

MINUTES OF THE SAN JUAN COUNTY COMMISSION MEETING

FEBRUARY 19, 1985

The San Juan County Commission met in regular session on Tuesday, February 19, 1985, at the hour of 10:00 a.m. in the San Juan County Courthouse at Monticello, Utah.

The following members were present: Commissioner Calvin Black, Chairman
Commissioner Kenneth R. Bailey
Commissioner Jerry Holliday

Minutes of the previous meeting were approved with the specified corrections on the motion of Commissioner Holliday. The motion was seconded by Commissioner Bailey and carried unanimously.

ELECTED OFFICIALS MONTHLY

Sheriff Wright reported that two of the deputies are leaving the area. Sheriff Wright expects to be short handed from March until June, due to the certification requirements.

Gail Johnson, County Clerk/Auditor, reported that the bill has been received for the Tax Anticipation Notes from Chapman & Cutler is \$635 plus an additional \$30 for telephone expenses. Marian Bayles, County Treasurer, contacted First Security Bank regarding this bill. First Security Bank has agreed to pay these expenses.

Gail Johnson, County Clerk, reported that the new phone system has been installed and so far there have been no major problems with it.

Barbara Montella, County Assessor, reported that the Formal Hearing with the State Tax Commission will be held in Salt Lake City on February 21st. Mrs. Montella reported that the corrections in the sales ratio study have been submitted. The change is to 1.175 instead of 1.235. Bruce Halliday, County Attorney reported that the differences will be made a matter of record.

COMMISSIONERS USE OF COUNTY CAR DISCUSSED

Lorraine Barry, Deputy Clerk, met with the Commission during the Elected Officials Monthly Meeting and presented the following statement:

TO WHOM IT MAY CONCERN:
IN AS MUCH AS

1. San Juan County elected officials, prior to their election, were aware (or should have been) that many of their duties would require time at the courthouse, and
2. Persons running for county office are not forced by any law to emerge from the public masses to engage in political life but voluntarily run for their office, and
3. At the present time San Juan County does not pay elected officials mileage for travel to the courthouse to perform their regular responsibilities, and
4. Most elected officials are expected to report to the courthouse to perform their regular responsibilities without the aid of county transportation, and
5. The road department carries three (3) cars on its fixed assets list, and
6. Two (2) of these county cars are provided to county employees and county officials for travel in performance of county business away from the courthouse, and
7. Arrangements are made through the road office to reserve either of these cars, and
8. The third county car is parked in Blanding most of the time and seldom used by anyone except the commission chairman to report to the courthouse to perform regular courthouse responsibilities on Monday's, and
9. This car is not accessible through the regular process as the other two county cars, and
10. Sometimes the two county cars are tightly scheduled and county employees must use their own vehicles when traveling on county business, and
11. County policy is that county vehicles be used for county business as much as possible, and
12. Commissioners are to report to the courthouse on Mondays to perform their duties just as any other elected official is to report to the courthouse to perform regular duties, and
13. An elected official was recently turned down by the county commission in a request for mileage allowance for travel to and from the courthouse because a precedence would be set if this were approved, and
14. There were times in the past when commissioners were paid mileage to attend commission meetings thus setting a precedence, and
15. There seems to be little difference between paying mileage or using a county car for going to and from work at the courthouse, and
16. The precedence seems again to have been set by the commission chairman in tying up a county vehicle for regular Monday travel to the courthouse, and

THEREFORE the following recommendations are made to the County Commission:

- a. The commission chairman pick up all county elected officials on Monday mornings and bring them to the courthouse and take them home when the courthouse closes, or
- b. Authorize use of county cars for all elected officials for use on Mondays, (which would require the

purchase of a few new cars even though officials from Blanding could carpool as well as officials living in Monticello), or

c. Pay mileage to all elected officials to and from the courthouse when in performance of regular duties, or

d. Have the commission chairman use his personal car for travel to and from the courthouse on Monday's as other elected officials do and return the county car presently being used by the commission chairman to the regular process of county cars as with the other two cars. This would free up the sometimes tight scheduling of county cars for use by county personnel and help in the event one car needs servicing or maintenance work at the road shed.

