

OFFICIAL PROCEEDINGS OF THE APACHE COUNTY  
BOARD OF SUPERVISORS MEETING  
September 3, 2024  
St. Johns, Arizona

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

Vice Chairman Shepherd 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.

Preston Raban led the Pledge of Allegiance.

Vice Chairman Shepherd called for the Health District item.

Kimberly Cole, Health District Director, requested approval of Immunization Services Amendment #2 for Contract CTR060281, revising and replacing the Price Sheet and Exhibit 5. Ms. Cole stated this amendment extends the effective date through June 30, 2025, for the Bridge Access Program for COVID -19 vaccine to uninsured adults. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

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

Vice Chairman Shepherd called for the regular agenda items.

Craig Sullivan, Executive Director, County Supervisors Association, presented a report on recent County Supervisors Association activities including discussion on the recent legislative session and budget. No action was taken.

Mr. Patterson presented the Consent Agenda items A-K and recommended approval. **Mr. Davis moved approval, seconded by Mr. Shirley.** County Manager/Clerk of the Board: A. Request approval of demands as distributed to the Apache County Board of Supervisors between August 19, 2024, and September 3, 2024. Payee Amount MICHAEL LATHAM \$3500.00 KYLE DOUGLAS MAYER \$3500.00 STEPHANIE MCCARTHY \$3816.00 DOUGLAS LANCE PEARCE \$1317.73 ADVANCED AIR SYSTEMS LLC \$94481.00 ALLEGRA \$1047.18 ALSCO INC \$1020.73 AMAZON CAPITAL SERVICES INC \$14924.35 AMIGO CHEVROLET \$3927.00 ARIZONA STATE UNIVERSITY \$3500.00 AZ COUNTIES INSURANCE POOL \$32689.20 AZ DEPT OF ECONOMIC SECURITY \$5405.96 BEST TINTING AND AUTO GLASS \$1167.07 BLUE HILLS ENVIRONMENTAL \$2144.12 BREWER LAW OFFICE PLLC \$10500.00 BROWN'S PARTSMaster INC \$1341.63 CONTINUANT INC \$1385.22 CONTRACT PHARMACY SERVICES INC \$12611.01

DESERT MOUNTAIN CORPORATION \$45914.31 LAYTON A DICKERSON \$1325.00  
EATON SALES & SERVICE \$9222.22 FLEET PRIDE \$1250.29 FRANK'S SUPPLY  
COMPANY INC \$1581.52 GILA COUNTY \$10555.36 HAMBLIN LAW OFFICE PLC  
\$10500.00 HATCH CONSTRUCTION \$10582.30 KLINT HEAP \$1400.11 ROBERT JAMES  
HIGGINS \$2984.29 HILLYARD/FLAGSTAFF \$1381.23 LAW OFFICE OF MICHAEL S  
PENROD PLC \$10160.00 MASS TRANSCRIPTIONS \$2366.65 NAPA \$2751.32 NATIONAL  
INSTITUTE FOR JAIL OPERATIONS \$3840.00 NAVOPACHE ELECTRIC COOPERATIVE  
\$9142.57 O'REILLY AUTO PARTS \$2237.31 DANA BRYCE PATTERSON \$10500.00 PEAK  
FORENSIC PSYCHOLOGY \$1100.00 PELOTON INTERACTIVE INC \$1152.10 PERFECT  
PRINTZ LLC \$1321.32 PHIL LONG FORD OF RATON LLC \$320220.00 PRONTO  
BIOMEDICAL SOLUTIONS LLC \$2606.00 PUBLIC SAFETY CANCER INSURANCE  
\$1200.00 R JOHN R JOHN LEE ATTORNEY AT LAW \$10500.00 REDW LLC \$21949.75  
RHINEHART OIL CO \$5706.80 RAYMOND RHODES \$2544.79 ROBERTS TIRE SALES  
INC \$1391.44 RUSH TRUCK CENTER \$1654.02 SAFELITE AUTO GLASS \$1090.67 SALT  
RIVER PROJECT - SRP – MARS \$1091.00 SANOFI PASTEUR INC \$3413.25 SECURUS  
TECHNOLOGIES INC \$3112.64 SKAGGS PUBLIC SAFETY UNIFORMS & EQUIPMENT  
\$1226.90 SPARKLETTS WATER \$1085.87 TARTAN OIL LLC (FORMER NAME:  
SARATOGA) \$19613.78 THE AARONS COMPANY LLC \$3000.00 THOMSON REUTERS  
WEST \$3018.67 TREAD MASTERS TIRE & LUBE \$1718.38 TRINITY SERVICES GROUP  
INC \$24889.19 VERNON FIRE DISTRICT \$1000.00 WOODLAND BUILDING CENTER  
C/O NATIONS BEST \$1777.09 AMAZON CAPITAL SERVICES INC \$1278.34 LOFTIN  
EQUIPMENT COMPANY INC \$3162.23 QUALITY EMULSIONS LLC \$120430.26  
APACHE COUNTY FSA \$1598.73 APACHE COUNTY HSA \$7833.82 APACHE COUNTY  
MEDICAL \$220210.64 APACHE COUNTY TAX WITHHOLDING \$201104.39 ASRS  
LEGACY EORP \$8305.52 AZ STATE RETIREMENT SYSTEM \$150179.40 COLONIAL  
LIFE AND ACCIDENT INS \$1023.22 CORRECTIONS OFFICER RET PLAN  
\$14865.01EORP LEGACY \$2009.93 NATIONWIDE \$4990.00NATIONWIDE TRUST FSB  
\$4492.56 PUBLIC SAFETY PERSONNEL 401 \$14283.91 PUBLIC SAFETY SHERIFF RET  
\$13330.48 SUPPORT PAYMENT CLEARINGHOUSE \$1751.88 RODGER DAHOZY  
\$1365.56 AMERICAN FENCE CO OF AZ \$231469.00 AZ DEPT OF HEALTH SERVICES  
\$1295.00 NORTHLAND PIONEER COLLEGE \$600000.00 TY LIN INTERNATIONAL  
\$10651.00 ALL SHADE WINDOW TINTING \$3757.38 ALLEGRA \$1050.85 AMAZON  
CAPITAL SERVICES INC \$11194.48 AT&T MOBILITY LLC (FIRSTNET) \$7039.11  
B&R TRUCKING \$2880.00 CCS PRESENTATION SYSTEMS \$3114.45 CDW  
GOVERNMENT LLC \$3115.72 CENTRAL ARIZONA SUPPLY \$4077.97 DELL  
COMPUTER CORPORATION \$5724.82 FLEET PRIDE \$1269.88 FRONTIER \$4220.54  
GREEN MEADOWS FUNERAL HOME LLC \$1284.00 INGRAM LIBRARY SERVICES  
\$1880.75 NAPA \$2751.37 NATIONAL TEST SYSTEMS \$1651.76 NAVOPACHE ELECTRIC  
COOPERATIVE \$15698.30 PINAL COUNTY ARIZONA \$7634.00 POLSINELLI PC  
\$7695.00 RHINEHART OIL CO \$4230.57 TARTAN OIL LLC (FORMER NAME:  
SARATOGA) \$21076.45 THE WOOD LAW OFFICE (RONALD WOOD) \$1522.50 US  
POSTMASTER \$1500.00 VERIZON WIRELESS \$1766.70 ARMSTRONG, LOGAN \$1000.00  
BARBARA J GOMEZ \$1299.60 JASON WAYNE MOORE \$1365.56 JAY YELLOWHORSE  
\$1333.94 DENNISE L JONES \$1365.56 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 19, 2024. C. Request approval of

