

## SAN JUAN COUNTY COMMISSION MINUTES

MARCH 21, 1988

The regular session of the San Juan County Commission convened at 10:00 a.m. at the San Juan County Courthouse in Monticello, Utah.

Commissioners present: Calvin Black  
Kenneth Bailey  
Mark Maryboy

A motion to approve the minutes of March 14, 1988 as corrected was made by Commissioner Mark Maryboy and seconded by Kenneth Bailey. UNANIMOUS.

**COMMISSIONER MARK MARYBOY'S REPORT**

**Tax Litigation** - Commissioner Maryboy and Attorney Lyle Anderson have set up a meeting with the Navajo Tribal Tax Commission on March 29, 1988 to discuss the lawsuit.

**San Juan Water Conservancy District** - Albert Mark, representing UNDC, was appointed to the San Juan Water Conservancy District but has not been notified of the meetings. Norman Nielsen will be contacted to make sure that Mr. Mark is notified of the meetings.

**USU Extension Service** - Commissioner Maryboy reported that Jim Keyes of the USU Extension Service has not followed through with seminars scheduled by UNDC. Administrative Assistant Rick Bailey will ask Mr. Keyes to meet with the Commission next week.

**County Employee Evaluations** - Commissioner Maryboy indicated that he had made evaluations of the County librarians, Mikki Palmer and Vee Carroll, Recreation Director Eddie Allred and Communications Engineer Bill Bayles. Mrs. Carroll has two custodians that she would like to have evaluated as well as the library building itself. Commissioner Bailey will talk to Mrs. Carroll about the building.

**COMMISSIONER KENNETH BAILEY'S REPORT**

**Aneth Elderly Home Care Request** - The commissioners are in favor of supporting the request of \$720 for furniture for the Aneth Elderly Home Care facility. However, the Commissioners feel the funds should come from the San Juan County Health Care budget. The request will be given to John Fellmeth, Director of the Health Care for a recommendation to the Commission.

**EMT Organizations** - Commissioner Bailey has asked that a letter of appreciation be written to all EMT organizations for the services they provide San Juan County residents.

**LaSal Property/Gragert** - The LaSal property requested by Don Gragert has been determined to be County property. Commissioner Bailey will ask County Engineer Doug Pehrson to survey the property and stake it. The ownership of the mineral rights also needs to be determined before it is put up for sale.

**County Road Equipment** - A list of needed road equipment needs to be sent to Boettcher and Company to comply with requirements for the bond funding. The Commissioners discussed the County needs. Commissioner Bailey made a motion to agree to purchase a D8 cat or equivalent, a Flaherties chip spreader, two 10-wheel dump trucks, two sanders, two snow plows, a 3/4 ton 4x4 crew cab truck with utility bed, a 3/4 ton 4x4 panel truck and an oil tank with plumbing. Commissioner Maryboy seconded the motion. UNANIMOUS. The Commission authorized Commissioner Bailey and Administrative Assistant Rick Bailey to negotiate with Wheeler Company and make them the first offer that we will accept the D8 cat if the delivery will be to Monticello for the same bid price and trade-in as previously offered.

**County Employee Salary Increase** - After a lengthy discussion, Commissioner Maryboy made a motion to give all full-time County employees a one-step increase in salary and also include the health care employees as approved at the Health Care Board Meeting. Two-step increases will be given to Rick Bailey, Doug Pehrson, Merz Hugentobler, Karl Barton and Clark Grover because of added responsibilities. The elected officials with the exception of the County Attorney will receive a comparable average percentage raise. The raises will be retroactive to January 1st. Chairman Black passed the chair and seconded the motion. Unanimous.

**Probationary Raise** - Administrative Assistant Rick Bailey made a request to give probationary raises to Morris Swensen, Linda James, Mary Ann Brown and Ruby Bronson. A motion to approve the request was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS. Mr. Bailey reported that, along with Sylvan Johnson's retirement, Loretta Carroll will not be returning to County employment because of health problems and George Kensley is leaving the area in a couple of months. The Commission authorized Mr. Bailey to advertise to fill the position replacing Mr. Kensley. Mr. Bailey would prefer to fill Mrs. Carroll's position with a person living in the Bluff area. Some assignments would be delegated to these people in order to free Mr. Bailey for other responsibilities.

**COMMISSIONER CALVIN BLACK'S REPORT**

**Contract Hauling** - Commissioner Black feels the County is leaving itself open to liability without having a contract signed between the Contract haulers and the County. County Attorney Craig Halls will make up a contract to be signed. Commissioner Black stated that the owners/drivers need to give the County a certificate of liability insurance on the trucks and a certificate of workman's compensation insurance coverage on the driver. All trucks should be currently licensed and comply with federal and state safety regulations and cannot be overloaded. The haulers must pay federal excise taxes and motor vehicle fuel tax on all County and State roads. The owner/drivers will be notified immediately of these requirements and will not be allowed to do any more hauling for the County until they comply with the requirements.

