

**SAN JUAN COUNTY COMMISSION**  
**JUNE 22, 1987**

The San Juan County Commission met in regular session on June 22, 1987 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 Maryboy

Minutes of the June 15, 1987 Commission Meeting were approved with the corrections on the motion of Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS.

**COMMISSIONER CALVIN BLACK'S REPORT**

**State Land Board** - Commissioner Black reported that he attended the State Land Board Meeting in Richfield. There are two new members on the board: Frank Nishiguchi, Box Elder County, and Jim Bonds, Professor of Range Science at Southern Utah State College. (Mr. Bonds is also on the National BLM Advisory Council.) Last month the board authorized the sale of two sections in Tooele County and received 13 times the appraised value. Hardy Redd and Eugene Shumway both made proposals to exchange land but they were rejected by the board. The land board deferred action on an agricultural lease request.

**LaSal Mountain Planning Unit Draft** - The comment period for the LaSal Mountain Planning Unit Management Plan will be starting soon. There will be a public meeting on July 1, 1987 at 7 p.m. at the courthouse to receive comments.

**District Courts - SB-56** - The Commission received a letter from Pat Noland, UAC President, asking the counties to not make any commitments with respect to the District Court Legislation. UAC will meet on this issue next month to decide where they will stand on this bill.

**Bluff Post Office** - The Commission received a copy of a letter from William J. Weagley, Rep. Office of Government Liaison, to Senator Hatch stating that postal field managers investigated service alternatives and concluded that it was not in the best interest of the Postal Service or our customers to effect any change in the status of the Bluff Post Office.

**State Lands - National Park Areas** - Commissioner Black said that Bill Howell, AOG, has been working on (taking of) the state lands contrary to the enabling act and trust agreement within National Park Areas without compensation to the state. A letter from the Solicitor's office stated that this issue is of interest and has never been addressed by the courts.

**National BLM Advisory Council Meeting** - Commissioner Black reported that the National BLM Advisory Council met last week in Alaska in which they took a four-day field trip. A resolution was adopted opposing BLM's proposed joint determination, which is already in draft form and the comment period is over, to allow other surface management agencies, mainly the Park Service to determine whether surface mine coal can be mined on adjacent BLM land.

**COMMISSIONER KENNETH BAILEY'S REPORT**

**Navajo Mountain - State Library** - Commissioner Bailey said he talked to Russel Davis, State Library, about the library services at Navajo Mountain. Mr. Davis said if the county would approve a \$2000.00 purchase of books he would personally take them to Navajo Mountain and help set up the library. Commissioner Maryboy will bring this before the library board for approval.

**UDOT Highway Needs Study** - Commissioner Bailey attended the UDOT Needs Study - Joint Roads Committee meeting last week. Commissioner Bailey presented to the steering committee a study on road needs projects in rural areas in the state.

**Timber Agreement** - An agreement was approved on the motion of Commissioner Bailey and seconded by Commissioner Maryboy. Commissioner Black was authorized to sign the agreement. UNANIMOUS.

**AGREEMENT**

This Agreement is between San Juan County, hereinafter referred to as **County** and Keith Hoggard, hereinafter referred to as **Hoggard**. On this 22nd day of June, 1987, we do hereby stipulate and agree as follows:

R E C I T A L S

WHEREAS as **Hoggard** is willing to meet the low bid to the San Juan County Road Department on eighty (80) 12 x 12 x 14 timbers at \$35.36 each; on forth (40) planks 3 x 12 x 16 feet at \$10.50 a piece, for a total contract price of \$3,248.80; and

WHEREAS **Hoggard** is the high bidder on a county surplus grader; and

WHEREAS the **County** and **Hoggard** are desirous of applying those monies due by the **County** for the timbers to the obligation owed to the **County** on the road grader,

NOW, THEREFORE, in consideration of the foregoing, the parties do hereby stipulate and agree as follows:

1. **Hoggard** is awarded as high bidder the 1967 - 120 Cat Patrol, Serial No. 89F1412, grader for \$6,000, which amount is due and payable to the **County** as of the date of the signing of this agreement, and shall accrue interest on the bid price at ten (10%) per cent per annum for a period of six months, at which time entire balance due and owing is due and payable.

2. **Hoggard** shall provide the timbers bid to San Juan County Road Department, more particularly described as eighty 12" x 12" x 14' timbers at \$35.36 per timber and forth planks at 3" x 12" x 16' at \$10.50 per plank.

3. The total obligation owned by the **County** for the eighty timbers is \$2,828.80. The total obligation owed for the planks is \$420.00. one half of the timbers shall be provided on or before August 1, 1987; the remaining timbers shall be provided before October 1, 1987.

