

**SAN JUAN COUNTY COMMISSION MINUTES
APRIL 14, 1986**

The San Juan County Commission met in regular session on April 14, 1986, at the hour of 10 a.m. at the San Juan County Courthouse, Monticello, Utah.

The following members were present: Commissioner Black, Chairman
Commissioner Bailey
Commissioner Holliday

Minutes were approved as corrected on the motion of Commissioner Holliday. The motion was seconded by Commissioner Bailey. UNANIMOUS.

NURSING HOME - REUEL MCPHIE

Commissioner Bailey reported that he and Rick Bailey, Administrative Assistant, met with Reuel McPhie and his staff last week in Blanding at the nursing home. They went over the future agreement for sale of the nursing home and the management agreement and agreement for escrow of the warranty deed. Commissioner Bailey said some changes were made and they will be finalized April 30, 1986. Commissioner Bailey said Mr. McPhie was concerned about the roof and asked if the county would repair it. Commissioner Bailey said he looked at the roof and felt it needed patching in a few places and will follow up on this.

BLANDING CITY - WARRANTY DEED TO COUNTY (Nursing Home land)

Norman Johnson, Blanding City Recorder, presented the Commission a warranty deed from Blanding City to San Juan County on the nursing home property. The Commission thanked Mr. Johnson for the deed. The Commission will have Doug Pehrson, county surveyor, check the description and have the deed recorded.

HEALTH CARE FACILITIES SALE - ITEMS TO COMPLETE

Rick Bailey, Administrative Assistant, gave the following list of items he feels the Commissioners need to follow up on before the county nursing home is sold:

1. Complete the contracts with McPhie on Management, Escrow and Sale Agreements.
2. The Commission are going to meet with Southwest Health Management Co., Inc. on Monday, April 21, to discuss the possible sale of the hospital. The Commission will also meet with Jan Trembl of Community Nursing Services, and Ted Stagg, CPA developer, to discuss the county's Home Health Services.
3. The county will need to work out an agreement with the nursing home employees for their accrued benefits earned. The deadline will be May 31, 1986.
4. Someone needs to be assigned the responsibility of the county's Ambulance Service. Rayburn Jack is presently the ambulance director and he will be the nursing home administrator with Kamar beginning May 1. The Commission will bring this up at the next Health Care Board meeting.
5. Changes will need to be made, if any, in the hospital operation. The Commission will also put this on the agenda for the Health Care Board meeting on April 23 in Blanding.
6. The final payroll cut to nursing home employees will be April 30.
7. A final inventory of supplies (food and medical supplies, that are going to be paid for) in nursing home on April 30. (Rayburn Jack said he will give the Commission a computer copy.)
8. Removal of financial records and account receivables from nursing home after April 30.
9. Ted Stagg and Rick Bailey are flying to Denver April 17, to negotiate the Hill-Burton Obligations on the nursing home.

The county will bill on May 1 for services rendered at the nursing home in April, and they will be due to the county May 1, 1986. All pre-paid bills for May will be billed by Reuel McPhie and due to the nursing home. Rick Bailey will discuss the private pay in advance and medicare billing with Mr. McPhie.

IMPACT BOARD APPLICATION - Public Safety Building

Rick Bailey, Administrative Assistant, reported that the county might be on the agenda for May on the Impact Board hearing. This is for the grant application of the new public safety building.

REUEL MCPHIE - APPRAISAL TEAM -nursing home

Rick Bailey reported that Reuel McPhie has hired an appraisal team to appraise the nursing home. Mr. McPhie requests that a letter be sent to Ted Stagg, CPA developer, from the Commission authorizing Mr. McPhie to work with the appraisal team and to give all information possible concerning the sale of the nursing home. Commissioner Bailey suggested the Commission send a letter to Rayburn Jack, nursing home administrator, telling him the county is completing the sale agreements and authorize him to work with Mr. McPhie in every way possible.

COUNTY EMPLOYEE HEALTH CARE COVERAGE

The motion was made by Commissioner Holliday to approve Utah Local Governments Insurance Trust as the county employee health care coverage beginning May 1, 1986. The motion was seconded by Commissioner Bailey. UNANIMOUS. A motion was made by Commissioner Bailey to provide all the county full-time employees a \$20,000 life insurance plan with the same company and premiums paid by the county. (Employees will have an option to add their spouse and dependents and to increase the plan by payroll deduction.) The motion was seconded by Commissioner Holliday. UNANIMOUS. Commissioner Black said the county should eliminate insurance payments to employees who don't want health insurance. All full-time county employees will be on this insurance. Commissioner Holliday made the motion to approve this effective May 1, 1986. Commissioner Bailey seconded it. UNANIMOUS. Rick Bailey, Administrative Assistant, will be meeting with Sheron Tuttle, Associate Director, of the Utah Trust in Salt Lake this week to finalize the insurance.

