

SAN JUAN COUNTY COMMISSION MEETING  
SEPTEMBER 23, 1985

The San Juan County Commission met in regular session on September 23, 1985 at the hour of 9 a.m. in the San Juan County Courthouse at Monticello, Utah.

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

**UAC TAX MEETING**

The commission discussed a letter that was received by Barbara Montella, County Assessor from the UAC regarding taxing policies on Time-Share Condominiums meeting scheduled on Friday, September 27, 1985.

**MINUTES OF SEPTEMBER 16, 1985**

Commission Bailey requested to have a meeting on Monday, September 30, 1985 at which time the Commission will make the decisions regarding all Board of Equalization changes.

**EASEMENT OF RIGHT OF WAY**

The commission discussed an Easement of right of way for a drainage ditch on Charles Schaffer's property. Commissioner Bailey said he will follow up and talk it over it with the County Attorney, Bruce Halliday.

**THE SAN JUAN COUNTY JAIL**

Commissioner Ken Bailey said that several architects contacted him on the county jail. Commission Bailey wishes to advertise and accept proposals from other architects along with John Peterson's proposal. The cities of Monticello and Blanding may want to discuss the possibility of getting an office in the new jail facility.

**UTAH LOCAL GOVERNMENTS INSURANCE TRUST**

Utah Local Governments Insurance Trust called Commissioner Ken Bailey. The call was in regards to meeting with Rick Bailey, Assistant to Commission, on October 1, 1985 at 11:00 a.m. here in Monticello, Utah.

**SHERIFF RIGBY WRIGHT - EMPLOYMENT OVERTIME**

Sheriff Rigby Wright met with the Commissioners regarding a letter the Commissioners received from Deputy Rudy Cook as to insurance problems he was having with BC-BS and unpaid overtime. Commissioner Ken Bailey asked Sheriff Rigby Wright if there was a memo sent to his employees regarding overtime. He said he was not aware of any memo. Commissioner Calvin Black said that there should be a statement written, acknowledged and signed by the employees. The statement should state that there will be no overtime without a specific authorization. Sheriff Rigby Wright agreed with the commission. Commission Calvin Black said there should be more control and management in the Sheriff's Department. The commission also discussed the County hiring policy, and said that the Sheriff Department should advertise and inform the Department of Employment Security before hiring. Sheriff Wright said several of his employees are qualified for a probationary raise. The commission did not agree with Sheriff Wright, because the officers were just hired, not in accordance with the San Juan County policy; if the officers want to comply with all the policies, they will have to resubmit their applications to be considered with other applicants. Sheriff Wright said he will review the personnel policy. Sheriff Wright said he would have each of his employees sign a statement acknowledging receipt of the personnel policy and policy on overtime. The statement will be reviewed by the Commission and the County Attorney, Bruce Halliday before it is given to the employees to sign.

**OVERTIME SUGGESTION DRAFT**

The Commission discussed the overtime policy. The Road Department has written a draft on handling overtime. Commissioner Bailey gave Sheriff Wright a copy of the draft and, Gail Johnson, County Clerk also got a copy.

**BILL NIELSON - SUBLEASE ON THE MI VIDA**

Mr. Bill Nielson met with the commission. Mr. Nielson presented a sublease agreement of the Mi Vida Mine for the commission to sign. Mr. Nielson stated that he wants to finish digging out the uranium ore. Commissioner Calvin Black suggested the lease agreement be reviewed by the County Attorney, Bruce Halliday Motion was made by Jerry Holliday for the approval authorizing the commission to sign the lease agreement on the Mi Vida. Pending review by the County Attorney, Bruce Halliday, motion was seconded by Commissioner Ken Bailey. UNANIMOUS.

**JOINT ROAD COMMITTEE**

Commissioner Ken Bailey reported that he will be attending the Joint Road Committee meeting on September 25 and September 26, 1985.

**SAN JUAN PHYSICIANS GROUP ACCOUNTS**

Mr. John Fellmeth, Deputy Auditor, met with the Commission regarding the Physicians' Group accounts. The commission discussed the different avenues of collecting these accounts. The commission agreed that letters should be sent to each account stating that the account should be paid within thirty days. Each account less than than \$100.00 will be written a letter requesting payment in full. Those accounts over \$100.00 will be charged interest if not paid within thirty days. These letters will be sent out return receipt requested.

