

SAN JUAN COUNTY COMMISSION MINUTES

OCTOBER 11, 1988

The regular meeting of the San Juan County Commission was not held as a quorum of Commissioners was unable to attend.

Commissioner Mark Maryboy conducted the scheduled public hearing for the San Juan County Transportation Service District. The meeting had been scheduled for 2:00 P.M. on October 10, 1988, however as that date was a legal holiday the meeting was postponed until 2:00 P.M. on October 11, 1988.

Those attending: Commissioner Mark Maryboy
Administrative Assistant Rick Bailey
County Clerk Gail Johnson
Deputy Clerk Merna Johnson
Attorney Lyle Anderson
Carl Eiseman, San Juan Record

The purpose of the creation of the Transportation Service District is to receive mineral lease revenues from the federal government for the construction, repair and maintenance of roads within the district boundaries.

Administrative Assistant Rick Bailey explained that beginning this year, the State of Utah will pay payment in lieu of taxes on state lands to those counties that have state lands. Rather than reduce the federal payment in lieu of taxes, the Counties statewide have decided to form special service districts for the purpose of constructing roads in those areas that are receiving mineral lease monies back. The service district will be funded entirely by mineral lease revenues and state payment in lieu of taxes and will not result in a taxing entity that will cost the taxpayers any additional taxes.

The question was asked as to where the state would get the money to pay the payment in lieu of taxes on state lands. Those funds have previously been put into the State general fund budget but will now be paid to the Counties. These funds will also not affect the funds used by the Community Impact Board.


Mr. Bailey further stated that if the district is not formed it would reduce the federal payment in lieu of taxes. Once the district is formed and a board established, it was thought that they would contract with the County road department for the construction of the roads. The protest period extends until 5:00 P.M. on October 25th. At a special Commission Meeting to be held on October 26th at 9:00 A.M. the Transportation District will either be approved or abandoned. If approved, the board will be appointed.

Mr. Eiseman asked if it would be possible at some future date for the district to have a taxing authority. Mr. Bailey stated that any taxing authority would have to be placed on the ballot of a general election for approval by the majority of the taxpayers within the boundaries of the district which includes the entire county with the exception of the incorporated areas.

County Clerk Gail Johnson stated that the board of the Transportation Service District would be required to hold budget hearings and would need to adopt a budget in December for the calendar year of 1989.

Adjourn: There being no further comments the meeting adjourned at 2:25 P.M.


Mary Maryboy, Commissioner


Merna C. Johnson, Deputy Clerk

MINUTES OF THE SPECIAL MEETING OF THE
SAN JUAN COUNTY COMMISSION

OCTOBER 12, 1988

The special meeting of the San Juan County Commission convened at 9:00 A.M. at the San Juan County Courthouse at Monticello Utah.

Present: Commissioner Calvin Black
Commissioner Kenneth R. Bailey
Commissioner Mark Maryboy
Administrative Assistant Rick Bailey
County Clerk Gail Johnson
Deputy Clerk Merna Johnson

San Juan County Residents: Rayburn Jack, Jill Bayles, Kathleen Lyman, Carl Eisemann and Interim Hospital Administrator Milt Bedsaul.

The purpose of the meeting was to make a final decision with respect to the creation of a special service district for health care services in San Juan County. It was noted that there were no written protests received by the office of the County Clerk.

Rayburn Jack, representing the Blanding Health Board, wanted to go on record as supporting the district and submitted a list of names to be considered to serve on the board of directors. Other names were also submitted for consideration by the Commission.

Commissioner Bailey stated that he felt the mill levy of .0006 would be too low to fund the district. Commissioner Black reported that there would probably be some drop in the assessed valuation for next year but based on the assessed value for this year the revenue that could be derived from the .0006 tax rate would be \$401,000.00. Mr. Black felt that would be more than adequate based on the present situation. If the tax base goes down in the future, to where a higher rate would be necessary, that could again be put before the voters for approval. The Commission has already committed to reduce the tax rate in the general fund of the County the equivalent of what is necessary for the budget for the first year.