PRIVATE LAND ON RESERVATION

Mary Lou Mosher, recorder, met with the Commission to tell them what she has found about the private land on the reservation in the county. Mrs. Mosher said she counted an excess of 20,000 acres of Ute & Navajo Indian allotted lands that the recorder's office has on record and it is her understanding these lands are not taxable. Mrs. Mosher said the Navajo Tribe was sending their people to the recorder's office to find their allotment records and she had nothing, so she met with the BLM and got allotment numbers from the plats. Mrs. Mosher said she then wrote to the state requesting certified copies of these allotted lands and the recorder's office now has mylar plats of these lands. Mrs. Mosher said she talked to

Representative Howard Nielson and told him that the BIA was not cooperating and he called Terry Lamb of the BIA in Washington. Mr. Lamb called Mrs. Mosher and informed her that these lands are in a trust period indefinitely by an act of congress and cannot be taxed. Mr. Lamb told her the Tribe was not following their own laws, that when an original allottee dies they are suppose to probate his estate and file it in county where he resided. Mrs. Mosher said since that time some Indians have come in and recorded their family probates. The Commission told Mrs. Mosher to talk to Bruce Halliday, county attorney, to follow up on this. Commissioner Black said there is a question in litigation right now where privately non-Indian owned land on the reservation as well as Indian deeded land may be non-taxable.

ABAJO PEAK SPECIAL USE APPLICATION AND REPORT

Bill Bayles, Communication engineer, met with the Commission to ask them to approve and sign a Special-Use Application and Report which provides: San Juan County would like to terminate their current permit on Abajo Peak regarding Lot #6 and transfer ownership of the building to the BLM. In its place the county is applying for a permit which will allow our agency to install, maintain, operate electronic equipment and use space within the building under a permit to the BLM. A motion to approve this was made by Commissioner Holliday and authorized Commissioner Black to sign it. The motion was seconded by Commissioner Bailey. UNANIMOUS.

TRANSLATOR SEMINAR - Communications

The Commission authorized Bill Bayles out of state travel to attend a Translator Seminar in Denver, Colorado, on May 1, 2, & 3.

UNDC REPORT - Worthy Glover

Proposed Wilderness Areas on Reservation

Worthy Glover, UNDC, met with the Commission to report on the UNDC Board meeting. Mr. Glover said the board passed a resolution in opposition to the BLM proposed wilderness areas. Mr. Glover said they are most concerned about Mule Canyon, Fish Creek and Road Canyon wilderness areas. Some of the reasons for opposition by the board are, one; there are 2000 Indians in the Oljato area who need access to the wood for domestic use such as heating, cooking and corrals, two; the people collect herbs for traditional ceremonies and healings, three; hunting for eating purposes. Commissioner Black suggested that the board add a response to the EIS in a narrative form as well as a resolution.

Highway Numbering Transportation

Mr. Glover said another item the board discussed and approved was the proposed extension of US-163 highway number from Kayenta, Arizona to St. George, Utah. Commissioner Black said he was invited to a Chapter Meeting in Kayenta concerning this but was not able to attend. Mr. Glover said the state accepted the Red Mesa application for a Senior Citizen Van.

UNDC budget reduced

Mr. Glover reported that UNDC's budget for 1987 is facing a 20% reduction and will be presented to UDIA in May. UNDC will be looking for funding from other outside funds for next year and with a reduced oil production UNDC's staff and programs will be reduced. Mr. Glover said they are facing a 50% reduction next year. Mr. Glover said that about \$2 million will be requested for the UNDC operation, \$1 million for Utah Navajo Industries operation, and \$400,000 for CEU. This money comes from the UDIA and UNDC is requesting about \$4 million total. UNDC board approved a request to put some money into two chapters and subcontract with them. UNDC will help the chapters develop local staffing and have them administer their own programs in the future to become more efficient. This will also reduce the UNDC staff.

Co-op Farms

The UDIA board in Salt Lake approved \$100,000 to UNDC for improving four (4) farm co-ops along the San Juan River. This money will be used to help rehabilitate, operate and manage these farms.