4. The total of \$3,248.80 owed on said timbers shall be credited to the Hoggard account at the time the planks are delivered. The remaining balance on the grader together with interest accruing from the time of Hoggard's receipt of the grader shall be paid on or before six months from the date of the signing of this agreement, and shall accrue interest at 10 per cent per annum.

5. In the event that Hoggard shall miss any payment or fail to pay off the entire obligation in at the time and in the fashion described, the **County** shall have the right to retake possession of the grader and to treat all payments made under this agreement as liquidated damages.

6. In the event of a default under this agreement and in the event an attorney may be required to execute upon said equipment or retake possession, the defaulting party agrees to pay all obligations, attorney's fees and costs in proceeding upon this contract.

THE PARTIES have entered into this Agreement this 22nd of June, 1987.

/s/ Keith E. Hoggard  
Keith E. Hoggard

SAN JUAN COUNTY

By /s/ Calvin Black  
Commissioner Chairman

**Bob Tail Trucks** - Commissioner Bailey said the road department needs to hire several bob tail trucks. They reviewed the rates that were used at the Ucolo site and the difference between bob tail trucks and 10-wheel dump trucks was \$5. Commissioner Bailey said he authorized Bernal Bradford, road superintendent, to pick up several trucks at \$33.50 per hour.

**Halls Crossing Airport** - Commissioner Bailey said he asked Rick Bailey to write a letter to Creamer & Noble, Inc. asking if the scheduled agreement on the Halls Crossing Airport is being followed. Also, if they have answered the letter from the FAA and if so ask for a copy of their response letter. Rick Bailey will follow up on this matter.

**COMMISSIONER MARK MARYBOY'S REPORT**

**Navajo Tribal Land Administration** - Commissioner Maryboy said the Navajo Tribal Land Administration would like to meet with the Commission to discuss state lands on the reservation. Commissioner Maryboy said he will contact the Tribe to see when they can attend.

**Montezuma Creek Flashing Yellow Light** - Commissioner Maryboy said the School Board will put the request to install a flashing yellow light at Montezuma Creek on their agenda to be discussed at the next meeting.

**Baseball Fields - Montezuma Creek** - Commissioner Maryboy said he talked to UP&L about the power lines that go through the baseball field at Montezuma Creek. UP&L said the county will have to pay \$2,000 before they will move the poles so the lights can be installed. Commissioner Maryboy will bring this matter before the recreation board.

**ROAD DEPARTMENT PART-TIME EMPLOYEES HIRED - Paula Butler and Robert Pugh**

Commissioner Bailey made the motion to approve the hiring of Paula Butler as part-time employee at the road office. Commissioner Maryboy seconded the motion. UNANIMOUS. Ms. Butler will be hired at grade 1 step 3 (\$4.91 per hour) 25 - 30 hours per week, with no probationary raise and no fringe benefits.

Commissioner Bailey made the motion to approve the hiring of Robert Pugh at \$6.02 per hour for a six month temporary employment with no probationary raise or fringe benefits. Commissioner Maryboy seconded the motion. UNANIMOUS.

**ROAD DEPARTMENT EMPLOYEE - TIERRE PATTERSON - PERSONNEL**

Tierre Patterson, shop foreman, met with the Commission to discuss a grievance on the grade and step raise he received a couple of weeks ago. Mr. Patterson said that since he has the responsibility of shop foreman and mechanic he should be paid the same grade and step of the other shop foremen. (The Commission approved a raise to grade 13 step 10 - \$1853.00 on June 8.) Commissioner Bailey said the other employees have worked for the county for a longer period. Commissioner Bailey said Mr. Patterson's prior experience was taken into consideration when he was hired as a mechanic. Mr. Patterson said he has special tools that he uses and is not being compensated for using them. The Commission said they would look at either compensating him for the use of the tools or buy the tools. The Commission asked him to list the tools for them to review. Mr. Patterson said he was told by Bernal Bradford, superintendent, that he was to get a raise the first of the year but he has never received one. The Commission said they will look further into this also. The Commission reviewed the county purchasing policy with Mr. Patterson.

**REGIONAL CORRECTIONS FACILITY**

Joe Slade, development board, met with the Commission to update them on the progress of the Region Corrections Facility. Mr. Slade said he talked to Nick Morgan, Department of Corrections, and they have narrowed the selection sites to six locations. The Commission said they are enthused with all of the support they are receiving from the surrounding communities, states and residents of San Juan County.