**AMBULANCE KEYS**

Commissioner Bailey reported that he has to contact Mr. John Baker, District Fire Warden, and have Mr. Baker give the Montezuma Creek ambulance garage keys to Mr. Rayburn Jack, San Juan Hospital Administrator. Commissioner Bailey asked Jane Musselman, Deputy Clerk to follow up on it.

**NAVAJO TRIBE & BIA - MEMORANDUM OF UNDERSTANDING - COUNTY ROAD 424**

Commission Bailey asked Jane Musselman, Deputy Clerk, to send a letter to Herb Clah, Executive Director of UNDC, for clarification on the George Cisco Road; also explaining that Road No. 424, a County "B" Road, and BIA Road No. 6470 are included in the Memorandum of Understanding and Memorandum of Agreement. Commissioner Bailey also mentioned the renewal on the ten year 1986 contract with Navajo Tribe and the BIA on the San County roads that are located on the reservation.

**SAN JUAN COUNTY ROAD DEPARTMENT - EL PASO NATURAL GAS**

Commissioner Bailey reported that Doug Pehrson, County Surveyor/Engineer, is meeting with Charles Halloway

of El Paso Natural Gas concerning County Road No. 444. Commissioner Bailey said he will follow up on the meeting.

#### **JAIL PROPERTIES**

Commissioner Bailey reported on the options of jail properties. The options were exercised and the owners were notified to furnish abstract of title insurance. Rick Bailey, Assistant to the Commission, prepared deeds and sent to all property owners. The transactions will be handled through Southeast Utah Title Company.

#### **NEWS RELEASE - PROPOSITION 13**

The Commission prepared the following news release:

#### **Proposition 13 Not Answer Says Commission**

A Utah proposition 13, as proposed by the Utah Taxpayer's Association (UTA), is not the answer to the property tax increase on homes and local business property, San Juan County Commissioners said Monday. The only solution, say the commissioners, is for the governor and the Legislature to enact legislation to reverse the shift of property taxes from state-assessed properties to locally assessed properties.

The commissioners contend UTA has erroneously represented that counties, cities, and schools have reaped windfall tax revenues. In fact, say the commissioners, the general fund of the State of Utah has benefitted most from tax revenue windfalls from increased taxes on locally-assessed property and decreased taxes on state-assessed property.

In 1958, a property tax breakdown showed state-assessed properties at 41.39% and locally assessed properties at 58.61%. By 1984 state-assessed properties accounted for only 23.5% and locally assessed properties accounted for 71.5% of property taxes. County commissioners cite this significant escalation of locally assessed properties as dramatic evidence of the unfair shift in the property tax burden.

Tax payers in San Juan and other counties have recently received tax notices. In most cases, taxes have gone up, sometimes astronomically. According to the commissioners, this continues a pattern and policy initiated by the 1969 Legislature.

The 1969 Legislation requires all locally assessed residential and commercial property to be assessed a market value. Market value, for this purpose, is based on inflation, and determined by comparable sales, replacement, and/or income approach. The market value formula is not used to evaluate such state-assessed properties as railroads, utilities, and non-metal mining. The result is a shift in the property tax burden amounting to millions of dollars.

Railroad, utility, and transportation companies are now enjoying large tax cuts while taxes rise on homes and small businesses, say San Juan County commissioners. The windfall, they say, is going directly to the general revenue fund of the State of Utah - i.e., the Legislature.

The commissioners noted that generally speaking, the largest portion of the property tax dollar goes to the State Uniform School Fund. The second largest portion goes to cities. Local school districts and county government are next and average an equal amount. Last to benefit from the property tax dollar is county-wide and special taxing districts.

According to the commissioners, counties, cities, and elected officials are now being blamed for a situation they have been fighting for over 15 years. They say they believe UTA and State Tax Commission recognizes the shift in the tax burden, but unable, or unwilling to do anything about it in the face of ultrapowerful lobbies.

#### **MONTICELLO SWIMMING POOL**

Commissioner Jerry Holliday reported on the Monticello Swimming Pool. A letter was received by the Commissioners from Ms. Jeppson. Ms. Jeppsen expressed her concerns that the pool stay open this winter, and stated that lots of the Blanding and Monticello people also want to keep the pools opened for the winter. The Commission decided to let the Recreation Director decide how he/she wants to handle the request, when he/she is appointed. Commissioner Holliday is going to meet with Sam Chamberlain of Chamberlain Construction concerning solar panels for the swimming pool for Monticello and Montezuma Creek.