Headstart SEUCAP

UNDC is still looking at alternatives for the headstart. They will decide whether to stay with SEUCAP or contract with the Navajo Tribe.

Bookmobile billing

Mr. Glover said he received a bill from the county for bookmobile services. The UNDC board did not approve this and it was their understanding that the Tribe would pick up the services that were lost. The Commissioners said that Roland Francom, employee of the bookmobile, told the Commission the UNDC Board had approved to match the school district with a \$4,000 contribution at their January 13 meeting. Then a couple of months later Mr. Francom said the board had rescinded their action. The Commission said that 2/3 of these books are checked out on the reservation. Mr. Glover said this would cause a duplication of service and will follow up on this.

MONTICELLO AIRPORT WATER TANK

Rick Bailey, Administrative Assistant, said the county needs to find a truck and tank to haul water in to the airport. Mr. Bailey suggested they use a tanker truck from the road department and sterilize it. John Baker informed the Commission there is a 1,000 gallon tank at Cedar Point which is a stainless steel and heavy duty tank but does not have a trailer. The tank belongs to the BLM and they don't have any use for it. The Commission said this would be okay and would get an old truck or trailer, mount the tank, and turn it over to the city for use at the airport.

COUNTY AGRICULTURE AGENT - Jim Keyes

Jim Keyes, county agriculture agent, met with the Commission to ask if he could use a county vehicle to travel local farms and ranches in the area. Mr. Keyes said he would like to spend as much time possible out on the farms but he does not have a very good vehicle. The Commission told him they would find a vehicle for him to use. Commissioner Black encouraged him to spend time with the farmers and ranchers and start getting rid of the prairie dogs. Mr. Keyes said he has already sold some prairie dog poison. Mr. Keyes reported that the chemicals for the mosquitos are at the Monticello road shed and asked if Commissioner Holliday could take them to Blanding and someone from Bluff would come and pick them up. A pesticide seminar is scheduled for April 30, 1986, for any interested in becoming certified to handle chemicals.

INDEPENDENT CONTRACTING COUNTY EMPLOYEES

Gail Johnson, clerk, met with the Commission concerning the county paying for professional or special services rendered. The question is, does the county have the right to hire someone to do labor without an independent contract and is the county still responsible for liability, social security, workman comp. etc. Bruce Halliday, county attorney, feels the county should have a contract with people who perform professional or special services to the county. The Commission asked Rick Bailey to get a list of the names of people the county are presently paying on a "contract basis" along with a job description. The Commission will have Mr. Halliday evaluate this.

TRUTH IN TAXATION

Gail Johnson, clerk, met with the Commission to talk about the Truth in Taxation that the Legislature passed last year. Mrs. Johnson said this policy requires all tax notices to show both current and prior years' market value and proposed tax rate. It also requires all taxing entities to hold a public hearing before adopting a budget for the coming year. The Commission set the date for the 1987 budget hearing to be held on December 8, 1986.

ROAD DEPARTMENT BUILDING AT MONTEZUMA CREEK

Rick Bailey reported he talked to Annette Jameson of the BLM about the county purchasing land in Montezuma Creek to build a road department shop. Mr. Bailey said Ms. Jameson told him the county would be better off leasing the land from the BLM on a long-term 20-25 year base. Commissioner Bailey made the motion to approve this and authorized Rick Bailey to follow up on this with the BLM. Commissioner Holliday seconded it. UNANIMOUS. Mr. Bailey will meet with Doug Pehrson, county surveyor, to get the description the county wants the shop built on before finalizing this.

COUNTY FAIR - Children's Activities Proposal

Dee Jackson met with the Commission to propose an outline of children's activities at this year's county fair. Some of Mrs. Jackson's suggested ideas are a sack race, greased pig contest, rope climb, hot air balloon, invented man powered machine race (no motors), hay bale race and many others. Mrs. Jackson asked if the county would donate a bike for a prize to be awarded at the fair. Commissioner Black said it would be in the best interest of the county if people were charged an entrance fee at the fair to provide income for the county fair. The Commission told her to present this to the new county fair chairman and board.

COUNTY FAIR CHAIRMAN

Commissioner Holliday reported that Carol Sallee has volunteered to be the county fair chairman. Commissioner Holliday made the motion to approve Mrs. Sallee as fair chairman and Commissioner Bailey seconded it. UNANIMOUS.