Intergovernmental Agreement Amendment #5 between Apache County and the Arizona Counties Insurance Pool (ACIP). This allows for continued insurance coverage. Superior Court: D. Request approval of the FY25 Field Trainer Grant Application in the amount of \$30,335.94. These funds are used to cover the salary of the Court Field Trainer. E. Request approval for the FY25 Fill the Gap Grant Application, in the amount of \$30,335.94. These funds are generated from court fines and fees and set aside for necessary court operations within Apache County. Community Development Department: F. Request approval of a Change of Zoning Regulations from Agricultural General (AG) to General Commercial (C2) for commercial use. The subject property is located at 36233 State Route 61, Concho, Arizona, APN 107-54-166F, Section 9; Township 11N; Range 25E. The Planning & Zoning Commission unanimously recommended approval on August 8, 2024. Treasurer's Office: G. Request approval of a Certificate of Removal and Abatement of Taxes pursuant to ARS 42-18351(1). Total taxes, penalties, and interest to be abated in the amount of \$10,047.43 for property accounts R0107229 parcel (101-21-010B) and R0107302 (parcel 101-21-010C). School Superintendent's Office: H. Request approval pursuant to A.R.S. 15-424(E) to cancel the school district elections and appoint the persons who filed the required candidate paperwork to fill the positions for the following districts: St. Johns Unified School District #1; Concho Elementary School District #6; Window Rock Unified School District #8; Vernon Elementary School District #9; Round Valley Unified School District #10; Chinle Unified School District #24; N.A.T.I.V.E. District and NAVIT CTED #35. I. Request approval pursuant to A.R.S. §15-424(E) to cancel the school district election for McNary Elementary School District #23. Finance Department: J. Request approval to amend the 2024-2025 Tax Levy resolution. Human Resources Department: K. Request approval to eliminate the positions of Human Resources Technician (Range 34), and Administrative Assistant II (Range 30), and create the position of Administrative Coordinator (Range 42) and fill within the salary range. This request will not increase the FY25 budget. Vote was unanimous of consent items A-K.

