SAN JUAN COUNTY COMMISSION MINUTES

February 22, 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

Commissioner Bailey made a motion to approve the minutes of February 16, 1988 as corrected. Commissioner Maryboy seconded the motion. UNANIMOUS.

ADMINISTRATIVE ASSISTANT RICK BAILEY'S REPORT

Utah Local Government Insurance Trust - Commissioner Bailey made a motion to accept a resolution changing our interlocal agreement with Utah Local Government Insurance Trust on liability coverage. Commissioner Maryboy seconded the motion. UNANIMOUS.
Blankenagel Property - Discussion with Pete Christensen of the BLM indicated that the BLM thought there had been a title insurance policy issued on the Blankenagel property and that the title insurance company would be willing to pay the additional amount of money to the BLM to clear the title.

CURRENT BUSINESS

Ken's Lake Ordinance - San Juan and Grand County Sheriffs' Departments want to draft an ordinance limiting the use of the Ken's Lake area to day-time use only. There have been problems with drinking parties and related incidents. The State Park Division, which has jurisdiction over the water at Ken's Lake, has been contacted and has no objection to such an ordinance. County Attorney Craig Halls will draft an ordinance which will be sent to the Grand County Commissioners and Moab City Council for their approval. A public hearing will need to be held with both San Juan and Grand County commissioners before final approval can be authorized.
County Property/LaSal - Don Gragert met with the Commission to inquire about a piece of property at LaSal near the Union Carbide mine. Mr. Gragert would like to purchase the property for the purpose of opening a cafe. Administrative Assistant Rick Bailey will check into the background of the property before a decision can be made.

Independent Living - The State of Utah has had the Independent Living programs but has not enforced the regulations. The Federal Government is stepping in to make sure there are curb cuts and access to buildings for handicapped persons. Regulations state that all new buildings and major renovations should meet these requirements. Commissioner Bailey reported that the new Public Safety Building will meet the requirements.

LaSal Subdivision Road - Mr. Gragert indicated that there is a big bog hole on the road to his home and requested County help to upgrade the road. County policy states that a subdivision developer must upgrade the roads to meet County standards before being turned over to the County, this was agreed to by the subdivider where Mr. Gragert lives. Because the school bus uses that particular road to pick up handicapped persons, the County will upgrade and maintain that road as soon as possible. However, the rest of the roads in that subdivision will not be maintained until they meet the agreed upon county standards.
Sheriff's Department - Sheriff Claude Lacy met with the Commission to discuss the hiring and training of new personnel for the new jail. Sheriff Lacy stated he needs at least six months to train the corrections officer before state prisoners are accepted in the facility. Commissioner Bailey felt there should not be any state prisoners accepted for at least ninety days after moving in to work out any problems with the new system. Sheriff Lacy indicated he would need to hire at least one corrections officer and two women as matrons and dispatchers. The beginning salary for the corrections officer would be $1,004 with a raise to $1,177 after POST training. The matrons would be hired at $927.

The position of jail administrator, county investigator and office manager were also discussed. These positions will be advertised and all the present personnel will be able to apply. The hiring board will make the final decision on these positions. The beginning salary for the jail administrator and county investigator would be set at $1,443.

Sheriff Lacy obtained approval from the Commission to procure protective vests for the Sheriff's department.

Drug Case - Because of the speedy trial provision in the Constitution, the FBI did not want the County to charge Steven Koonce until after he is arraigned in South Dakota on drug charges. The County filed two charges against Koonce and issued a warrant. If he bails out on the other charges, the officials will hold him on the San Juan County warrant and bring him back down to Monticello to arraign him on the charges here. The County has $30,000 in cash and the vehicle where some drugs were found. There is about $200,000 worth of property in a shed located at the Koonce home, part of which has been identified as stolen property. There is question as to the distribution of the property between the FBI and County. Before any papers can be filed the property has to be tied into drug-related activities which isn't completed at the present time.
Property Tax/Harold Young - Harold Young's mother owned some San Juan County property which was sold in 1973 to Grayson Redd. The property was put in escrow with First Security Bank. Mr. Redd declared bankrupcy in 1983 and in order to save the property the bank signed an assignment and the property was sold to Doug Whipple. At that time Mr. Young's name was removed from the tax notice and Doug Whipple's name added as agent. The property taxes have not been paid since Mr. Whipple assumed control of the property. Mr. Young is in the process of taking back the property and is willing to pay the back taxes but does not want to pay the subsequent penalties and interest. According to Utah State Law, Code 59-2-310, it is unlawful for any agency of County government to remove the owner from the property tax notice. Mr. Young stated that had he been notified that the taxes were delinquent he would have exercised his option according to the escrow agreement and would have taken back the property and paid the taxes. However, it has just recently come to his attention that the taxes were delinquent. County Attorney Craig Halls will investigate the legal aspects of the situation and see if the property taxes could have been reduced through the equalization process and what other recourse can be followed.
Hospital Personnel/Salary Increase - Hospital Administrator John Fellmeth inquired as to when the cost-of-living raise and/or merit increase will take affect. The Commissioners stated that the hospital employees' salary adjustment would not be made until after the hospital board meeting on March 15th.
Forest Service/Translator Site Fees - County Communications Engineer Bill Bayles attended a meeting on February 19th at Richfield on the proposed increase in the Forest Service TV Translator site fees. The deadline for comments on the original proposal was February 14th, but the Forest Service will continue to accept comments because a revision will be necessary from comments already received. The new proposal is expected to be available in April or May. The consensus of the group attending the meeting was that private individuals or public TV stations would not be willing to take over the translators. Either the County would have to pay the fees or the channel would be dropped. There is a possibility that the county and state fees could be waived but because nearly all translators in Utah are county owned the Forest Service does not want the fees to be waived. The motion was made and passed unanimously to see if the

