANA BRYCE PATTERSON \$10500.00 QUILL CORP \$2184.93 R JOHN R JOHN LEE ATTORNEY AT LAW \$10500.00 REDW LLC \$4054.75 RHINEHART OIL CO \$6685.97 RW BILLBOARD ADVERTISING \$4225.00 SALT RIVER PROJECT - SRP - MARS \$1091.00 SARATOGA RACK MARKETING LLC \$21740.45 SOUTHERN TIRE MART LLC \$1253.69 ST JOHNS CITY \$2405.62 STANTEC CONSULTING SERVICES \$15414.30 THOMSON REUTERS WEST \$1418.05 WOODLAND BUILDING CENTER C/O NATIONS BEST \$1340.88 WRIGHT EXPRESS FSC WEX \$5763.46 YAVAPAI COUNTY GOVERNMENT \$7500.00 SAMUEL A WOOD \$1313.87 SHAWNTAY BEGAY \$1500.00 ADVANCED AIR SYSTEMS LLC \$2195.45 AMAZON CAPITAL SERVICES INC \$9945.06 B&R TRUCKING \$2070.00 CDW GOVERNMENT LLC \$1033.42 COMMNET WIRELESS \$3800.00 CONTINUANT INC \$1385.22 CONTRACT PHARMACY SERVICES INC \$5848.41 DELL COMPUTER CORPORATION \$2929.09 DESERT SNOW \$1425.00 EMPIRE MACHINERY \$14168.57 FIELDS OUTDOOR ADVENTURES, LLP \$8184.30 FLEET PRIDE \$4320.74 FORESTRY SUPPLIERS INC \$1320.29 HILLYARD/FLAGSTAFF \$1324.69 INGRAM LIBRARY SERVICES \$1225.66 LESUEUR ADVANCE AUTOMOTIVE LLC \$2005.87 LSQ GROUP HOLDINGS LLC \$3607.42 MISSION UNIFORM & LINEN \$1035.65 NATIONAL PEN CO LLC \$1298.06 NAVAJO TRIBAL UTILITY AUTHORITY \$6597.33 NAVOPACHE ELECTRIC COOPERATIVE \$18369.50 O'REILLY AUTO PARTS \$1037.75 PITNEY BOWES \$1081.80 QUILL CORP \$2909.84 ROBERTS TIRE SALES INC \$3245.30 RUSH TRUCK CENTER \$327083.54 SARATOGA RACK MARKETING LLC \$65160.19 SCORPION HARLEY DAVIDSON \$2406.44 SECURUS TECHNOLOGIES INC \$2372.78 THOMSON REUTERS WEST \$1600.62 WHITE MOUNTAIN OMMUNICATIONS \$14011.04 WHITE MOUNTAIN PUBLISHING CO \$1864.62 APACHE COUNTY HAS \$6546.89 APACHE COUNTY MEDICAL \$211696.76 APACHE COUNTY TAX WITHHOLDING \$188969.19 ASRS LEGACY EORP \$11467.76 AZ STATE RETIREMENT SYSTEM \$141014.01 COLONIAL LIFE AND ACCIDENT INS \$1023.22 CORRECTIONS OFFICER RET PLAN \$14351.75 EORP LEGACY \$3039.91 NATIONWIDE \$4767.02 NATIONWIDE TRUST FSB \$4434.97 PUBLIC SAFETY PERSONNEL 401 \$15436.78 PUBLIC SAFETY SHERIFF RET \$12107.45 SUPPORT PAYMENT CLEARINGHOUSE \$1940.00 RICHARD C GUINN \$1148.00 RUSH TRUCK CENTER \$2065.90

Specific details of the demands may be requested through the County public record request process. B. Request approval of minutes dated June 4, 2024, June 5, 2024, and June 11, 2024. C. Request approval of the waiver of tax exemption for following: VFW Post 8987, Parcel 104-10-0009 pursuant to ARS §42-11153. The nonprofit exemption was filed late due to an administrative oversight. Maricopa Association for Combat Veterans Foundation, parcel 204-67-008 A&B, pursuant to ARS §42-11153. The nonprofit exemption was filed late due to an administrative oversight. First American Baptist Ministries, parcel 209-15-007 and 209-15-010, pursuant to ARS §42-11153. The nonprofit exemption was filed late due to an administrative oversight. Christine Seda, parcel 104-14-052A4, pursuant to ARS §42-11153. The widow's exemption was filed late due to illness. D. Request approval of a contract with Howard (Chuck) Johnson to serve as the Board of Equalization Hearing Officer. E. Request approval of a resolution committing local funds for Community Development Block Grant (CDBG) applications. F. Request approval of a proclamation designating August as Child Support Awareness Month.