**UTAH STATE LAND EXCHANGE**

Mike Grosjean, State Forester, met with the Commission to discuss the proposed exchange of state inholdings in National Parks and military lands. Last month Secretary of Interior Donald Hodel signed a memorandum of understanding with Governor Bangerter to give up as much as 157,000 acres of state lands within national parks, monuments and Indian reservations. In return, the state will be allowed to acquire BLM-managed lands. Mr. Grosjean said they are visiting every county that is involved to see how they feel about the selection process. The deadline for public comment is July 10. San Juan County has approximately 4,000 acres of state inholding in addition to about 28,000 within the Navajo Reservation. The Commission will review and make recommendations on what lands to exchange. The Commission told Mr. Grosjean they would like to work as participants with the State Division of Lands and BLM.

**FIRE PROTECTION AGREEMENT - UTAH STATE FORESTER**

Mike Grosjean, State Forester, presented the Commission the Wildland Fire Protection Agreement between San Juan County and The Utah State Forester. Commissioner Maryboy made the motion to approve the agreement and authorized Commissioner Black to sign it. Commissioner Bailey seconded the motion. UNANIMOUS. The State Forester will hire and employ a District Fire Warden for the five month period June 1 through October 31. The agreement is on file in the clerk's office.

**CROSS-COMMISSION AGREEMENT - NAVAJO TRIBAL COUNCIL & SAN JUAN COUNTY**

Calvin Kellogg, Navajo Tribal Executive Director of Public Safety, met with the Commission to discuss the agreement between the Navajo Nation and San Juan County Sheriff's office to provide for Cross-Commissions to Law Enforcement Officers from both jurisdictions. Commissioner Maryboy made the motion to approve the agreement and Commissioner Bailey seconded the motion. UNANIMOUS. The agreement was approved and signed by Sheriff Claude Lacy and Craig Halls, county attorney.

**MONTENZUMA CREEK POLICE STATION - UNI HENRY HILSON**

Commissioner Maryboy said he invited Louis Johnson from UNI Hilson management to discuss with Calvin Kellogg their request to use the old Montezuma Creek elementary school. UNI has been using part of the building for a sewing factory and is interested in using the unused portion of the building so that they can contract with Levi Strauss and expand their operation. The county is presently using part of the building to store the county ambulance and fire truck. The county and Tribe's number one priority is having a police station in this building. The county would prefer that the building be used while the police station is being negotiated. They discussed the possibility of having both the sewing factory and police station in the building. Commissioner Bailey, Commissioner Maryboy, Calvin Kellogg and Dick Netsosie, UNI, will meet at Montezuma Creek on June 29 at 10 a.m. to look at the building and see what space is available.

**BEER LICENSE - REFUNDS**

Gail Johnson, clerk, told the Commission that Jerry Baum sold his trading post in Mexican Hat and is requesting a refund on his beer license. The Commission asked Mrs. Johnson to review the county beer ordinance on this matter. Mrs. Johnson said there was nothing in the ordinance pertaining to refunds but none have ever been paid in the past. The Commission agreed to not give Mr. Baum a refund for his beer license.

**GRAND COUNTY SPECIAL SERVICE WATER DISTRICT - TAX**

Gail Johnson, clerk, said that last September the Grand County Water Conservancy District and the Grand County Special Service Water District annexed 43 properties in San Juan County to use their irrigation water. Because of this the county now has to set up a special district for taxing purposes and figure

the values to set the tax rate. (The amount of money to be raised is only \$231.75.) Mrs. Johnson said she talked to the State Tax Commission and they recommended that the property owners pay a users connection fee to Grand County. The Commission told Mrs. Johnson to write a letter outlining the problems and her recommendations and send it to the San Juan Water Conservancy District, Grand County Water Conservancy District and Grand County Commission and ask how they would like to solve this matter.

**HEALTH CARE - HILL-BURTON OBLIGATIONS - NURSING HOME SALE**

Rick Bailey, Administrative Assistant, reported that he talked to Jack Coffas, aid to Senator Hatch's Committee, about the county proposing to transfer the Hill-Burton obligations to the hospital after reducing one-half of the obligation. Mr. Bailey said that Mr. Coffas asked him to write a letter to Senator Hatch explaining what the county wants to do and Senator Hatch will propose an amendment to the bill that will allow the county to so.

**ROAD DEPARTMENT**

**Mexican Water Chapter Shale Pit** - Doug Pehrson, surveyor/engineer, met with the Commission to review the road department plans. Mr. Pehrson presented the Commission a survey of the Mexican Water Chapter shale pit near Todahaidekani. Commissioner Maryboy said he will give the survey to the Navajo Tribal Land Administration so they can make a decision on the county's lease application for the shale pit.