Forest Service would consider a land exchange for the translator sites. The Forest Service representative stated that the land would not be available for sale.

San Juan County Health Care - Hospital Administrator John Fellmeth, Dr. Martin McNeil, Dr. Kelly Nichols, and Dr. and Mrs. Steven Warren met with the Commission to discuss unresolved issues pertaining to the Blanding Clinic. The items discussed were: 1. The Lease Back Agreement for the equipment for the lab, x-ray and urgent care center; 2. The criteria for emergency care payment by the County; 3. The reimbursement to the Blanding doctors for utilities - the ambulance garage and part of the nursing home is metered through the Blanding Clinic; and 4. The Lab and X-Ray Agreement payments other than Medicare and Medicaid. These issues will be discussed at the next hospital board meeting and a decision made at that time.

Billing for x-ray, lab and urgent care - The billing for x-ray, lab and urgent care has been delayed until the agreement was ratified. Mr. Fellmeth was directed to go ahead with the billing as if the agreement had been ratified.

Tax Litigation Payment - Commissioner Bailey made a motion to approve the payment of $54,396.18 for San Juan County's share of the tax litigation fees for the last half of 1987. Commissioner Maryboy seconded the motion. UNANIMOUS.

BIA Roads - Commissioner Bailey made a motion to approve the contract to provide road maintenance service for BIA Roads in the State of Utah in the amount of $36,000 covering FY-88. Commissioner Maryboy seconded the motion. UNANIMOUS.

Amended Beer Ordinance - A motion to sign the amended beer ordinance for San Juan County was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

Blanding Rodeo Grounds - A motion to approve the Lease Agreement for the Blanding Rodeo Grounds was made by Commissioner Bailey and seconded by Commissioner Maryboy. UNANIMOUS.

County Computers - John Fellmeth told the Commissioners that the computers being purchased for the hospital and courthouse are within months of having the new version introduced. However, Mr. Fellmeth still feels that purchasing the present models is the best decision for the County as the purchase price will be less and the computers will be more than adequate for a five to eight year period.

COMMISSIONER MARK MARYBOY'S REPORT

Navajo Tribe Recreation Program - The Navajo Tribal Recreation program has recommended that a proposal be drafted for a full-time recreational director for the Utah portion of the Reservation. County Recreation Director Eddie Allred will put a proposal together for that position.

Southeastern Utah District Health Department - Commissioner Maryboy contacted Russ Stevenson to fill the vacancy on the Southeastern Utah District Health Department left by the resignation of Rayburn Jack. Mr. Stevenson indicated a desire to serve on the health department board. Commissioner Maryboy made a motion to appoint Mr. Russ Stevenson to the Southeastern Utah District Health Department board. Commissioner Bailey seconded the motion. UNANIMOUS.

Red Mesa Area Trash Dump - Commissioner Bailey indicated a letter would be drafted to the Red Mesa Chapter indicating that the County has maintained dump sites for unincorporated cities in the past and would be willing to do so for the Red Mesa area if the residents will dig the pit and fence it.

Western Navajo Agency Meeting - Willie Greyeyes would like to have some information on the preliminary work done between Navajo Mountain and Oljato. Commissioner Bailey indicated that County Engineer Doug Pehrson has already mailed that information to Mr.... Greyeyes. Commissioner Maryboy will inform Mr. Greyeyes that Frank Ularich, UDOT Engineer, will spend three days with Mr. Pehrson on the Copper Canyon project, after this work is completed, Mr. Pehrson will put a proposal together for Congressman Howard Nielson to get a special appropriation for the engineering.