#### **COUNTY-WIDE RECREATION DIRECTOR**

Commissioner Holliday reported the deadline for advertising for the County-Wide Recreation Director was on the 20th of September, 1985. The commission stated they will make their decision on the 3rd of October, 1985 to fill the position for the County-Wide Recreation Director.

#### **MOSQUITO CONTROL**

The commission met with Dr. Ralph Horne, District Supervisor for the Extension Service, regarding the mosquito control in Bluff and Blanding. Dr. Horne stated the weather will eliminate the mosquito problem this year, however, steps should be taken now to prevent the problems next year. Dr. Horne said there should be a survey conducted in the area to determine the breeding habitats and what kind of mosquitoes are in the Bluff and the Blanding area. The Commission agreed to have the survey done and asked Dr. Horne to do the survey. Dr. Horne agreed, and he made arrangements to come back to investigate the mosquito problem after the 5th of October, 1985.

#### **EXTENTION SERVICE**

Ralph Horne, District Supervisor for the Extension Service met with the Commission. Dr. Horne reported on the Extention Program and announced that Robert Thompson, County Agent, will be going to Nepal for a two-year assignment and Helen Neal, County Home Economist, will be transferred to Davis County. Mr. Thompson's and Ms. Neal's position are presently being advertised. Dr. Horne reported Dr. Craig Burrell, Livestock Specialist, and Sharon Myron, Grand County Home Economist, will be assisting until replacements are made. There will be part-time help to work in the San Juan Extension Office to keep the office open. Dr. Horne also reported that an Advisory Committee is being set up to assist the needs of the county. The Committee would work with the two new employees in determining the needs of agriculture, youth program, senior citizen, etc. The Commission agreed with Dr. Horne and Commissioner Bailey suggested that a letter be written to UNDC for their assistance in identifying the serious needs of the county on the reservation.

#### **ASSESSED PROPERTY TAXES**

Commissioner Black made a report that Mr. Bill Howell of the Southeast Utah Association of Governments had gathered some information on properties assessed in the state. Local assessed valuation has increased 4 times greater than state assessed properties. The letter outlining these inequities between state and local assessed properties is available in the clerk's office. Commissioner Black reported that he is still working with Mr. Howell to get more information. Commissioner Black will follow up on it and report at the next meeting.

#### **SUPREME COURT'S**

#### **DECISION - KENNECOTT - SALT LAKE CITY**

Commissioner Black received a letter regarding the Kennecott Copper and Salt Lake City lawsuit. Commissioner Black reported the State Tax Commission had refused to give counties any information on assessed properties. The decision of the Supreme Court struck down the Tax Commission and Kennecott's position. The counties will now have the right to review the figures, numbers, and method of assessment.

**UAC REVENUE AND TAXATION STEERING COMMITTEE**

Commissioner Black received a notice from the UAC Revenue and Taxation Steering Committee regarding a meeting in Provo, Utah on Friday, October 4, 1985 at the Utah County Court house. The meeting is regarding Transitory Personal Property Tax, Farm Land Assessment Act, Interest on Delinquent Personal Property Taxes, Time Share Estates, Amendment on House Bill 160, and the Net Annual Proceed Amendment. Commissioner Black said he will try to go to this meeting, although he has a meeting to attend in Salt Lake City.

**DEPARTMENT OF ENERGY - NUCLEAR WASTE**

Commissioner Black received a letter from the University of Utah in response to a previous letter he wrote them concerning Professor Lockhart's ability to attend all these Department of Energy hearings and meetings. Commissioner Black's answer to Mr. Spurgeon will be sent today.

**BLUFF TELEVISION - CHANNEL 7**

The Commission received a letter from Mrs. Mary Foushee of Bluff concerning the the poor television channel reception in Bluff. Commissioner Black asked Jane Mussleman, Deputy Clerk, to contact William Bayles, County Communication Engineer, to follow up on the television problem.

**HALLS CROSSING**

Commissioner Black received a letter from the Federal Aviation Administration regarding the grant agreement for the Airport Master Plan at Halls Crossing and the letter will serve as the notice to proceed.