**Enterprise Zone** - Commissioner Black stated that the County does not qualify for the Enterprise Zone. Mr. Black wrote a letter to David Adams, Utah Executive Director of Community and Economic Development, and suggested that correct data on our County should include unemployment among the Navajo people. That would make the County unemployment much higher than is reported through the state. Once the eligibility requirements are met an application will be filed.

**ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT**

**Revised Tax Notice** - Administrative Assistant Rick Bailey presented a revised tax notice to replace the San Juan County tax notice. The Commissioners felt the notice would meet the needs of the County and asked Mr. Bailey to review the notice with County Treasurer Marian Bayles and County Assessor Barbara Montella for their comments.

**Boundary Commission** - The requirements to form a Boundary Commission to consider annexation requests are: a seven-member commission made up of two members from the County that are elected officials; two elected officials from the municipalities; and three individuals selected from the general public. The commission members will serve for a four-year term. The commission must hold a hearing within 60 days of the receipt of an application. Staff and office space for the Boundary Commission will be provided by the County government. The law provides for alternate members but a member is disqualified from voting on a contested annexation only if he or she owns property at issue.

Commissioner Maryboy made a motion to appoint Commissioner Black and Commissioner Bailey to serve as the County elected officials. Commissioner Bailey seconded the motion. UNANIMOUS. Commissioner Bailey will discuss the matter with Monticello Mayor Ernest Sonderegger and have him meet with Blanding Mayor Jim Shumway to select two elected officials from the municipalities. The four elected officials (County and

City) will then meet and select three individuals from the general public.

**Lawsuit** - William Manzanares was injured in a fall on November 25, 1987 in the parking lot outside the County Courthouse and is suing the County for \$50,000. Even though the fall actually occurred in the LDS Church parking lot, the County uses the parking area for County vehicles and the commissioners felt that the County should be responsible. However, it was noted that the sidewalks were free of ice at the time and that Mr. Manzanares was known to be intoxicated at the time of the accident. Administrative Assistant Rick Bailey is working with the insurance carrier on this lawsuit.

**CDBG Revolving Loan Fund** - The County application for CDBG funds has been put on hold until several questions can be cleared up. One question asked that an income plan be included to show what will be done with the money paid back to the County as part of this revolving loan fund. The commissioners indicated that the money will be put back into the loan fund. Administrative Assistant Rick Bailey will complete the questions and return the forms.

**Emergency Medical Services Grant Application** - Commissioner Bailey made a motion to approve the grant application for about \$22,000 to the Utah Emergency Medical Services. Commissioner Maryboy seconded the motion. UNANIMOUS. Mr. Bailey is requesting about \$1,800 for training, \$3,000 for rescue equipment, \$1,500 for training equipment and \$15,000 for a new ambulance.

**Hovenweep RMP** - Representative David Adams felt the County ought to contact Montezuma County Commissioners in Colorado to see what their position is on the Hovenweep RMP. San Juan County and Montezuma County have similar positions and Representative Adams stated that combining efforts would be a very powerful tool.

**Fire Control Budget** - Commissioner Bailey made a motion to authorize Chairman Black to sign the Fire Control Budget for the 1988 year. Commissioner Maryboy seconded the motion. UNANIMOUS. The budget was approved at the same time the County Budget was approved.

**CURRENT BUSINESS**

**Recreation Department** - Recreation Director Eddie Allred and Grant Leavitt met with the Commission to discuss the fees for the Monticello Golf Course, Blanding Golf Course and Monticello Swimming Pool. After consideration, Commissioner Maryboy made a motion to approve the following fees:

Monticello Golf Course

Season Pass	Ticket Book	9 Holes	18 Holes
Adult \$165.00	10 - \$30.00	\$5.00	\$9.00
Student 90.00	20 - \$60.00	\$3.00	\$4.50
Students free on Monday			
Pro Shop Cart Rental		Private Golf Carts	
Trail Fees		Trail Fee: (Per Cart)	
9 Holes	18 Holes	9 Holes	18 Holes
\$1.00	\$1.50	\$3.00	\$5.00
		Season Pass	
		\$75.00	

Blanding Golf Course

Season Pass	Ticket Books	Round Per Day
Adult \$50.00	10 - \$15.00	\$2.00
Student \$40.00	10 - \$10.00	\$1.50

Monticello Swimming Pool

Senior Citizens Pass	\$30.00
Family Pass	\$80.00
Adult Pass 17-up	\$40.00
Children 16-under	\$35.00
Day Pass	
Children 6-14	\$ .75
Students 18-up	\$1.00
Adults 18-up	\$1.50
Pool Rental (2 hrs)	\$40.00
Lessons	\$15.00

Commissioner Bailey seconded the motion on the foregoing fees. UNANIMOUS.