**Long Canyon Road** - Mr. Pehrson reviewed the plans for the Long Canyon road project. He was requested to look at another site.

**Dust Guard** - Mr. Pehrson said he talked to three different companies that supply dust guard materials. The companies will each supply to the county enough material to do one mile of road free of cost, the county will pay shipping costs and provide the labor. The Commission and Mr. Pehrson agreed to do the testing on the road to Paiute Farms Marina in three different mile sections.

**Federal Government Test Project** - Mr. Pehrson said that Bio Path has asked the Federal Government if they can do a test project and asked if the county wanted to participate. It would be funded by the Federal Government and the county would be required to pay a share of 9.2% of the total cost. A federal-aid secondary road of their standards on the width and curves is required. The Commission authorized Mr. Pehrson to follow through with this project.

**Brown's Canyon Road** - Mr. Pehrson said he will write a description for a 50-foot right-of-way to widen the road at Brown's Canyon south of Blanding. The county will furnish the material for the fence.

**PACK CREEK RANCH - SUBDIVISION**

Jane Sleight, owner of Pack Creek Ranch, met with the Commission to explain where they are with the subdivision plans. Mrs. Sleight said she is waiting for the state to approve the water system. When everything is finalized Mrs. Sleight said she will bring the plans in for the Commission's approval.

**SOCIAL SERVICES CONTRACT AGREEMENTS**

The following contract agreements were approved on the motion of Commissioner Maryboy and seconded by Commissioner Bailey. UNANIMOUS. Commissioner Black was authorized to sign the agreements.

1. Agreement between Utah State Department of Social Services Division Aging and Adult Services and San Juan County. The county will be reimbursed by the state \$73,838.
2. Agreement between Utah State Department of Social Services and College of Eastern Utah, San Juan Center. The county will be reimbursed by state not more than \$34,000 and funds for this contract provided by Social Services Block Grant Discretionary Funding.
3. Agreement between Utah State Department of Social Services and San Juan Health Care Services. The county shall be reimbursed by the state not more than \$6,000. Funds for this contract provided by Social Services Block Grant Discretionary Funding, and Work Program S30715.
4. Agreement between Utah State Department of Social Services and San Juan School District. The county shall be reimbursed by the state not more than \$10,000 and funds will be provided by Social Services Block Grant Discretionary Funding.
5. Agreement between Utah State Department Social Services and San Juan County. The county shall be reimbursed by the state not more then \$32,000.

**HISTORIC PRESERVATION CONTRACT 1987-1988**

Commissioner Bailey made the motion to approve the Historic Preservation Contract for Certified Local Governments for 1987-1988 and authorized Commissioner Black to sign the contract. Commissioner Maryboy seconded the motion. UNANIMOUS.

The Division of State History agrees to reimburse San Juan County \$3,180 which is 50% of the total eligible costs incurred in completing the project items. The County agrees to provide matching non-federal funds of \$3,180 for a total of \$6,360.

**BUS SERVICE - TRAILWAYS**

A newspaper article in the Desert News states that Greyhound Lines Inc. announced that it would buy the remaining bus routes and other assets of its competitor Trailways Corporation. Commissioner Black will call Bob Buschner, Trailways, to see if will provide bus service in the county.

**SHERIFF'S DEPARTMENT EMPLOYEE GRIEVANCE HEARING**

Rick Bailey, Administrative Assistant, said that Jerry Guthrie, former sheriff's department employee, has asked for a grievance hearing. The hearing is set for June 24 at 2 p.m.

**BLM SCENIC TOUR - CONGRESSMAN HANSEN AND CONGRESSMAN NIELSON**

Congressman Hansen and Congressman Nielson will be in the county on July 31 and August 1 by invitation of the BLM to review all wild and scenic river designation proposals.

**PART-TIME EMPLOYMENT AGREEMENT**

Commissioner Maryboy made the motion to approve Gaylen Schaugaard's part-time employment agreement for custodian of the Monticello Library and authorized Commissioner Black to sign the agreement. Commissioner Bailey seconded the motion. UNANIMOUS. Both were hired with no provision for probationary increases.

**SAN JUAN COUNTY RESOLUTION 1987-7 IN SUPPORT OF SUPER CONDUCTING SUPER COLLIDER FOR UTAH**

Commissioner Bailey made the motion to approve the following resolution and Commissioner Maryboy seconded the motion. UNANIMOUS.

