

**OFFICIAL PROCEEDINGS OF THE APACHE COUNTY
BOARD OF SUPERVISORS MEETING
November 20, 2012
St. Johns, Arizona**

Present were; Chairman of the Board Jim Claw, County Manager/Clerk of the Board Delwin Wengert and County Attorney Michael Whiting. Supervisor R. John Lee participated via the telephone and Vice Chairman Tom M. White, Jr. was en-route to the meeting.

Chairman Claw called to order the Apache County Board of Supervisors meeting, the Public Health District meeting, and the Library District meeting at 8:36 a.m. in the Board of Supervisors chambers, County Annex Building, 75 West Cleveland Street, St. Johns, Arizona and welcomed all in attendance.

Chairman Claw asked Mr. Whiting to lead the Pledge of Allegiance.

Chairman Claw called for the Library District items.

Judith Pepple, Library Director, requested authorization for Fiscal Year 2012-2013 to make available to local schools, senior centers, and Boys and Girls Clubs, discarded library materials and gift materials which are out of scope for our collections. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Judith Pepple, Library Director, requested authorization to remove Anne MacGregor from probationary status effective October 9, 2012 with the 2.5% end of probation increase. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Mr. Lee moved to adjourn the Library District meeting, seconded by Mr. Claw. Vote was unanimous.

Chairman Claw called for the Health District items.

Chris Sexton, Health Director, requested approval of the Intergovernmental Agreement Reproductive Health/Family Contract #ADHS13-034072 that is a statewide clinic-based, primary care program that provides comprehensive family planning and reproductive health services to promote optimal health to Arizona's men and woman. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Chris Sexton, Health Director, request approval of the Memorandum of Understanding between the Health District and Ganado High School to provide physical facilities to support personnel providing Teen Pregnancy Prevention Services. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Chris Sexton, Health Director, requested approval of the Intergovernmental Agreement, Contract #ADHS13-034434, Teen Pregnancy Prevention-Abstinence Plus beginning January 1, 2013 to December 31, 2017. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

Mr. Lee moved to adjourn the Health District meeting, seconded by Mr. Claw. Vote was unanimous.

Chairman Claw called for anyone wanting to address the Board during call to the public.

Barry Weller, Supervisor Elect for District III, addressed the Board and stated that during an election, there is no statutes or protocol to support each other when things are over and he wanted the public to know that Mr. Lee called him last Friday and congratulated him on his success and offered himself any support as things move forward. Mr. Weller stated that he thought it was a wonderful show of Mr. Lee's good character and appreciated very much.

George Walsh, a resident of Vernon, Arizona stated that Apache County had failed to understand that the economy is in the toilet and Apache County is not making any significant cuts and on the agenda is almost a half million dollars in spending in raises and vehicles. Mr. Walsh stated that an effort should be made to show the public that the county is saving money before they spend it.

There were no other members of the public wanting to address the Board during call to the public.

Mr. Wengert requested authorization to make a cost of living distribution to all benefits eligible permanent employees who are not on probation as of the date of the distribution based on the following schedule:

- a. Permanent full-time employees with less than 2 years of continuous employment-\$500, permanent employees with more than 2 years of continuous employment-\$1,000.
- b. Permanent part-time employees (under 40 hours, benefits eligible) with less than 2 years of continuous employment-\$250, permanent part time employees with more than 2 years of continuous employment-\$500.
- c. All above amounts reflect a net distribution.

Mr. Wengert stated that the last cost of living increase any county employee received was in July 2007 and they received 2.5% and since that time we have cut the general fund budget by 5.3 million dollars, a 26% decrease and overall the county has been cut 35% and during that same time approximately 47 full time positions cut from the workforce. Mr. Wengert stated that all of the elected officials and department heads have cut their budgets every year for the past 5 years and we are as lean as this county has ever been and that during the past 5 years we have been conservative with the spending and maintained a very healthy savings account which makes this possible. Mr. Wengert stated that in the last year the county received \$85,000 more in PILT funds from the federal government that can be used toward helping with this one time disbursement and the cost to the general fund is \$190,000. Mr. Wengert stated that he and Ryan Patterson have looked at this from every angle and feel that this is something the county can support. Mr. Wengert stated that the employees have gone a long time without any kind of adjustment to their salary and recommended approval of the disbursement. Mr. Lee moved to authorize the disbursement, Mr. Claw seconded the motion.