Mr. Leavitt made a request to install a disposal at the Golf Course Pro Shop. He presented bids of \$199.95 for a 1/2 H.P. Waste Disposer from Monticello Plumbing and \$200.00 for a 3/4 H.P. Waste Disposer from Sears. Commissioner Maryboy made a motion to approve the purchase from Sears. Commissioner Bailey seconded the motion. UNANIMOUS.

**Blanding City/Norman Johnson** - Blanding City Manager Norman Johnson discussed a Blanding street that needs to be put on the priority road list for the city. The developer had made a commitment to install the curb and gutter but later backed out and the work was never completed so that the road could be finished off.

Mr. Johnson indicated he would be unable to be at the Joint Highway Committee meeting Friday and asked if an alternate could go in his place. The Blanding City Police Chief will be in Richfield at that time and could be there if needed.

**County Attorney Craig Halls** - County Attorney Craig Halls updated the Commissioners on the Steven Koonce drug case. The FBI wants to take the house, quonset hut and everything in it and the pizza parlor. The County has a 1980 Chev 4x4 pickup and \$30,000. The pickup still has \$4,000 owing on it and if the County forfeits it they will have to pay the \$4,000 owing. The commissioners did not feel it would be worth the effort on the pickup but continue to pursue the forfeiture of the cash. Mr. Halls thinks the FBI will ask that the County drop their charges so that Mr. Koonce can be charged on federal charges. If the County drops their charges we may not be able to forfeit the cash.

**Bluff Cemetery District** - A petition has been submitted to the Commission by Steven Boos for the creation of a Bluff Cemetery Maintenance District which has the signatures of the owners of 55% of privately held land within the district.

Mr. Boos was not certain that they actually had the required signatures but wanted to proceed with the process. The Commission asked Mr. Halls to draft a letter to Mr. Boos asking that he submit a letter certifying that they believe they have complied with the requirements. When the letter is received, Mr. Halls will proceed with the advertising for the district. Commissioner Bailey felt that the property owners needed to be made aware of how the taxes were levied to finance the district and how it would affect the owners.

**State vs Black Attorney Fees** - The attorney fees were approximately \$1,700 for the indigent defense of Mr. Roy Black and the collection has now been turned over to Eric Swenson. The DNA in Shiprock has indicated to Mr. Swenson that they won't let him settle any of the items. Indigent defense should not pay expenses out of their own pocket but also should bill at a reduced rate. The bill included 20 cents per mile from Mexican Hat as well as \$25 an hour for travel time. County Attorney Craig Halls feels they should bill for one or the other but not both. There are two alternatives open to the County: pay the bill or go to court and make them show what their overhead is and have the judge determine whether what

they did was reasonable or not. If we go ahead and pay the bill, they will have no case. The Commission felt that if we pay the bill unquestioned, the DNA will expect it each time. Mr. Halls was instructed to let the court decide the issue.

**San Juan County Fire Control** - John Baker met with the Commission to report on the fire control inventory. Mr. Baker has completed the inventory and reported various items that are missing from the list of fire control equipment.

**State Lands and Forestry** - Regional Director of the Southeastern Utah District of Utah State Lands and Forestry Mike Grosjean and Gary Cornell, Fire Management Programs Specialist, met with the Commission to discuss the Wildland Fire Protection Agreement between San Juan County and the Utah State Forester. The agreement is to establish and maintain a cooperative district for wildland fire protection in order to discharge the responsibilities of the County and the State of Utah for protecting State, County, and private wildlands from fire. Jack Mortensen, a correctional officer with the San Juan County Sheriff's Department will serve as the District Fire Warden for San Juan County. Mr. Grosjean and Mr. Cornell had concerns as to whether Mr. Mortensen would be available for the required training, equipment upkeep and emergency fire situations if he was retained as a deputy during the 5-month fire season. Sheriff Lacy stated that arrangements had already been made in the department for all eventualities. The Commissioners were concerned about whether the 50% reimbursement of Mr. Mortensen's salary be according to County scale or State scale, that the Commission be notified when a fire exceeds 12 hours or \$500, and that unnecessary use of equipment be monitored. The agreement will be revised to include the changes discussed and returned for signatures.