**RESOLUTION 1987-7  
IN SUPPORT OF  
SUPER CONDUCTING SUPER COLLIDER  
FOR LOCATION IN UTAH**

WHEREAS, the U.S. Department of Energy has proposed to construct the Super Conducting Super Collider project which is a facility requiring about 8,000 acres;

WHEREAS, great economic benefit will go to the state selected as the site for the Super Conducting Super Collider project--\$3.2 billion being spent on construction with 750 long-term construction jobs and 4,000 peak construction employees jobs being created. Additionally, 3,000 technical employees will be needed to run the facility on a

\$270,000 million a year operating budget;

WHEREAS, the Super Conducting Super Collider project will not just bring direct and indirect jobs and economic benefit to the State, but represent the cutting edge of technology in the world which will enhance research at our universities, and spin-off technologies and will encourage development of existing energy industries and also have a favorable impact on tourism;

WHEREAS, this is the kind of industrial growth best suited to Utah because of its ability to meet the technical criteria for the site;

NOW THEREFORE BE IT RESOLVED, that the San Juan County Commission strongly endorses the Super Conducting Super Collider project and strongly encourages its location in Utah.

**UTAH STATE TAX COMMISSION - PROPOSED FUNCTION PROPERTY TAX DIVISION**

Mike Monson, State Tax Commission, met with the Commission, Assessor Barbara Montella, Recorder Louise Jones, Clerk/Auditor Gail Jones, and Treasurer Marian Bayles. Mr. Monson explained that the Tax Commission is proposing new functions in the property tax division. The Tax Commission recognize that the county recorder, auditor, treasurer and assessor all work together in the tax division. The state is proposing a uniform procedure and standard of shifting duties and responsibility from the state to the county level and will also provide training sessions on their level. The county will do the sales ratio study and the state will audit the counties. The Commission stressed that the Tax Commission need to audit the bigger companies because that's where the money is. The Commission and the elected officials said this will be a more productive system.

**BILLS APPROVED FOR PAYMENT**

Keith Chiara	mileage for June	175.00
Blanding Justice of the Peace	sheriff's office report 6-29-87	110.00
Callister & Nebeker	sheriff's office collection	50.00
Monticello Justice of Peace	sheriff's office collection	350.00
Crowley Construction	gravel pit rock & Hauling	1,480.48
Kenneth Miller	hauling road dept	1,597.75
Dayne Shunway	hauling road dept	1,828.75
H.F. Cosby	hauling road dept	1,848.00
Honest Dollar Construction	hauling road dept	1,655.50
Sam's Photo Lab	develop film PSB	4.99
Clyde Gonzales	87SC012	35.50
Phillip M. Murray	life savory class	200.00
Gordon Redd	restitution Charlotte Hutchins	43.00
Atkinson Hotel	NACo res. Maryboy	200.00
National Assoc. Counties	reg. Maryboy NACo	225.00
S. Rigby Wright	witness fees: Guthrie hearings	28.00
Mike Bradford	witness fees: Sam Eddie 87CR58	20.00
Gary Babb	purchase shearing equipment	67.00
U.S. Post Office	renewal Bulk permit annual fee	50.00
Gouldings Lodge	gift certificate	20.00
Assoc. of County Treasurers	ACT annual membership dues	20.00
Karen Taylor	janitor work	160.00
Stan Bronson	work done on video	750.00
San Juan County Library	petty cash	38.53
LaRay Alexander	travel SLC	142.80
Tauna DeGraw	director girl's softball	300.00
Mike Lacy	director Pinto League	213.00
Murdock Travel	Maryboy travel	524.00
Kline Carroll	director minor league baseball	107.00
Kirk H. Carroll	transporting gas pumps	73.94
Ruby Bronson	travel	128.35
San Juan County Aging	petty cash	25.32
Mary Thornton	director girls softball	205.00
Holly Tatnall	travel expenses	102.36
San Juan Co. Library	petty cash	45.02
Kathy Sherman	ten computer binders	20.00
Sew & Save Fabrics	curtain fabric	27.58
Rufina Romero	cleaning Sr. senter June	40.00
Parley Redd Mercantile	cleaning drapes B Library	219.00
Wayne Rasmussen	Hubs & Stakes	97.00
Clisbee Lyman	damage fence Dodge Canyon Fire	100.00
Jim Keyes	travel Heber City	128.40
Koskie Farms	mower parts	51.23
Colleen Harvey	meals	1,002.00
Leonard Hurst	Guthrie hearings	18.48
Dandy Daisys	rodeo queen contest flowers	33.75

**ADJOURNED**

There being no further business the meeting was adjourned at 5:00 p.m.

  
Calvin Black, Chairman

  
Karen Halls, Deputy Clerk