Chairman Claw called for public comment. Barry Weller stated that that he has got to know many county employees and he appreciates them and the energy and dedication they have but this is a \$400,000 expense and the citizens are still extremely unemployed and this is a poor county and there are many areas that would like to have some money to help with some projects such as a food bank or repairs to community centers and those are things that would benefit entire communities so considering the fact that employees have gone a long time without any increases he would like the Board to consider modifications to this motion because employees that have not been here five years haven't been suffering, which is the reasoning behind the increase, and those employees who received increases or promotions during that period have not suffered like the other employees. Mr.

Weller requested the elected officials and department heads who make good money also be exempt from this increase and any employee with less than 3 years of service be exempt from the disbursement and any employee that has received a promotion or raise in their pay scale in the last two years receive a reduced amount and use that savings for programs that would benefit the entire community.

Mr. Wengert stated that he appreciated Mr. Weller's comments and knows he has the best interest of the community at heart, and wanted to clarify that elected officials are exempt from this increase since their salaries are set by statute so they would not be getting any increase. Mr. Wengert stated that less than half of this money is coming from the general fund, the rest is coming from the Districts and the Districts are doing better than the general fund. Mr. Lee amended his motion to clarify that this is not applicable for elected officials.

Lenora Fulton, County Recorder stated that she is in support of the one-time disbursement and requested the Board approve this action.

George Walsh, a resident of Vernon, Arizona requested a provision that only one payment be awarded per employee; that if an employee has multiple jobs they should not get a payout for each job they hold. Mr. Wengert stated that only one disbursement payment per employee is the intent. Mr. Lee amended his motion to reflect for clarity that it be one disbursement per employee, seconded by Mr. Claw.

Tracy Candelaria, a resident of the County, stated that this appears to be a bonus and a gift of public funds which is prohibited by law. Mr. Wengert responded that he has worked closely with the County Attorney's Office and feel they have received good legal advice on his and it has also been done in many other counties. Mr. Whiting stated that is a false statement by Ms. Candelaria.

Chief Deputy Sheriff Brannan Eagar voiced his support of the one-time disbursement.

Dr. Pauline Begay, School Superintendent, requested the Board approve the one-time disbursement for the employee. Motion passed.

Angela Romero, Election Director, requested approval of the Canvass of the November 6, 2012 General Election. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Malena Bazarro, Grants Manager: Request approval of the 2012 CDBG Project contracts. Mr. Lee moved approval, seconded by Mr. Claw. Motion passed.

Mr. Wengert requested approval of items **A-J** with the exception of H and asked that that item be held to the end of the meeting so that Mr. White would be present. **County Manager/Clerk of the Board:** **A.** Approval of Minutes dated October 30, 2012. **B.** Request approval of the demands. SMITH, JOHN R 2,600.00 BEST WESTERN – CANYON DECHELLY MOTEL INC 1,217.71 AMIGO CHEVROLET 1,533.83 AZ DEPT OF ECONOMIC SECURITY 8,521.91 BRADCO 57,161.43 CANTEEN CORRECTIONAL SERVICE 19,843.42 DAVID'S PROFESSIONAL FIRE SYSTEMS INC 1,775.00 EMPIRE MACHINERY 1,063.59 FRONTIER 2,400.25 GEXPRO 1,664.43 HUGHES SUPPLY INC 6,020.25 INGRAM LIBRARY SERVICES 7,233.03 MCKESSON MEDICAL SURGICAL 6,745.79 NEW WORLD SYSTEMS CORPORATION 43,677.89 PACIFIC PONDEROSA CO INC 1,345.56 QUILL CORP 1,028.74 SANDERS UNIFIED SCHOOL DISTRICT 1,200.00 SANOFI PASTEUR INC 2,959.74 SECURUS TECHNOLOGIES INC 1,086.76 SOURCECORP 10,936.07