ROAD MAINTENANCE CONTRACT - WESTERN NAVAJO AGENCY

A motion was made to approve Contract No. N00 C 1420 9957 for Road Maintenance Services for Western Navajo Agency in the amount of \$30,000 with the U.S. Department of Interior - BIA by Commissioner Bailey and authorized Commissioner Black to sign three copies. Commissioner Holliday seconded it. UNANIMOUS.

PURCHASE BIDS**Blanding Library copy machine**

Commissioner Bailey presented two bids for a copy machine for the Blanding Library. The Commission decided to get a few more bids and asked Rick Bailey to call a few more places.

Road Department - paint sprayer

Commissioner Holliday made the motion to approve Bennett Paint as the lowest bid of \$1465 for a Wagner 1250 airless paint sprayer, hose, gun, etc. (Howells Inc. bid \$1573.) Commissioner Bailey seconded it. UNANIMOUS.

Road Department - Truck Tractor

Commissioner Holliday made the motion to approve the low bid to Kenworth Sales Co., Inc. of \$58,275 each for two Kenworth tractor 900 series. (Dove Creek Impl. bid \$58,417) Commissioner Bailey seconded it. UNANIMOUS.

ROADS MONTICELLO SECONDARY WATER SYSTEM - COMPACTION TESTING

Commissioner Bailey said the city of Monticello has agreed to pay for their own compaction testing, it was not bid out with the contractor on the city secondary water lines. Commissioner Bailey proposed that the county lease the compaction tester equipment to the city and let Doug Pehrson, county surveyor, work as a private contractor/engineer for the city on his off hours. The county will do the spot checking on county time and at their convenience. If it does not meet the requirements, the city will have to do it over. The city will pay the county 100% for lease of the equipment. The county will lease the testing equipment to the city for testing purposes only and specify that only Mr. Pehrson can operate it. Commissioner Bailey said his concern is the quality of the job. This will also save the city money. The Commissioners authorized Mr. Pehrson to go ahead.

COURTHOUSE COKE MACHINE

Dell Hunter, courthouse custodian, asked the Commission if they want to repair the county owned pop machine in the courthouse that broke down. Mr. Hunter said the compressor went out and it will cost \$260 for replacement and installment. Commissioner Holliday made the motion to approve the repair. Commissioner Bailey seconded it. UNANIMOUS.

COUNTY-WIDE RECREATION - CITY AND SCHOOL DISTRICT - Budgets

Commissioner Bailey said Eddie Allred, county recreation director, needs to make a report to both cities and the school district on what he and the county-wide recreation department have accomplished. Commissioner Bailey said these entities' budgets run on a fiscal year and Mr. Allred needs to present a budget request for 1986/1987. It is very important that Mr. Allred give an impressive and thorough request or his budget won't be approved. Commissioner Holliday said he will talk to Mr. Allred about this and have him meet with them the first of May.

STATE WILDERNESS COMMITTEE

Commissioner Black reported that the State Wilderness Committee is visiting some of the wilderness study areas in the state. Commissioner Black feels it would be a good idea to have the Commission get on their agenda to meet with them in Salt Lake. Commissioner Black said he will ask Bill Howell, director of SEU-AOG, to join them and review the wilderness areas in the county and give their concerns and then invite them to come down and look at the areas, especially Cedar Mesa and Beef Basin.

LAND BOARD WILDERNESS SUB-COMMITTEE

Commissioner Black said that Don Chase, chairman of the State Land Board, appointed a wilderness sub-committee consisting of Chandler St. John, Max Williams and Commissioner Black. Commissioner Black said they met in Salt Lake a few weeks ago and developed some recommendations that resulted in a resolution. The resolution was adopted unanimously by the Land Board at their meeting last week in Blanding. The resolution resolves, one; the state would not necessarily trade out any recommend wilderness areas, two; any final wilderness bill proposed by the Utah Congressional Delegation, and the Governor, would have to have in the bill that any state sections in those areas will be traded out with preselected lands, three; all other of the state lands presently locked up in federal preserves, parks, monuments, recreation areas, etc. would have to be traded out. In addition the board unanimously approved and requested that Ralph Miles write a letter to the BLM stating that in the event the state wanted to keep the scattered lands that the BLM do an EIS on whether that area would comply with the requirements of the law and procedures to be wilderness.

BIG GAME BOARD MEETING

The Big Game Board Meeting will be in Monticello on May 14, 1986. The public needs to attend.