CHILD SUPPORT AWARENESS MONTH

Proclamation

WHEREAS, the County of Apache joins the Nation in recognizing August as Child Support Awareness Month, and reaffirms its commitment to strengthening Arizona’s families by providing child support services to improve the economic stability and well-being of children; and

WHEREAS, the State of Arizona will always be committed advocates for our children, whose safety and security remains top of mind; and

WHEREAS, a child who receives emotional and financial support is more likely to feel safe and secure and is better equipped with the courage to be their very best in life; and

WHEREAS, the Department of Economic Security Division of Child Support Services (DCSS), is robustly committed to putting Arizona’s children first and to humbly serving Arizonans with excellence, respect, integrity and kindness, as well as being an overall champion for economic growth and opportunity; and

WHEREAS, DCSS strongly advocates for parenting responsibilities because parents and children benefit when both are engaged with their child at every stage, regardless of marital status; and

WHEREAS, DCSS recognizes the commitment of legal guardians who accept responsibilities of children in the absence of parents; and

WHEREAS, strengthening individuals and families with an emphasis on fiscal responsibility promotes the safety and well-being of children, provides stability, improves the lives of children, and provides opportunities for families to be able to enhance their children’s future; and

WHEREAS, Child Support Awareness Month values parents’ involvement in their child’s lives and who make regular child support payments to safeguard their children’s future.

NOW THEREFORE, the Apache County Board of Supervisors hereby proclaim the month of August 2024 as **CHILD SUPPORT AWARENESS MONTH**

Passed and adopted this 2nd day of July, 2024.

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

/s/ Ryan N. Patterson
Clerk of the Board

G. Request approval to award FY25 Indigent Legal Services Contracts to current contractors Emergency Management: H. In accordance with Outdoor Fire Ordinance 2019-10, notification Apache County entered into Stage 2 fire restrictions on June 21, 2024. **Removed** Community Development: I. Request approval of the recommendation to approve a conditional use permit with conditions allowing Roy Thomas Elam to operate a public laundromat and shower facility consisting of 17 washers, 15 dryers, and four (4) public showers. The property is located at 83 county road 5050 in Concho, AZ. A.P.N. 201-30-006A, Section 18; Township 12N; Range 26E. The Apache County Planning & Zoning commission recommended approval with conditions on June 6, 2024. J. Request approval of the recommendation to approve a conditional use permit with conditions allowing Jeffrey Lunt to add six (6) tiny homes on his +/-27.5-acre property for non-commercial seasonal family use. The property is located at 36 N2134 near Alpine, AZ bordered by National Forest and the Brentwood church campground. A.P.N. 101-09-001D Section 34 Township 5N Range 28E. The Apache County Planning & Zoning commission

recommended approval with conditions on June 6, 2024. Finance Department: K. Request approval of a resolution designating Timothy Hinton as the Chief Fiscal Officer for submitting the FY2025 Expenditure Limitation Report to the Arizona Auditor General. Vote was unanimous for consent agenda items A-K with the exception of Item H, which was removed.

Larry Noble, County Recorder, requested approval of Amendment #2 to the Runbeck Agreement for national change of address services. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Rita Vaughn, Election Director, requested approval of the Poll Workers and Election Board Workers for the upcoming July 30, 2024, Primary Election. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to use Contract Number B24-03-011 between Navajo County and Hawker and Evans Asphalt Company to purchase liquid asphalt products in the amount of \$318,724. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Mr. Patterson requested approval of a liquor license application recommendation for Becky Ivins, Stanford General Store, 4 Apache County Road #8235, Concho, Arizona. Mr. Patterson stated no protests were received. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

J.J. Thomas, on behalf of Emergency Management, requested approval of Public Health Emergency Preparedness Program Intergovernmental Agreement CTP054639 is amended as follows: Pursuant to Terms and Conditions, Provision Six (6) Contract Changes, subsection 6.1 Amendments, the Contract is hereby revised with the following:

- 1.1. The Scope of Work is revised and replaced.
- 1.2. The Price Sheet is revised and replaced.
- 1.3. Exhibit A is revised and replaced.

Mr. Shepherd moved approval, seconded by Mr. Davis. Vote was unanimous.

Chief Deputy Sheriff Roscoe Herrera, requested approval of Agreement DC-25-001 between Arizona Criminal Justice Commission and the Apache County Sheriff's Office for the Drug, Gang and Violent Crime Control Grant, in the amount of \$174,204.15. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was unanimous.

Chief Deputy Sheriff Roscoe Herrera, requested approval to accept a donation from Tucson Electric Power of 16 self-contained breathing apparatus and 10 masks to be used in evacuation of inmates due to fire or exposure to gas. Chief Herrera stated the tanks have been serviced and inspected. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

Chief Deputy Sheriff Roscoe Herrera, requested approval of an agreement between the Arizona Department of Public Safety and the Apache County Sheriff's Office to accept the donation of a 2017 Ford Explorer. Chief Herrera stated this vehicle will be utilized for inmate transport, replacing an older unit. **Mr. Shepherd moved approval, seconded by Mr. Davis.** Vote was

unanimous.

Chief Deputy Sheriff Roscoe Hererra, requested approval to renew Apache County Sheriff's Office's Criminal Justice User Agreement with the Arizona Department of Public Safety for the purpose of accessing information from the Arizona Criminal Justice Information System. **Mr. Davis moved approval, seconded by Mr. Shepherd.** Vote was unanimous.

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

Margaret Sangalli, a resident of Vernon, expressed her opposition to the proposed Lava Run energy project.

William Tennes, a resident of Sanders, addressed the Board regarding his concern with the security of ballots in the upcoming election and where the limestone is being hauled to since he sees truckloads of it going north.

Chairman referred the issues outlined by the citizens to Mr. Patterson.

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

Approved this 19th day of August, 2024.

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

/s/ Ryan N. Patterson
Clerk of the Board