Matt Fish, Community Development Director, presented the item following a public hearing, discussion and possible approval of an amendment to the plat of the Luna Lake Village subdivision by combining four (4) lots, and approval of a resolution abandoning a portion of County Road 2029. Mr. Fish stated the properties are located in Alpine, Arizona, parcels 101-28-048, 101-28-049, 101-28-050, and 101-28-051, Section: 17, Township: 5N, Range: 31E. Mr. Fish stated The Planning & Zoning Commission unanimously recommended approval on August 8, 2024. **Mr. Davis made the motion to open the public hearings, seconded by Mr. Shirley.** Vote was unanimous. There was no one wanting to speak to the item. **Mr. Davis moved to close the public hearing, seconded by Mr. Shepherd.** Vote was unanimous. **Mr. Davis moved approval of the amendment and the resolution, seconded by Mr. Shirley.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to modify the previously approved purchase of a CAT 950 Loader due to equipment price difference and utilizing Limestone Pit funds that were previously approved on July 23, 2024. Mr. Crosby stated the reason we are revisiting this, is because the piece of equipment that we received was different than what was ordered so it was sent back, and the price changed for the loader, so we are asking for approval of with the price difference. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested the reconsideration for approval to endorse, through letters of commitment signed by the Board of Supervisors, the Concho-Snowflake Highway Cold-in-place Recycle Project and the Rural School Bus Route Enhancement and Soil Stabilization Pilot Project listed on the Northern Arizona Council of Governments (NACOG) Regional Priority Projects List. **Mr. Davis moved approval, seconded by Mr. Shirley.** Vote was unanimous.

Ferrin Crosby, County Engineer, requested approval to purchase three (3) new Caterpillar 140 AWD Motor Graders through OMNIA Contract #212816, utilizing District 3 funds. Mr. Crosby stated these three motor graders are replacing the 3 120 motor graders that were purchased seven years ago on the 7 year buy back program. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vice Chairman Shepherd stated Lynette Lefebre, a resident of Concho wanted to make a comment on the item. Ms. Lefebre withdrew her request. Vote was unanimous.

Steve Kizer, Information Technology Director, requested approval of the following IT policies to be included in the Apache County Human Resources Policy Manual: Access Control Management, Account Management, Audit Log Management, Email and Web Browser Protections, Inventory and Control of Enterprise Assets, Inventory and Control of Software Assets, and Malware Defense. **Mr. Shirley moved approval, seconded by Mr. Davis.** Vice Chairman Shepherd stated Lynette Lefebre, a resident of Concho wanted to make a comment on the item. Ms. Lefebre asked Mr. Kizer if he oversaw the county website. Mr. Kizer stated yes, and he would meet with her after the meeting. 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 or taken.

The Eastern Arizona Counties Organization meeting on September 18, 2024, at 2:00 p.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

The Small Counties Forum meeting on September 18, 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 September 19, 2024, at 10:00 a.m. at the County Supervisors Association building, 1905 W. Washington Street, Phoenix, AZ.

Vice Chairman Shepherd opened the floor for the call to the public.

Lynette Lefebre, a resident of Concho, Arizona, expressed her concern with the public court hearings that used to be on YouTube, but they no longer are and the judicial assistant told her she didn't have time to post them and asked the board to help with that because it is important for the public to be able to see public hearings, including this meeting. Ms. Lefebre stated the meeting time for these meetings are set when the average public citizen can't attend; the meetings used to be online and no longer are. Ms. Lefebre stated the sheriff's website is maintained by a 3<sup>rd</sup> party, but most of the tabs are not populated. Ms. Lefebre stated there is an inordinately large amount of missing people in this county and there is no access to information about that, even though

there is a missing persons tab. Ms. Lefebre stated she opposes the windmills that are being proposed and is worried about the environmental impacts and fire hazard and it is not worth the financial benefit. Ms. Lefebre stated she opposes any code enforcement for recreational vehicles made by Mr. Fish (in Planning & Zoning); since she believes it is out of his scope, and selective enforcement is a bad idea. Ms. Lefebre stated there has been public information published on news outlets regarding paying for Michael Whiting's defense of his bar complaint and asked for more transparency about what exactly is being paid for and for the county to make public comment about it to the news sources.

George Walsh, a resident of Vernon, Arizona, addressed the Board and stated the taxpayers paid for the video for Board meetings and after the Board got mad at him a few times, the county refused to place it back but that is something taxpayers paid for, for that purpose and the planning and zoning meetings and every meeting in this county should be video tapped and recorded so that nothing is going on so people can see the meetings and don't have to be present. Mr. Walsh addressing Mr. Shepherd, stated the video would help in his district; since he has an internet café that taxpayers paid for and a bus that taxpayers paid for, so citizens could come to any location in District II and even District I to see the meetings. Mr. Walsh stated County Attorney Whiting used his office and went behind the Board's back to Mr. Shirley and Tom White to get them to sign letters to vacate the charges for the former sheriff which was an employee of Mr. Whiting's at the time which he believes was a conflict of interest. Mr. Walsh stated that was not brought before the Board as a Board item. Mr. Wash stated he would like to see Mr. Shepherd's use policy that was approved by the Board of Supervisors to use his conference room; and the fees adopted as required by law. Mr. Walsh stated he would like to see Mr. Shirley's facility use policy for his building and the fees adopted for that which he believes never have been. Mr. Walsh stated that by any renting out of buildings for different fees would be illegal. Mr. Walsh stated there is a lot more he could touch on, but he won't go into it today.

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

Approved this 1<sup>st</sup> day of October 2024.

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

/s/ Ryan N. Patterson  
Clerk of the Board