UTAH STATE TAX COMMISSION - Tax Exemption for State Employees

Commissioner Black reported he received a phone call from Clyde Nichols, director of Utah State Tax Commission, concerning an earlier action taken on tax exemption for state employees at hotels and motels. Letters from Utah Division of Finance to all Utah hotels and motels saying all state employees are tax exempt. Commissioner Black said this would make it so that anyone could give a state tax number to the motel and would be tax exempt. Commissioner Black called Marc Buchi and explained the problems this would cause. It would reduce income to the state and could be easily abused. Mr. Nichols told Commissioner Black the board will rescind this action on July 1, 1986.

STATE LICENSE PLATES IN COUNTY

Commissioner Black said Clyde Nichols told him the state of Utah was going to do a complete review of the state's contracts with the counties that sell license plates. The state may start doing more by mail at state expenses. Right now the state works through some county assessors offices and the county mails at county's expense. The state may eliminate some of their rural fulltime employees and contract with counties and make it a part time job, or work out a new program.

STATE LAND BOARD MEETING IN BLANDING

Commissioner Black reported on the state land board meeting that was in Blanding last week. The board had a briefing meeting Wednesday afternoon and went through the agenda. On Thursday the board went on a field trip to Bluff, the Goosenecks, Monument Valley, Cedar Mesa and looked at the state school sections that are surrounded by wilderness study areas. Commissioner Black also showed them the Anthon Black farm which had been a school section but was sold 21 years ago. It now produces over \$1800 per year to the uniform school fund, additional revenues to local schools in the county, and other economic benefits. On the other hand similar school sections in the same area still owned by the state produce less than \$100 annually to the uniform school fund, less managements costs.

ENERGY FUELS PRESENTATION

Commissioner Black said Energy Fuels gave a presentation last Thursday night on their need for public support on their projects that are north and south of the Grand Canyon. The Environmentalists are creating problems by trying to delay Energy Fuels operations. Energy Fuels showed a replay of a 4-part series that was showed in Phoenix on the Earth Group and radical environmentalists and the things they do to sabotage equipment. The Environmentalists have a book called "Ecotage" which explains how to sabotage equipment. Energy Fuels needs letters from local people supporting their operation.

BILLS APPROVED FOR PAYMENT

Richard M. Bailey	Monthly Expenses April	175.38
John Baker	Travel Expenses	67.41
Keith Black	Restitution Bill Howard	200.00
Blanding City Justice Court	Bail Given Wrong Court	50.00
Bruce Bunker Construction	1/2 proposal #86-113	1,367.50
Foster-Trent, Inc.	Supplies Paint shop	21.65
Harvard Med. School Health	Subs Library B	15.00
Heaton, Jim	Travel Expenses	139.02
Highland Equipment Company	Supplies Recreation Dept.	22.89
Intermountain Farmers Assoc.	Purchase Weed Chemicals	2,736.29
Jim Keyes	Reim. Business Card/ext	20.50
Venice Lyman	Restitution Kelly Shumway	150.00
Monticello City Justice Peace	S.O. Collection 4-21-86	59.00
National Assoc. of Counties	Reg. Naco/Marian & Barbara	350.00
Park's Sportsman	Supplies Recreation Dept.	40.60
Parley Redd Mercantile	Restitution Robert Hawkins	20.00
San Juan County	Gas purchased golf course	195.76
San Juan County Nursing Home	Senior Citizens Meals	555.00
San Juan County Sheriff	Restitution Powers Whiskers	50.00
S.J. County circuit court	James Hentshell 86CR022	5,000.00
San Juan Health Care Services	Capital Request	6,493.62
The San Juan Record	Supplies Monticello Golf	4.70
San Juan School District	Certificate Wrestling	59.30
Shilo-Inn Salt Lake City	Travel John Fellmeth	64.00
Smith Plumbing & Heating, Inc.	Supplies Blanding Golf	22.67
Soft Logic Solutions	IBM PC Utility Software	134.95
Utah State Insurance Fund	Employers Payroll Report	1,056.84
Taylor & Company	Progress Billing/12-31-85	2,500.00
Texaco Incorporated	Gas dept. of aging	126.01
Anderson Tso	Translation election	15.00
Turquoise Service	Gas sheriffs dept	40.95
United States Postal Service	Envelopes attorneys office	120.90
Utah Power & Light Company	Utilities TV Boosters	35.84
Utah State Archives	Regis./J. Musselman	41.00
Western Athletic Supply	Supplies Recreation Dept.	24.84
S.Rigby Wright	Per Diem 3-13-86	49.09
Xerox Corporation	Supplies Recorder	374.40

ADJOURNED

There being no further business the meeting was adjourned at 4:30 p.m.