Commissioner Black stated that the reason Commissioners have been paid mileage or had the use of a county vehicle in the past was that Commissioners are paid considerably less than other elected officials. Commissioner Black also stated that the car has always been available for use by other county employees. Commissioner Black further stated that he would have no objection to leaving the car at the Monticello road shed and driving his personal car on Mondays.

Mrs. Johnson stated that most departments have been unaware that the car was available for use by anyone other than commissioners.

Commissioner Black stated that the previous County Clerk had been informed that the car was available for use by other county employees.

Commissioner Bailey stated that he does not feel that the car is in good enough condition to be used for lengthy trips out of the county by employees. Commissioner Bailey's recommendation is that the car remain in Blanding and be available for use.

The Commission will further study this matter before making a final decision.

PRIVATE INDUSTRY COUNCIL APPOINTMENTS APPROVED

Winn Westcott met with the Commission to recommend the appointment of Lyle Anderson to the Private Industry Council. Commissioner Black reported that his appointment was approved at the AOG meeting last week.

LAW ENFORCEMENT DISCUSSED

Sheriff Wright met with the Commission and presented a copy of the following letter to the deputies. This is in response to the letter to Sheriff Wright from the Commission dated January 28th. (A copy of the letter to Sheriff Wright is included in the January 28th minutes.)

To: All Deputies

From: S. Rigby Wright

Re: Staff Meeting of 2-4-85

As per the Staff meeting held February 4, 1985, the following items will be implemented immediately. I will address them in the order raised in the Commissioners letter of January 28, 1985.

1. Definite duty hours:

The South-end Deputies will confer and advise me of their shift needs, that they feel will meet their needs and requirements. At this time this will involve 1Z3, 1Z4, 1Z7 & 1Z8. I will then establish a duty hour program, which may be modified as circumstances may require.

The North-end people will continue the present arrangement. This involves 1Z2 & 1Z6.

If you are called out or work over the scheduled shift, advise the dispatcher that you will be at home on call, until you regain your hours of comp time on the next scheduled shift.

Hopefully we will have more staff later in Spring and avoid some of the problems we are having in maintaining coverage at the present time.

2. Continue the daily log of activities as you have been doing for some time. The log should continue to be detailed enough to cover items 2.(A) through (E).

The daily log is being modified to fulfill these items in a more detailed manner. As in the past, each incident should have a number assigned to it, and all further references should refer to that number. The Jailer/Dispatcher can assign a case number.

3. Pertains only to Jailer/Dispatcher Staff.

4. Continue efforts on this type of offense. There are always more of them. I'd suggest a morning and afternoon patrol in the Oil field and other areas where these offenses may normally occur for a few weeks. Only Anglo operators can be stopped for this offense on the Navajo or Ute reservations.

5. I am unaware of any serious problems in our relationships with other Law Enforcement agencies. I'm extremely proud of the working relationship with our surrounding agencies. We should all do our best to maintain and improve on these relationships. So often these are based on individual trust and assistance, and need continued work.

6. I will provide a monthly report to the Commission of our activities. Hopefully the enhanced form will give a better understanding of our activities. I do not intend to turn over Deputy Daily Sheets to the Commission. I believe that evaluating your activities, and setting enforcement goals is my responsibility.

When making arrests and issuing citations I expect you to be impartial and nondiscriminating with respect to the people involved. I do not want marginal or questionable arrests. We have not established a quota or set amount of activity; nor will we. We should act as required and when necessary. Do not "blame" any enforcement activity on someone else. We can and are handling our own problems.

Roadblocks:

Recent court decisions are causing some reevaluation of procedures on roadblocks. We should have a

SHERIFF'S RAISE APPROVED

Commissioner Bailey made a motion to approve the 5% cost of living raise for Sheriff Wright retroactive to January 1, 1985. The motion was seconded by Commissioner Holliday and carried unanimously.

EMERGENCY SERVICES DIRECTOR/ASSISTANT TO COMMISSIONER POSITION FILLED

The Commission considered approximately 22 applications for the Emergency Services Director/Assistant to the Commission position, and interviewed most of the applicants before filling the position. Commissioner Bailey made a motion to hire Richard Bailey for this position. The motion was seconded by Commissioner Holliday and carried unanimously.

MARINA'S ON LAKE POWELL DISCUSSED

Commissioner Black presented the following report on the Lake Powell marinas.