**Registered Nurse Schooling Loans** - Bonnie Conway, Director of Nursing at the San Juan County Hospital, met with the Commission to discuss applicants for loans for R.N. schooling. The applications received were from E. Renae Neztosie, Beverly Farley, Julie Bronson, Shan S. Redd, Letha C. Shumway and LuAnn Grover. The tuition would be \$430 per quarter; books for the entire course, \$400; uniform fees, \$40; and about \$20 for graduation fees. From the information provided, the Commissioners felt that most of the applicants showed sufficient income to be able to pay their own fees. If the applicants could show a hardship situation, the Commissioners would be willing to award the loan. Commissioner Bailey made a motion that the loan be \$2,000 maximum with a no interest 2-year payback if the applicant worked for the County during that time. A prime rate interest plus 2%, 2-year payback period would be charged for those applicants completing the course and not returning to work for the County. Those applicants that could show hardship may be eligible for some of the loan to be forgiven providing they work for the County. Commissioner Maryboy seconded the loan. UNANIMOUS.


**BILLS APPROVED FOR PAYMENT**

Jaren Adams	referee basketball	\$ 5.00
Allied Carriers Exchanges, Inc.	freight charges	19.96
Joanie Alvarez	commodities distribution	20.00
John Baker	travel expense Jan.-Mar.	562.00
Dolores Bayles	commodities distribution	15.00
Louise Berensen	commodities distribution	20.00
Craig Black	referee basketball	5.00
David Brown	commodities distribution/mileage	43.86
Bureau of Radiation Control	license fee	90.00
Kristy H. Carroll	commodity distribution	15.00
Davis County Sheriff's Office	George Sanchez	150.00
Ensign	subscription library (M)	15.50
Federal Express Corp.	service Rick Bailey	25.75
Freeway Transmission Exchange, Inc.	supplies road department	650.00
Randy French	referee basketball	5.00
Ernie Gee	referee basketball	25.00
Rick Grant	referee basketball	40.00
Miles Harrison	referee basketball	35.00
Dan Hayes & Paul Hayes	witness fees/mileage	109.90
J. Hiatt	referee basketball	5.00
Jason Holliday	referee basketball	10.00
International Computer Associates	supplies	345.00
Shawn Jack	referee basketball	5.00
Juab County Extension Office	supplies extension	2.50
J. B. Kascoli	referee basketball	30.00
Clarence Kay	referee basketball	5.00
Gil Keith	referee basketball	5.00
Earl S. Lamb Jr.	commodity distribution	15.00
Micro General Corporation	postal rate changes	115.00
LaVonne Larceval	commodity distribution	17.50
George Marian Jr.	commodity distribution	15.00
Paula B. Maryboy	commodity distribution	20.00
Metpath	medical Kevin Rhoades	52.00
Frank Morrell	print publication recreation	34.00
Jim Morris	referee basketball	20.00
Needles Outpost	entrants means triathlon	409.50
Jess Neilson	referee basketball	5.00
Olympus Insurance	airport liability	10,889.00
John D. Palmer	commodity distribution	15.00
Gary L. Peatross	bail refund	20.00
Eugene Peherson	referee basketball	20.00
Monty Perkins	referee basketball	5.00
Ralph Prideau	witness fees/mileage	23.00
Rockmount Research and Alloys, Inc.	polaris-A seal pack road department	72.47
Bruce Royer	referee basketball	5.00
Slyco Drivelines	parts road department	35.60
Sylvia Stubbs	photo mounting	13.75
Mel Swanson	witness fees/mileage	30.80
Salt Lake Wholesale Sports	supplies sheriffs office	73.40
Seton Name Plate Corp.	supplies emergency services	65.15
Preston Shumway	referee basketball	10.00
Navitt Spottedelk	referee basketball	10.00
J. J. Steffen	commodity distribution	59.64
Morris Swenson	referee basketball	15.00
Jack Thompson	referee basketball	10.00
Anderson Tso	translate election materials	5.00
3P Inc.	door emblems	101.44
Tri-Arc Hotel	travel Rick Bailey	33.08