STAPLES CREDIT PLAN 1,882.47 SUN DEVIL FIRE EQUIPMENT INC 1,014.14 TEEN ADDICTION ANONYMOUS 1,200.00 VALLEY AUTO PARTS 2,616.00 VERIZON WIRELESS 2,388.98 AZ SUPREME COURT 4,690.00 EMTAP ENTERPRISES 5,300.00 LAW OFFICE OF MARSHA GREGORY 6,842.50 SMITH, JOHN R 2,250.00 CS&S COMPUTER SYSTEMS 3,828.52 DESERT MOUNTAIN CORPORATION 8,425.34 EMPIRE MACHINERY 1,421.07 EMTAP ENTERPRISES 1,058.48 FRONTIER 2,317.19 GILA COUNTY 15,802.76 HILLYARD INC 1,760.09 HITCHCOCK, JERRY 1,040.00 HOOVER, BILLIE G 1,395.00 JURY SYSTEMS INCORPORATED 1,034.00 LAW OFFICES OF VICTORIA L EARLE 1,353.00 MASTERMAN'S LLP 1,407.36 MCKESSON MEDICAL SURGICAL 1,803.32 NAVOPACHE ELECTRIC COOPERATIVE 9,765.27 PACIFIC PONDEROSA CO INC 3,529.32 QUILL CORP 1,956.26 SPRINGVILLE AUTO WRECKERS 1,750.00 ST JOHNS EMERGENCY SERVICE 1,057.11 SUMMIT ELECTRIC SUPPLY CO INC 4,218.89 TAPAHE INVENTIVE DESIGN LLC 2,270.00 THE AARONS COMPANY LLC 3,000.00 THE WOOD LAW OFFICE (RONALD WOOD) 6,650.00 AMIGO CHEVROLET 1,324.21 AZ DEPT OF HEALTH SERVICES 1,115.00 AZ DEPT OF RISK MANAGEMENT 1,833.81 BANK OF THE WEST 1,111.00 BOB BARKER COMPANY INC 1,098.18 BRADCO 31,517.23 CREATIVE MULTIMEDIA INC 13,775.00 DIAMOND DRUGS INC 2,133.57 FRONTIER 1,270.91 GOLIGHTLY TIRE 4,109.72 HILLYARD INC 2,252.67 KATHLEEN M MCGUIRE PSY D LLC 1,632.50 LOWES #24 1,038.33 NAVOPACHE ELECTRIC COOPERATIVE 1,540.89 NEW WORLD SYSTEMS CORPORATION 2,021.87 NINA CONSTRUCTION SUPPLY 7,319.75 QUILL CORP 3,905.29 SCHIFF, LAURENCE 1,000.00 SECURUS TECHNOLOGIES INC 1,622.11 SOUTHERN COUNTIES OIL COMPANY 30,032.24 ST JOHNS EMERGENCY SERVICES 2,329.17 VALLEY AUTO PARTS 3,819.43 WHITE MOUNTAIN REGIONAL MEDICAL CENTER 1,641.69 WILLIAMS LAW GROUP PLLC 6,650.00