	<u>BULLFROG</u>	<u>HALLS</u>	<u>HITE</u>
Sales Tax	\$368,000	\$200,000	\$45,000
Gas Tax	163,800	133,280	25,900
Fishing Licenses	141,000	108,000	36,000
	<u>\$672,800</u>	<u>\$441,280</u>	<u>\$106,900</u>

Total direct revenue received by the State and Local Governments is \$1,220,980. Only approximately \$120,000 of the total goes to San Juan and Garfield counties, and \$1,100,000 goes to the State.

EMPLOYEES

	<u>AVERAGE</u>	<u>PEAK</u>
Bullfrog	110	240
Halls	60	105
Hite	12	18

In addition to the foregoing, property tax is paid on all buildings, equipment, improvement, house boats, and etc. owned by Del Webb Corporation.

Boats owned by individuals and moored year round are also subject to property tax.

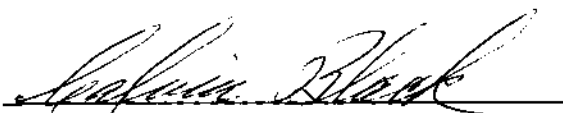
Although approximately 90% of Lake Powell is in the Utah, 3/4 of the revenue goes to the State of Arizona.

Commissioner Black stated that in his opinion the installation of the ferry at Lake Powell will double the income and economic development in the surrounding counties. Commissioner Black also feels that completion of the Burr Trail project would cause the figures to double again.

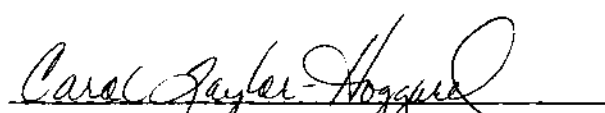
BILLS APPROVED FOR PAYMENT

ABAJO ELECTRIC	SUPPLIES COURTHOUSE	80.00
ABAJO PETROLEUM, INC.	SUPPLIES/SHERIFF'S OFFICE	103.24
ARMCO INCORPORATED	SUPPLIES/ROAD DEPARTMENT	5,750.40
ARNOLD MACHINERY COMPANY	PARTS/ROAD DEPARTMENT	6.97
JOHN BAKER	TRAVEL/FIRE CONTROL	22.26
HAROLD BEESON	JANITOR WORK/COURTHOUSE	48.00
AMELIA BEGAY	GAS REIMBURSEMENT	5.00
BLAKE, KERMIT	PROGRAMMING/2-85	688.00
BLAKE, MOFFITT AND TOWNE	SUPPLIES/AGING PROGRAM	336.89
BLUE CROSS/BLUE SHIELD	REIMBURSEMENT INSURANCE	4,804.40
CATE EQUIPMENT COMPANY	PARTS/ROAD DEPARTMENT	420.50
CHEVRON USA INC.	GAS PURCHASED/SHERIFF'S DEPT.	29.45
CITY OF MONTICELLO	UTILITIES/PRO SHOP	17.50
FEDERAL PROGRAMS ADVISORY SRV.	HANDBOOK/EMERGENCY SERVICES	95.00
HORSEHEAD HARDWARE	SUPPLIES/SHERIFF'S OFFICE	38.94
INTERNATIONAL BUSINESS MACHINE	MAINTENANCE AGREEMENT	355.98
KELLY COMPANY	SUPPLIES/JUSTICE OF THE PEACE	511.80
KENZ & LESLIE DISTRIBUTING CO.	DIESEL/BLANDING SHOP	212.15
DONALD KILGROW	WITNESS FEES/JP#2G-265	10.30
POLLY LANGSTON	WITNESS FEES/JV#363577	14.00
MAYCOM TELEMATICS CO., INC.	TELEPHONE SYSTEM	5,664.50
MOTOR PARTS COMPANY	PARTS/ROAD DEPARTMENT	1,148.59
NAVAJO TRIBAL UTILITY AUTH.	UTILITIES/FIRE CONTROL	76.28
BELINDA NIELSON	WITNESS FEES/JV#363577	14.00
REDEX, INC.	FREIGHT/SENIOR CITIZENS	80.98
SAN JUAN COUNTY ROAD DEPT.	REPAIRS/SHERIFF'S DEPARTMENT	239.65
SAN JUAN HEALTH CARE SERVICES	REQUEST FOR MONIES	42,288.80
SAN JUAN RECORD	SUPPLIES/M-LIBRARY	2.68
UNIDEN CORPORATION OF AMERICA	SUPPLIES/COMMUNICATIONS	2,188.80
UTAH ASSOC. COUNTY RECORDERS	UARC MEMBERSHIP DUES	10.00
UTAH NAVAJO INDUSTRIES	SUPPLIES/ROAD DEPARTMENT	22.98
UTAH POWER & LIGHT COMPANY	UTILITIES/BATH HOUSE POOL	74.42
UTAH STATE DEPT. OF SOCIAL SECURITY	ALTERNATIVE CARE PROGRAM	1,920.05
WHEELER MACHINERY COMPANY	PARTS/ROAD DEPARTMENT	676.84