**COUNTY EMPLOYEE SALARY SURVEY**

Commissioner Black reported on a request for County Employee Salary Survey from the Utah Association of Counties. Commissioner Black asked Jane Mussleman, Deputy Clerk to have Rick Bailey, Assistant to the Commission, and Gail D. Johnson, County Clerk, to follow up on this.

**DEVAR AND DAN SHUMWAY AGREEMENT**

Commissioner Black asked Commissioner Bailey if he had further information on DeVar and Dan Shumway's agreement. Commissioner Bailey stated that Bruce Halliday, County Attorney, was going to present the agreement. Commissioner Black said he will follow up on this agreement.

**DIVISION OF ALCOHOLISM AND DRUGS**

Commissioner Black reported that the San Juan County Commission would like to send a letter to the Division of Alcoholism and Drugs requesting that the Commission be designated as the Local Alcohol and Drug Authority in accordance with House Bill 286.

**SAFE SIDEWALK ACT**

Commissioner Black reported on a notice the from Safe Sidewalk Act. The notice stated that there is money available for sidewalks. Rick Bailey, Assistant to the Commission, will check into it.

**RECREATION INVENTORY**

Commissioner Black reported on a March 1, 1981 inventory of recreation equipment in the basement. Commissioner Black requested a follow up on this inventory.

**ROAD FROM MONTEZUMA CREEK TO BLUFF**

Commissioner Black reported on a 1984 letter requesting improvement of several roads from Montezuma Creek to Bluff that were in bad condition. Commissioner Black asked if it would be possible to again propose to have the road from Montezuma Creek to Red Mesa improved again. Commissioner Bailey said it would best to wait and request again at a later date. He suggested that the County request improvement of the road from the old trading post to the intersection at Montezuma Creek and immediately after that request to have the road from Montezuma Creek to Bluff be improved. Commissioner Black agreed.

**HALLS CROSSING AIRPORT - UTAH DIVISION OF AERONAUTICS**

Commissioner Black received a copy of a letter from Dan Nielson, Aeronautics Planners Professional Engineer of the State of Utah to John Lancaster, Superintendent of Grand County National Recreation regarding the Halls Crossing Master Plan. Their comments were that the airport should definitely have a 4500 foot runway. They report that the minimum for that area, with the lake location and altitude, would be 6600 feet and 75 foot minimum width, and increase the weight to 30,000 pounds. The present airport at Bullfrog should be maintained by the Park Service.

**BLUFF AIRPORT LEASE**

Commissioner Black reported that he met with Ed Sherrick, District Manager of the Bureau of Land Management, regarding a proposal from 1982 for lands in the San Juan County. After re-evaluation and appeals Commissioner Black will follow up with Mr. Ed Sherrick. Commissioner Black reported that the BLM has approved the extension on the Bluff Airport lease. The rental will remain at \$10.00 a year until 1989 at which time rental will be reviewed in accordance with 43 Code Federal Regulation 2911.1-2 patent E. Gail Johnson, County Clerk, reported the airport lease on BLM land is being revised and rental rates may be based on 50% of the market value of the entire acreage involved.

**Bills Paid This Month**

Abajo Electric	Repairs Monticello Pool	\$ 30.00
Beacon Metals, Inc.	Supplies Library (M)	366.21
Carol Billsie	Judgment Nora Grant	56.50
Keith Black	Restitution case #639	150.00
Oley Black	Tool Allowance Sept. 1985	25.00
Blue Cross-Blue Shield	County Insurance	1,595.30
Blue Mountain Foods	Breakfast for Jail	162.18
Charles Bowles	Per Diem Meals	56.00
Bryan, Robert F.	Tool Allowance Sept. 1985	25.00
M.V. Christensen	Hauling for Road Dept.	1,193.50
Continental Tel Co of the West	Tele. Charges Communication	72.81
Cortez Glass Company	Supplies Road Dept.	167.08
HF Cosby Jr.	Hauling for Road Dept.	1,212.75
Custom Fllors and Furnishings	Carpet for Courthouse	2,690.50
Federal Signal Corporation	Repairs Sheriffs Dept.	56.78
Rowland Francom	Herbicine Purchased	87.18
Hawkins, Stanley M.	Tool Allowance Sept. 1985	25.00
Horsehead Hardware	Supplies Library (M)	400.00
Husky Oil Company	Gas Purchased Sheriff	7.89
International Business Machine	Maintenance Agreement	380.21
Inkley's	Supplies Sheriffs Office	104.36