Senior Citizens Meeting/Navajo Tribe - Commissioner Maryboy reported that Administrative Assistant Rick Bailey will be meeting with the Navajo Tribal Senior Citizens Committee in Window Rock Wednesday morning.

COMMISSIONER KENNETH BAILEY'S REPORT

Weed Board Truck - The Weed Board wants to get the new truck ordered to be ready for use this summer. The original bids were: Mike Young, $14,850; Tom Redd, $14,800; and Great Basin of Salt Lake, $14,470. Commissioner Bailey made a motion to award the bid to Mike Young, because of the servicing convenience and the 2% local preference would make Mike Young the low bidder. Commissioner Maryboy seconded the motion. UNANIMOUS. The specs for the truck need to be reviewed with Jim Heaton before ordering the truck. A mixer to keep the chemicals mixed has been ordered from the Steve Reagan Company in Salt Lake. If Mr. Young could order the truck into Salt Lake the mixer could be mounted without having to make a special trip.

Black Oil Price Adjustment - Earlier bid sheets from Black Oil showed that the price was subject to change. The County will honor the present price change on oil purchased under those conditions.

Temporary Road Employee - Commissioner Bailey made a motion to hire Clifford Jones as a temporary road employee at $6.02 per hour. Commissioner Maryboy seconded the motion. UNANIMOUS.

Salary Increases - The employee evaluations have not all been completed to enable the Commissioners to make a decision as to cost-of-living increases for all County employees. They will study the evaluations and make a decision at the next Commission meeting.

Pack Creek Bridge - Archie Hamilton from the Utah Department of Transportation has indicated that the engineering should be completed on the Pack Creek Bridge and have it bid along with the State Road project going from Moab to the bottom of Blue Hill. County Engineer Doug Pehrson felt it would save the County money if State Engineer Frank Ularich could engineer the project and the County pay for it.

San Juan County Commission Candidate - Commissioner Kenneth Bailey announced his intention to seek the position of San Juan County Commissioner for another term. He expressed appreciation to Commissioner Black and Commissioner Maryboy for the opportunity to serve with them.

COMMISSIONER CALVIN BLACK'S REPORT

Governor Norman Bangerter - Governor Norman Bangerter will be in the Blanding City Office on Saturday, February 27, to announce his plans for re-election to the office of the Governor of the State of Utah.

Phoenix Equipment Auction - Commissioner Black will attend an equipment auction on the 24th and 25th of February in Phoenix, Arizona. The County is looking at several pieces of equipment to purchase.

Energy Fuels - Commissioner Black requested permission to write a letter to the District Director of the BLM in St. George expressing support in behalf of the San Juan County Commission for the development of the Arizona 1 project. They would also like the BLM San Juan Area Resource Management Plan to acknowledge and have provisions for mining in the strip.

Granite Chief Wilderness Area/Lake Tahoe - Correspondence indicates that within the Granite Chief Wilderness Area there is a 4 1/2 mile section of the Western States Pioneer Express Trail. The Tevis Cup has sponsored a hundred mile journey along that trail. Legislation has been introduced by California Congressman Norman Shumway that would allow that trail to remain open. A letter of support for that legislation will be written to Bruce Vento, Chairman of the subcommittee of National Parks and Public Lands of the Interior Committee of the House.

Mineral Lease Bill - Senator Dix H. McMullin is the sponsor of the Mineral Lease Bill which will ultimately, if present rates continue, provide San Juan County with about $800,000 a year. The funding will be phased in over a four-year period. It will begin with approximately $210,000 in the 1988 fiscal year if passed. Commissioner Black will write a letter to Senator McMullin thanking him for his interest in rural problems and his sponsorship of the bill.

AOG Meeting - At the AOG Meeting in Price last week a review of the Small Cities Grant was presented and approved. Matching funds would bring the total grant to about $35,000; $5,000 of which would be used for rural advertising, $4,800 for regional videos; and $29,263 for a revolving loan fund. A motion to apply to the Community Impact Board for an additional $500,000 was made by Commissioner Black and approved by the AOG board members. They also approved the 1988-89 Economic Development District Work Plan.