Wasatch Photographic Inc.	photo supplies historical society	262.83
Emily Woodard	commodity distribution	15.00
World Almanac Education	supplies library (M)	250.02
Beth Wright	commodity distribution	15.00
Larry C. Wright	bail refund	10.00
S. Rigby Wright	witness fees/mileage	14.30
Wyoming Weed and Pest Control	purchase weed identification cards	30.00
Carolyn Yazzie	referee basketball	25.00
American Library Preview	supplies library (M)	139.01
Baker Sanitation Blanding Branch	service library (B)	7.00
Baker and Taylor	supplies library (M)	12.52
Better Homes and Gardens	subscription library (M)	21.00
Nicky Black	hauling road department	636.50
Black Oil Company	fuel road department	223.61
Blanding City Justice Court	Harold Vigil	20.00
Blue Mountain Music	supplies extension office	32.44
Charles Bowles	uniform allowance March 88	74.00
Britannica Home Library Service	subscription library (M)	32.43
Bruce Bunker Construction	unloading commodities	35.00
Cate Equipment Company	parts road department	138.86
Caun-Co., Incorporated	supplies road department	206.98
Cedar Mesa Products Co.	trophies recreation department	250.00
Century	parts road department	1,718.10
Chevron U S A Incorporated	gas department of aging	35.01
Bill Christensen	uniform allowance March 88	60.00
Computerware Data Prod., Inc.	supplies computer	134.21
Rudolph Cook	uniform allowance March 88	60.00
H F Cosby Jr.	hauling road department	1,751.76
Cummins Intermountain	parts road department	702.02
L.N. Curtis and Sons	parts fire control	261.04
William Monte Dalton	uniform allowance March 88	89.30
Decor Lighting	supplies library (M)	49.20
Demco	supplies library (B)	132.72
Diesel Service & Sales Company	parts road department	18.28
Tom Dyer	uniform allowance March 88	60.00
First Security Bank of Utah	invoice No. 01981-68-004582	455.19
Four Corners Rfg' Care Center	meals served Feb. 1988	252.00
Gall's Incorporated	supplies emergency	9.90
W.W. Grainger, Inc.	parts road department	480.11
Great Basin Trucks, Inc.	parts road department	14.45
Honest Dollar Construction	hauling road department	1,694.00
Helen Howell	uniform allowance March 88	25.00
Humphreys, Peggy	travel expenses Farmington	81.53
Intermountain Battery	supplies road department	671.74
Diane Jackson	uniform allowance March 88	25.00
Howard Johnsons	travel Rick Bailey	70.35
Kar Products Incorporated	parts road department	682.27
Jim Keyes	reimburse travel expense	42.85
Billy Lee King	uniform allowance March 88	25.00
Kirby, Jack H.	uniform allowance March 88	60.00
L B P Trucking	hauling road department	661.63
Claude Lacy	uniform allowance March 88	60.00
Martha J. McCann	uniform allowance March 88	25.00
Montella, Barbara	travel Jan through March 88	214.83
Montella's Repair	repairs road department	134.15
Monticello City Justice/Peace	s.o. collections	125.00
Monticello City of	utilities	68.00
Jack L. Mortensen	uniform allowance March 88	49.00
National 4-H Council	supplies extension office	11.74
National Sheriff's Association	membership sheriff	57.50
Lynnette Palmer	uniform allowance March 88	25.00
Park's Sportsman	parts recreation	91.90
Gus Paulos Chevrolet, Inc.	parts road department	378.09
Andy Peterson	uniform allowance March 88	25.00
William H. Pierce	uniform allowance March 88	60.00
Professional Service Industries	concrete compression test	132.80
Publishers Central Bureau	supplies library (M)	128.02
Quill Corporation	supplies purchasing department	53.75
Redex, Inc.	freight charges road department	29.67
Kevin R. Rhoades	uniform allowance March 88	25.00
San Juan County	gas, etc. sheriffs department	2,850.58
S.J.C. Area Agency on Aging	petty cash	53.20
San Juan County Extension Office	petty cash	11.80
San Juan County 4-H Council	reimbursement training	199.00
San Juan County Hospital	after deductible/Rudy, Pat	130.11
S.J. County Seventh Dist. Court	Kelly Shumway	100.00
The San Juan Record	commodity distribution	110.70
Dayne Shumway Construction	hauling road department	1,751.75
Southern Paving Company	cold mix asphalt road department	621.80
Steve Stovall	uniform allowance March 88	60.00
Theatre Cancy Dist. Company, Inc.	supplies department of aging	270.05
United States Postal Service	bulk mailing	26.00
United States Welding, Inc.	supplies road department	159.77
Utah Gas Service Company	utilities road shed	889.60
Utah Local Gov't Ins. Trust	liability premiums	35,029.00
Utah Power and Light Company	utilities recreation	3.99
Utah State Retirement Board	Kevin Rhoades	6.91
Viking Office Products, Inc.	supplies road department	27.03
Wheeler Machinery Company	parts road department	822.77

**Adjournment:** There being no further business the meeting adjourned at 4:15 p.m.

  
Calvin Black, Chairman

  
Merna C. Johnson, Deputy Clerk