C. District II: Request approval to purchase food for three (3) senior centers located in District II, not to exceed \$2,000 total. **Human Resources:** **D. District III,** Chambers Road Yard: Request authorization to remove George Shular, Sr. from probationary status effective November 20, 2012 with the 2.5% end of probation increase. **E. Recorder's Office:** Request authorization to extend the temporary employment for Betty Coplan for an additional 120 days utilizing the Recorder's Surcharge Fund. **F.** Request authorization to appoint Dale Patton, Esq. as an Apache County Hearing Officer. **G. School Superintendent's Office:** Request authorization to hire a temporary Administrative Coordinator not to exceed 120 days at \$15.58 per hour. **H. Treasurer's Office:** Request authorization to create a temporary part-time Senior Accountant position, 19 hours or less per week, for a period not to exceed 180 days, and hire John Smith to fill the position at his current salary. **I. County Attorney's Office:** Request authorization to eliminate a Legal Secretary I position and create a permanent part time (20 hours per week) Victim Coordinator at a salary range of 46. **Engineering Department:** **J.** Request authorization to purchase a 2013 Chevrolet 4x4 Tahoe not to exceed \$40,000 and a 2013 Chevrolet 4x4 Suburban not to exceed \$30,000 both utilizing State Purchasing and paid for with District II HURF Monies. Mr. Lee moved to approve items **A-J except for item H.**

George Walsh, a resident of Vernon, Arizona stated that he wondered why the public cannot see the list of demands before they are approved, that they are not included in the back-up materials on the website and why is the Board approving the demands if they have not seen them. Mr. Walsh also commented on why the County is buying two new trucks at the end of the year when two of the supervisors approving this won't even be here next year. Mr. Wengert stated that the demands are emailed out to the supervisors for review prior to the meeting so the comment that the Board does not look at the demands prior to the meeting is not true. Mr. Whiting stated that the demands are available for public review and would only require a public records request just like you would for any other document. Tracy Candelaria stated that on the issue of raises to attorney of 9.8%. Mr. Wengert interrupted to state that the Board has not yet addressed that item. Ms. Candelaria stated that it was on the consent agenda. Mr. Wengert responded that it was not, it was the next item. Ms. Candelaria stated that regarding that item, she did not feel it was good for moral that certain people get a raise. Mr. Lee moved to approve A-J with the exception of H, seconded by Mr. Claw. Motion passed.

County Attorney Michael Whiting requested authorization to increase the salaries of Garrett Whiting and Michael Latham by 9.8% using non-general fund monies to fund the increases, resulting in no cost to the general fund. Mr. Lee moved approval, seconded by Mr. Claw. George Walsh, a resident of Vernon asked if this was on top of the one-time payout raise and if there are other employees getting raises. Mr. Lee stated that this is the time for comment, not to cross examine the Board. Mr. Wengert responded that the item passed for the raises stands alone and any other increase for employees would be separate from that and if this is approved, those employees are also approved for the \$1,000. Mr. Whiting agreed with Mr. Wengert that they would receive both. Motion passed.

Mr. Wengert, on behalf of Building and Maintenance requested approval to sand and refinish the Pera Gym floor utilizing a Mohave Contract vendor, Arizona Gym Floors, Inc. in the amount of \$12,734.12 and the price includes all labor, materials and equipment. Mr. Lee moved approval, seconded by Mr. Claw. Vote was unanimous.

The Board took a brief recess to wait for Mr. White to arrive to address Item 4-H. Mr. Lee excused himself from the meeting since he was declaring a conflict with that item.

Vice Chairman White arrived. Chairman Claw resumed the meeting.

Mr. Wengert presented Consent Item 4-H: Treasurer's Office request for authorization to create a temporary part-time Senior Accountant position, 20 hours or less per week, for a period not to exceed 180 days, and hire John Smith to fill the position at his current salary. Mr. Wengert stated that his current salary is \$36.98 per hour and this is in an effort to take care some the issues in the Treasurer's Office and Mr. Smith is doing the reconciliations of the accounts and that office needs another 6 months to get everything reconciled and also to help the new elected official coming in. Mr. Wengert stated that Treasurer Arviso is in favor of it and recommended approval. Mr. White moved approval, seconded by Mr. Claw. Motion passed.

Mr. White moved to adjourn, seconded by Mr. Claw. Motion passed.

Approved this 4th day of December, 2012.

/s/ Jim Claw
Chairman of the Board

/s/ Delwin Wengert
Clerk of the Board