There being no further business for this day the meeting adjourned at approximately 3:00 p.m.



Commissioner Calvin Black, Chairman



Carol Taylor-Hoggard, Deputy Clerk

plan on file for each separate roadblock before the block is set up. Location, time span, and the purpose - Then do it by the plan!

Emergency Roadblocks:

Call it in or, if dispatched, make sure this is being done ASAP.

Please contact me should you have any questions.

The next Staff Meeting will be held on March 8, 1985.

Thank you,

/s/ S. Rigby Wright
SRW

Sheriff Wright and the Commission reviewed the above letter. During the discussion Commissioner Black concurred with Sheriff Wright virtually all of his letter except for the statement that he did not intend to turn over Deputy Daily Sheets to the Commission. Commissioner Black further stated that he was not demanding that he turn them over, but the Commission has the right to look at them and review them anytime in connection with his reports. Sheriff Wright concurred with this statement. Commissioner Black thanked Sheriff Wright for his cooperation and further stated that this information will be helpful in answering complaints when brought to the attention of a member of the Commission.

Commissioner Bailey commended the Sheriff's Department on their jail policies and procedures regarding prisoners needs.

The possibility of the cities of Monticello and Blanding participating in the construction of a new county jail facility was discussed. The cities would be eligible for impact monies for this project.

The Commission approved the following response to the letter submitted by the Deputies at the February 12th Commission meeting. (a copy of the letter from the deputies is in the February 12th minutes.)

February 19, 1985

Gentlemen,

Thank you for your letter and explanation of your concerns with respect to law enforcement, actions of the Commission, and your activities.

We believe your letter contains some factual errors that should be noted.

1. The Sheriff is not the "highest elected official" in the County.
2. The average raise is about double the \$20 to \$30 per month you indicted.
3. The County Commission has the statutory authority and responsibility of supervision of our officers may require them to present their "... books and accounts for inspection". (U.C.A. 17-5-19)
4. The "activities and findings" of the Sheriff and Deputies are the business of the County Commission.

The County Commission not only has the right, but the responsibility to make requests of the Sheriff with respect to the improvement of law enforcement.

The county Commission is desirous of working cooperatively with the Sheriff and Deputies on improving law enforcement in San Juan County. We believe a favorable response to the recommendations outlined in the letters to the Sheriff dated March 30, 1984, and January 28, 1985, will be more productive than the letter we received from you.

Sincerely,

/s/ Calvin Black
Commissioner Calvin Black, Chairman

/s/ Kenneth R. Bailey
Commissioner Kenneth R. Bailey

/s/ Jerry Holliday
Commissioner Jerry Holliday

JOHN BAKER REPORTS

John Baker reported that he will be on the state payroll effective May 1st this year instead of June 1st. The County will contribute half of Mr. Baker's salary. Mr. Baker further reported a meeting will be held with the County, State and BLM to coordinate burning of specific areas for improved grazing.

ROAD DEPARTMENT REPORT

Commissioner Bailey reported that the county is to open a rock pit in Bug Canyon.

The Commission received a letter from Paul Foreman proposing a merit raise plan for the county road employees.

MEETING SCHEDULED TO DISCUSS TAXES RE: PIUTE FARMS MARINA

Commissioner Black reported that he will meet with Francis Lyman from UNI regarding the property and sales tax on the marina at Piute Farms.

RETIREMENT PLAN DISCUSSED

John Black met with the Commission to discuss alternative proposals to the 401-K retirement plan. Commissioner Bailey and John Fellmeth were assigned to review the retirement plan submitted and make a recommendation to the Commission.