San Juan Area Resource Management Plan - Ron Crittenden from Senator Hatch's office and Ron Madsen from Congressman Nielson's office reported that they had met with BLM people in regards to the San Juan Area Resource Management Plan. The BLM indicated that they had met with cattlemen and had satisfied their questions concerning the RMP. Local cattlemen have indicated they are not in agreement with the plan. A meeting with the BLM has been requested by the AOG Board. Representatives of cities, representatives of the Navajo Chapters and Tribe, UNDC, representatives of the Governor's office, Congressional staff people, White Mesa Ute Tribe and the Moab BLM Advisory Council will be invited.

BLM Grazing - Bill Howell presented some figures from the BLM on the grazing. The BLM purports that there would be very little change after the RMP is passed. A paper given to the congressional delegates indicated that currently there are 1,758,690 acres in grazing allotments that will be unchanged; 17,300 allotted to wildlife will be unchanged, and unallotted lands will be unchanged, other areas available or not available for range improvements will remain unchanged, and there would be very little change in ORV use areas.

Moab BLM District Multiple Use Advisory Council - Ralph Coates, chairman of the Moab BLM District Multiple Use Advisory Council has written a letter to Moab District Manager Gene Nodine requesting a meeting of the council to review the RMP and take a position on it.

RMP Draft - Bill Howell has completed a draft of comments on the San Juan Area Resource Management Plan. A letter will be written and the draft submitted to the BLM, Governor's office and others. Mr. Howell also made a comparison of changes between Alternatives A, Draft E and Final E in the San Juan Area Resource Management Plan. The comparison has for its title, "The BLM as a Parks and Recreation Department Progression Toward Elimination of Historic and Economic Uses of Public Lands."

House Concurrent Resolution 23 - The Utah State Legislature approved House Concurrent Resolution 23 in that they object to implementation of the San Juan Area Resource Management Plan. The Governor concurred in the resolution.

Highway Removal From State Road System - The State wants to give Highway 262 back to the County in exchange for No. 163 with a five mile difference between the two highways. The County will not agree to this proposal as they feel that Highway 262 should be a State Road. The County also wants to add the road from Montezuma Creek to the state line to the State Road System as well as the road from Aneth to Ismay. These changes will be presented to the UDOT at the March 10th meeting with the Commission.

Lake Powell Land Exchange - Governor Bangerter has issued an executive order creating the Lake Powell Region Resource Development Council to promote the Lake Powell land exchange. The council will be comprised of 27 members of related agencies with a working subcommittee of 10 members.

Nursing Program - Commissioner Black reported that money has been budgeted through the Utah State Legislature for Weber State to conduct a nursing program in the San Juan County area.

BILLS APPROVED FOR PAYMENT

Jim Brandt	witness fees Shad Lyman	$ 14.00
Chuckwagon	sandwiches sheriffs department	55.50
Dove Creek Mountain Propane, Inc.	propane Cedar Point Fire Department	105.00
Deseret Book	assorted titles library (M)	88.21
Vaughn S. Drury	light truck/van repair road department	120.00
Sam Goodman	work historical society	140.00
Harford County Sheriff's Department	service fees hospital collections	17.00
Northern Air Freight, Inc.	freight charges road department	132.05
Nuclear Testing Services	film badge surveyors office	59.40
Power Engineering Company, Inc.	boiler water treatment	47.37
Progressive Management Services	registration workshop Steve Stovall	50.00
The San Juan Mortuary, Inc.	indigent burial Doyle Black	250.00
Thompson Publishing Group	fair labor standards handbook	153.00
J. Weston Walch, Publisher	purchase materials resource file	26.88
Purgatory Ski Corporation	ski trip recreation department	1,281.00
State of Utah	legal services/tax litigation/1987	54,396.18
Alan's Body Shop	repairs road department	177.26
Edwin K. Allred	recreation conf. St. George	386.22
Baker Sanitation Blanding Branch	service library (B)	7.00
Bill Bayles	travel expense	26.00
Blanding City Justice Court	Alvin Black	25.00
Charles Bowles	uniform allowance Feb. 1988	60.00
Mary Ann Brown	travel expense	47.88
Bruce Bernard Bushore Jr.	tool allowance Feb. 1988	25.00
Car Care Center	L.P. Gas road department	9.50
Cate Equipment Company	parts road department	394.26
Century	parts road department	651.01
Chemsearch	supplies road department	222.83
Keith H. Chiara	public defender/health insurance	1,110.40
Bill Christensen	uniform allowance Feb. 1988	60.00
Continental Tel Co of the West	tele. charges sheriffs department	39.26
Rudolph Cook	uniform allowance Feb. 1988	60.00
Crestwood House	supplies library (B)	338.34
Crowley Construction	labor hired	3,270.00
William Monte Dalton	uniform allowance Feb. 1988	60.00
Demco	supplies library (B)	70.90
Dolores County Commissioners	snow removal road department	9,598.00
Tom Dyer	uniform allowance Feb. 1988	60.00
Fifth District Juvenile Court	Paul Jackson	10.00
Frito-Lay, Inc.	supplies vending machine	4.76
General Electric Company	supplies communication	66.82
Gov't Finance Officers Assoc.	subscription clerk	50.00
Hafer's Incorporated	parts supplies road department	5.06
H&K Lock Smith Shop	repairs road department	7.00
Max Halls	tool allowance feb. 1988	25.00
James Harvey	tool allowance feb. 1988	25.00
Hawkins, Stanley M.	tool allowance Feb. 1988	25.00
Horsehead Hardware	parts road department	67.54
Helen Howell	uniform allowance feb. 1988	25.00
Humphreys, Peggy	travel expenses Denver	384.00
Intermountain Battery	supplies road department	49.95
Diane Jackson	uniform allowance Feb. 1988	25.00
Gail D. Johnson	supplies development council	9.00