Kents	Dinners Sheriffs Office	1,257.89
Leavitt, Grant H.	Green Fees for Sept. 1985	840.00
Martineau, Gary	Janitor Library (B) Sept. 1985	404.25
Navajo Tribal Utility Auth.	Utilities Fire Control	7.50
Victor Nebeker	Tool Allowance Sept. 1985	25.00
P & F Parts and Supply	Repairs Parts Sheriff Dept.	12.73
Tierre J. Patterson	Tool Allowance Sept. 1985	25.00
Phillips Petroleum Company	Gas Purchased Sheriffs Dept.	20.33
William H. Pierce	Per Diem Mileage	130.19
Re. Sharing Advisery Service	Revenue Sharing Handbook	85.00
Rufino Romero	Janitor Library (M) Sept. 1985	225.00
San Juan County	Spraying for Road Dept.	9,480.66
San Juan Health Care Services	Operation S.J. Nursing Home	46,142.37
San Juan Physicians Group	ICC PE Loretta Carroll	80.00
The San Juan Record	Advertising County Fair, 85	164.82
Gaylen Schaugard	Janitor Library (M) Sept. 85	173.25
Dayne Shumway Const.	Hauling for Road Dept.	635.25
Sinclair Marketing Inc.	Supplies Communications	480.80
John Skidmore	Herbicide Purchased	150.00
John Skidmore Jr.	Herbicide Purchased	150.00
Smith Media Corp.	Advertising Library (JOB)	30.00
Southeastern Utah Title Company	Purchase Jensen Property	110,000.00
D. A. Spitzer Company	Supplies Road Shop	57.74
State Information System Serv.	Maintenance Billing July	149.00
Utah State Insurance Fund	Employers Payroll Prem. RPT	1,233.97
J.J. Steffen	Reimb. for Busess Repairs	27.34
Swenson, Eric P.	Public Defender Sept. 1985	500.00
Texaco Incorporation	Gas Purchased Aging/TV	286.25
Tri-State Tool Company Inc.	Bail Refund \$20-201	10.00
Turquoise Service	Gas Purchased Sheriff Dept.	123.28
University Radiologist	Payroll Deduction	100.00
Utah Power & Light Company	Utilities Montz. Creek	460.82
Wheeler Machinery Company	Supplies Road Dept.	1,146.46
White Mesa Ute Council	Meals for Aug 1985	355.00
Colonial Life & Accident Ins.	Liability from Payroll Run	378.88
Equitable Life Assurance Soc.	Liability from Payroll Run	610.00
First Security Bank of Utah	Liability from Payroll Run	12,973.04
San Juan Credit Union	Liability from Payroll Run	200.00
State Tax Commission of Utah	Liability from Payroll Run	4,151.34
U.S.E. Credit Union	Liability from Payroll Run	4,735.65
Utah State Retirement Board	Liability from Payroll Run	671.01
Utah State Retirement Fund	Liability from Payroll Run	16,919.12
Ut St Social Security Agency	Liability from Payroll Run	
San Juan County Justice of the Peace	Sheriffs Office Collections	428.00
First Security Bank of Utah	B-Road TCD	1,690,562.02
P & F Parts and Supply	Balance forward on invoice 1273	116.65
William O. Sheppard	Work at Blanding Gold Course - Sept.	600.00

**MINUTES OF THE SAN JUAN COUNTY BOARD OF EQUALIZATION**

**SEPTEMBER 23, 1985**

The San Juan County Board of Equalization met on Monday, September 23, 1985 at the hour of 1 p.m. in the Commission Room of the San Juan County Courthouse, Monticello, Utah.

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

Also present was Barbara Montella, County Assessor.

**Hearings**

For the names of citizens appearing at the Equalization Hearings and the decisions made on their assessed taxes, please refer to the Equalization Minutes of September 30, 1985.

**Adjourned**

There being no further business, the meeting adjourned at 4:45 p.m.

  
 Calvin Black, Chairman

  
 M. Jane Musselman, deputy clerk