After discussion the following resolution was presented for adoption by the San Juan County Commission:

RESOLUTION 88-7

A RESOLUTION TO ESTABLISH THE SAN JUAN HEALTH SERVICE DISTRICT, TO AUTHORIZE THE PROVISION OF HEALTH CARE SERVICES AS SET FORTH IN THE NOTICE OF INTENTION TO CREATE THE DISTRICT AND TO APPOINT AN ADMINISTRATIVE CONTROL BOARD FOR THE DISTRICT.

BE IT RESOLVED by the Chairman and the Board of Commissioners of San Juan County, Utah:

Section 1. The Board of Commissioners of San Juan County, Utah (the Board of Commissioners) believes that the public health, convenience and necessity require the provision of health care services identified and described in the Notice of Intention concerning the establishment of the San Juan Health Service District (the "District").

Section 2. The Board of Commissioners has heretofore considered each and every protest filed and has heard each and every person who wished to be heard in protest against the creation of the District or the provision of any of the services therein, or on any other matter pertinent to the District.

Section 3. The Board of Commissioners hereby finds that less than 50% of the qualified voters of the territory proposed to be included within the proposed special district and the owners of less than 50% of the taxable value of taxable property included within the proposed special service district have filed written protests against the establishment of said District or against the specified type of services, within said District, proposed to be furnished.

Section 4. The services proposed and described in the Notice of Intention to create the District are hereby authorized, and the District is hereby created.

Section 5. The District shall be administered by an Administrative Control Board which is hereby delegated, without limitation, the power to act as the governing authority of the District and to exercise all or any of the powers provided for in Sections 11-23-13, 11-23-15, 11-23-18, 11-23-19, and 11-23-20, of the Utah Special Service District Act. Said Administrative Control Board shall not, however, have the power to levy a tax on the taxable property of the District, to issue bonds payable from taxes or to call or hold an election for the authorization of the tax or bonds without the approval of the Board of Commissioners.

Section 6. Administrative Control Board members shall be paid at a per diem rate to be set by resolution of the Board of Commissioners.

Section 7. The membership of the Administrative Control Board of the District shall consist of five (5) members, each of who shall be appointed by the Board of Commissioners. The Board of Commissioners shall appoint the initial two (2) members to serve a two-year term and the remaining three (3) members to serve four-year terms, the determination of who shall serve in each category to be made by lot. Said terms shall commence on January 1, 1989, which is the next succeeding date that the terms of office commence for members of the Board of Commissioners. The initially appointed members of the Administrative Control Board shall serve an additional term commencing on the date of appointment and continuing until the regular commencement of the above-specified terms.

Vacancies of the appointed members of the Administrative Control Board, other than by expiration of term, shall be filled by appointment of the Board of Commissioners for the unexpired term of the members whos vacancy is filled.

Section 8. The Board of Commissioners shall appoint none of its three members to serve on the Administrative Control Board of the District.

Section 9. The Board of Commissioners hereby appoints as the initial membership of the Administrative Control Board the following members, who shall serve those terms opposite their names as determined by lot:

Name	Term
Rayburn Jack	Two (2) Years
Ronald Johnson	Four (4) Years
Nancy Cahoon	Four (4) Years
Kay Johnson	Four (4) Years
Edward Tapaha	Two (2) Years

The Administrative Control Board shall elect its Chairperson and Vice-Chairperson and Secretary until the Board of Commissioners otherwise directs.

Commissioner Mark Maryboy made a motion to adopt Resolution 88-7 establishing the San Juan Health Service District. Commissioner Kenneth R. Bailey seconded the motion to adopt the foregoing Resolution. The Resolution was thereupon put to a vote and unanimously adopted on the following recorded vote.

Those voting AYE:

Calvin Black
Kenneth R. Bailey
Mark Maryboy

Those voting NAY:

None

PASSED AND APPROVED this 12th day of October, 1988.

/s/ Calvin Black,
Calvin Black, Chairman

ATTEST:

/s/ Gail D. Johnson
Gail D. Johnson, County Clerk

(SEAL)

Adjourn - There being no further business on the agenda the meeting adjourned at 9:25 A.M.


Calvin Black, Chairman


Merna C. Johnson, Deputy Clerk