Kar Products Incorporated	parts, supplies road department	249.83
Billy Lee King	uniform allowance Feb. 1988	25.00
Kirby, Jack H.	travel expenses	146.35
Max Ksiazkiewicz	tool allowance Feb. 1988	25.00
L B P Trucking	hauling road department	469.00
Claude Lacy	uniform allowance Feb. 1988	60.00
Venice Lyman	restitution, Kelly Shumway	100.00
Martha J. McCann	uniform allowance, February 1988	25.00
Martineau, Gary	janitor library (B) Feb. 88	404.25
The Michie Company	Utah Code clerks office	72.89
F.H. Miller Jr.	parts road department	148.63
Milne Truck Lines, Inc.	freight charges road department	31.24
Montella's Repair	repairs road department	25.45
Monticello City Justice/Peace	sheriffs office collection	85.00
Monticello City of	bail refund, A. Blackhorse	80.00
Monticello Mercantile	supplies extension office	14.98
Jack L. Mortensen	uniform allowance feb. 1988	25.00
Motorola Incorporated	Maxar Mobile road department	1,425.00
Nacrc	membership, Louise Jones	35.00
Victor Nebeker	tool allowance Feb. 1988	25.00
Lynnette Palmer	uniform allowance Feb. 1988	25.00
Parkway Tire Center	U.P.S. charges road department	6.21
Tierre J. Patterson	tool allowance Feb. 1988	25.00
Gus Paulos Chevrolet, Inc.	parts road department	62.63
Andy Peterson	uniform allowance Feb. 1988	25.00
Phillips Petroleum Company	gas purchased sheriffs department	18.00
William H. Pierce	uniform allowance Feb. 1988	60.00
Professional Armaments	supplies sheriffs department	98.15
Professional Service Industries	concrete compression test	11.00
Kevin R. Rhoades	uniform allowance Feb. 1988	25.00
Rufina Romero	janitor library (M) Feb. 1988	225.00
San Juan County	fuel, parts, recreation	735.34
San Juan County Hospital	restitution, Terry Benally	40.00
San Juan Health Care Services	operating transfer	30,000.00
San Juan Pharmacy	suplies extension office	86.24
San Juan Physicians Group	rec'd from Lee R. Billsie	74.50
The San Juan Record	photo work historical society	167.85
Gaylen Schaugaard	janitor library (M)	173.25
Skelton, Incorporated	chips, gravel road department	36,630.00
Steve Stovall	uniform allowance Feb. 1988	60.00
Holly Tatnall	travel expenses Feb. 1988	75.77
Texaco Refining & Marketing, Inc.	gas for sheriffs department	20.50
United States Postal Service	postage stamps/M.Maryboy	44.00
Utah Dept. of Employ. Security	unemployment, Larry Vigil	168.34
Utah Gas Service Company	utilities courthouse	2,290.81
Utah Power & Light Company	utilities TV boosters	37.68
State of Utah Central Stores	supplies clerks office	380.62
Utah State University UMC 49	software computer	130.00
Ute Mountain Tribe	pay'deduction, Norman Begay	50.00
Viking Office Products, Inc.	supplies road department	138.15
West Publishing Company	supplies attorneys office	180.75
Wheeler Machinery Company	parts, supplies road department	107.20
Mike Young Incorporated	repairs road department	27.20

Adjourned - There being no further business the meeting adjourned at 3:30 p.m.

Calvin Black, Chairman

Merna C. Johnson, Deputy Clerk